consequently this Plan makes a significantly lower contribution to the wider sub-regional needs which plainly have not diminished.

Furthermore, the Plan has exaggerated the likely housing supply from Welborne and other sources to such an extent that a shortfall in housing supply is inevitable.

The Plan overlooks the opportunity provided by the previously identified Strategic Growth Area at South Fareham which would make an important contribution to housing supply in the short term and providing surety of supply over the longer term. The suitability of this location is apparent from the Council's evidence base; it is accessible to the Borough's main urban area, it is not an area that is sensitive in landscape terms, development can be accommodated without undermining the principle of separation between Fareham and Stubbington, there are no environmental designations that preclude development and the transport modelling and its' conclusions has assumed development in this location. A development scheme in this location can also deliver nitrate neutrality and biodiversity net gain. Development to the South of Fareham can achieve *Good Growth*.

Unfortunately, the Sustainability Appraisal does not consider higher levels of growth consistent with the January 2020 Local Plan Supplement, and, as such, fails to consider a reasonable alternative.

The following Modifications are considered necessary for the Local Plan to be sound:

- The minimum housing requirement should be defined by reference to the existing Standard Method;
- The housing requirement should be increased further to take account of the low level of completions from 2018 onwards compared to the level of local housing need;
- The level of unmet need that is accommodated should be based on constructive, active and on ongoing engagement with neighbourhing authorities;
- Assumptions about the delivery of new housing at Welborne should be revisited and revised down;
- The windfall allowance should be revised down;
- Alternatively, the level of contingency should be increased;
- Additional housing allocations should be provided for;
- Land South of Fareham should be allocated for housing development; and
- Separate from the allocation of land South of Fareham, the boundary of the Strategic Gap south of Longfield Avenue and west of HMS Collingwood should be amended so as not to include the land identified by the Borough Council's *Technical Assessment* that is not considered integral to the Gap function.
- The designation associated with Waders and Brent Geese on the Policies Map should be altered with consequential changes to Policy NE5.

1 Introduction

1.1 Hallam Land Management Limited ('Hallam') control a substantial tract of land to the South of Fareham, south of Longfield Avenue, west of HMS Collingwood and adjoining the Stubbington Bypass, the construction of which has recently commenced.

1.2 In successive representations to the Local Plan Review we have draw attention to the merits and advantages of locating development to the South of Fareham and how this would achieve the Borough Council's objective of *Good Growth*.

1.3 In the January 2020 Local Plan Supplement, this land, along with other parcels in this location, was identified by the Borough Council as a potential Strategic Growth Area.

1.4 In the current consultation document, such an allocation has not been carried forward.

1.5 On this occasion, the Borough Council's has alighted upon the possible revision to the Government's Standard Method for assessing local housing need, which suggests a lower level of housing for Fareham.

1.6 In our opinion, the Borough Council are wrong to have published this consultation document in this form given the status of this version of the Plan is afforded by the Local Plan Regulations; *the Plan a Local Planning Authority intends to submit for Examination*. To have based a Plan on the possible outcome of a Government consultation is plainly premature and, regrettably, the Plan's housing strategy is not positively prepared and is unsound.

1.7 The Plan's housing strategy is not an effective one. It has no regard to past performance relative to the objective assessment of housing need and the level of contingency is not sufficient when the likely delivery of Welbourne is viewed objectively. Over the plan period a significant shortfall in new housing is inevitable.

1.8 For the reasons given in this representation, additional housing land should be allocated in Policy H1.

1.9 Land South of Fareham is an eminently suitable and sustainable location for future development and should be identified accordingly. In the context of the Borough Council's *Good Growth* principles that underpin the Plan's Development Strategy, Hallam's development proposals achieve the high-level development principles and requirements set out in the Local Plan Supplement which remain entirely appropriate.

1.10 It is especially significant that the Borough Council's assessment of Strategic Gaps has drawn the conclusion that new development can be located south of Longfield Avenue without harming the integral purpose of this earlier designation. We agree with this conclusion, which accords with our previous submissions that carefully planned development will not result in the coalescence of Fareham and Stubbington and that the separate identities of these settlements can be retained.

1.11 Development at South Fareham can be brought forward to provide new homes, associated community and commercial facilities within an overall scheme that provides accessible green infrastructure and open space that will enable residents and visitors to experience a high quality

of life and well-being. The accessibility of this location can be capitalised upon with investment in new sustainable and active modes of travel. By locating new development here, valued landscapes and natural environments will be preserved.

1.12 As such, and for the reasons given herein, the previous potential Strategic Growth Area at South Fareham should have be retained in the Local Plan for future development.

1.13 In our representations in the following Sections we set out that, whilst the Plan's Vision and Strategic Priorities are correct, absent amendments to Policy H1, this version of the Local Plan will not provide sufficient housing and this will run counter to its stated intention to address housing needs by the end of the plan period.

2 Vision and Strategic Priorities

2.1 In this Section of our representations we consider the consultation document's Vision and the Strategic Priorities that the Borough Council has identified. It is instructive to consider the extent to which the Plan's policies and proposals will, in practice, contribute towards this Vision being realised and the Strategic Priorities being met, in the context of what the NPPF's anticipates of a Local Plan.

National Planning Policy Framework

2.2 Para 15 of the NPPF requires that each Local Plan should provide a positive vision for the future of its area; a framework for addressing housing needs and other economic, social and environmental priorities. (emphasis added)

2.3 Para 17 requires that a Local Plan includes strategic policies to address the local authority's priorities for the development and the use of land in its area.

2.4 Para 20 states that strategic policies should set out the overall strategy for the pattern, scale and quality of development**,** and make provision for, *inter alia*, housing, employment, retail, leisure and other commercial development, infrastructure, community facilities and conservation and enhancement of the environment.

2.5 Para 22 states that strategic policies should look ahead over a minimum 15-year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure.

2.6 Para 23 states that strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area.

2.7 In the context of plan making making, the NPPF's presumption in favour of sustainable development is framed in the following terms:

a. plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;

b. strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

2.8 In this context, it is important to recognise the significance of the Regulation 19 stage in the plan-making process. This is the Plan the Borough Council intends to submit to the Secretary of

State for the purpose of Examination pursuant to Section 20 of the Act. This is explained in the NPPG "*The publication stage plan should be the document that the local authority considers ready for examination*". Therefore, this is the Plan and the approach to meeting objectively assessed need that the Borough Council now consider appropriate.

2.9 But, as the Borough Council has suggested it won't decide whether or not to submit the Plan until it knows the outcome of the Government's review of the Standard Method, this is little more than a "wait and see" approach. This is plainly wrong given the importance of the plan-led system in overall terms, the alacrity with which an up-to-date Local Plan is needed in Fareham, and the need to maintain public confidence in the plan-making system generally.

2.10 As will be shown later, the practical difference between a housing strategy based of 520 dwellings per annum and 403 dwellings per annum is an 'end date' five years hence. When viewed in the context of providing surety over the longer term and the emphasis in the NPPF on exceeding the minimum requirement, adopting a higher growth level at this stage would have been the positive and responsible response to this circumstance.

The Vision

2.11 The Borough Council's Vision as set out in the consultation document intends that it:

- *"<u>will accommodate development</u> to address the need for new homes and employment space in Fareham Borough; and*
- *new housing will <u>address the particular needs in the Borough</u>, such as our growing housing need and an ageing population and creating attractive places to live".*

2.12 The Vision is framed by reference to the Borough's needs, whereas Fareham is part of the established Partnership for Urban Southampton and has a role in contributing to meeting the housing needs of the sub-region. Indeed, there is no reference to Fareham's sub-regional role on any of the text associated with the Vision and Strategic Priorities in Section 2 of the Plan. In this context, the Vision should be drawn more widely.

2.13 Significantly, the allocation at Welborne in the Core Strategy was specifically for a sub-regional purpose, but its role by the present time appears to have been recast entirely; a matter we return to later.

2.14 Without prejudice to the above, achieving any Vision requires policies and proposals that are genuinely aligned with it. In respect of housing, the outcome of the Local Plan's policies and proposals should be that the Borough's housing needs are met.

2.15 As such, the Local Plan must, first, establish the correct strategic housing requirement in Policy H1 i.e. the overall number of new homes that need to be built by 2037 and, second, ensure a housing supply strategy that has the necessary surety that this can be achieved.

2.16 What experience both in Fareham and elsewhere has shown is that there must be an element of theoretical overprovision as part of the housing strategy to ensure that sufficient new housing is built.

2.17 To an extent the consultation document recognises this, but, as will be shown, it significantly

misjudges housing supply to such an extent that it undermines achievement of the Vision.

2.18 Conversely had a positive approach to plan-making been adopted, the Local Plan would have provided a robust planning strategy for the Borough.

Strategic Priorities

2.19 In the context of the Vision, the first Strategic Priority is to:

- *address the housing and employment needs by the end of the plan period in an appropriate and sustainable manner, creating places people want to live or where businesses want to locate.*

2.20 Again, there is no reference to Fareham's wider sub-regional role. In the context of Section 33A of the Planning and Compulsory Purchase Act, which requires constructive and active engagement on strategic matters, this is a surprising omission.

2.21 Without prejudice to this point, as a matter of principle, such a strategic objective is soundly based and is aligned with the significant importance the Government attaches to housing provision. Such a Strategic Priority is universally found in Local Plans national-wide.

2.22 However, in this instance, the apparent driver to the Publication Draft has been an attempt to reduce the scale of housing provision despite the Vision and Strategic Priority. This is the only conclusion that can be drawn from the Council having based its Regulation 19 Plan on a consultation document concerning a potential revision to the Standard Method.

2.23 This approach is plainly not sound for the following reasons:

2.24 Firstly, it departs from the method of calculating local housing need set out in para 60 of the NPPF. No exceptional circumstance has been suggested other than a lower figure is derived from the potential revision to the Standard Method. In a recent comment the Planning Minister referred to outputs based on the consultation exercise as "*entirely speculative*".

2.25 Secondly, even if that figure is correct, it is in no way obvious how the wider needs of the sub-region are to be met; across the wider geographic area as a whole the level of local housing need is suggested to be greater than has hitherto been the case.

2.26 Thirdly, the approach to housing supply significantly overstates likely housing delivery and the scale of contingency is simply not sufficient to ensure future housing supply would meet identified need.

2.27 The inevitable conclusion is that this version of the Local Plan is not positively prepared, justified, effective or consistent with national policy. Therefore, whilst the Plan may have a clear strategic priority to address the need for new homes in the Borough, its subsequent policy to base the strategic housing requirement of 403 dwellings per annum means, when considered objectively, that it fails to do so. To consciously plan for 20% less housing than has been identified firstly as necessary, and secondly as capable of being accommodated, is not properly addressing the need for new homes in the Borough.

2.28 In short, the Plan provides for too few houses over the plan period. This in turn will give rise to

adverse effects. It will restrict the number of people who are able to purchase new housing from doing so and constrain the operation of the housing market. It will also reduce the amount of affordable housing that is built because that is a proportion of the overall amount of housing. Moreover, by restricting market housing it creates an additional and greater incidence of housing need as people who would otherwise have been able to buy a market home are prevented from and they fall into housing need. This will have harmful socio-economic effects and runs counter to the Vision to meet the Borough's housing need.

2.29 For these reasons, the consultation document is not soundly based.

3 Development Strategy

3.1 The preceding Section has considered the Regulation 19 Plan's Vision and Strategic Priorities as they relate to housing provision and has identified that, as a practical effect, its policies and proposal will not deliver the intended outcome in terms of meeting housing need by the end of the plan period. In this Section, we consider the proposed Development Strategy and the extent to which it could accommodate a greater level of development if necessary.

3.2 The Plan's Development Strategy, set out on pages 17 – 32, and its associated Key Diagram and more detailed Policies Map, are framed by the Borough Council's approach to housing provision. This is evident from comparing the direction of travel outlined in the January 2020 Local Plan Supplement based on the published Standard Method and which identified the need for Strategic Areas of Growth to be allocated for future development, and the present approach which includes very few new housing allocations.

3.3 In the event the Borough Council has to re-cast its approach to housing provision, it will also need to adjust its Development Strategy in order to be able to deliver the strategic objective to address housing need. In this regard, it is of note that para 3.5 of the consultation document acknowledges that *"the [Local Plan] Supplement consultation in early 2020 identified the Council's preferred approach to its Development Strategy which it proposes to use to guide the focus of development until at least 2037"*. This clearly illustrates the suitability of the Strategy at that time as the basis of plan-making presently.

3.4 In the following paragraphs we comment on the various elements of the Council's Development Strategy both as articulated presently but also in the context of a revised housing strategy which would require additional land to be identified for development in the plan period.

Good Growth

3.5 The 2019 Issues and Options consultation established the principle of ***Good Growth*** as the keystone for the Local Plan's Development Strategy.

3.6 *Good Growth* was defined in the 2020 Local Plan Supplement in the following terms:

- building homes and creating employment spaces in such a way as to improve the quality of life whilst protecting the most valued and natural historic environments.
- respecting environmental protections and delivering opportunities for environmental gain, providing opportunities for reduced energy demand and waste production, whilst sensitively managing the countryside and valued landscapes.
- providing open space and leisure opportunities to encourage healthy and active lifestyles and encouraging more of us to use active forms of travel rather than the car.

3.7 This definition has been retained in the Regulation 19 Plan.

3.8 These principles exist within an overarching scale of development that the Borough will need to provide for over the plan period. It is of paramount importance that, in the context of the Plan's Vision and Strategic Priorities, this scale of development is correctly defined at the outset; only then can it be said the Plan will address housing and employment needs adequately,

appropriately and sustainably. If the housing requirement is drawn too low, it will have negative social and economic effects.

3.9 It follows that, at the plan-making stage, the Local Plan is able to set out strategic and development management policies that have *Good Growth* principles at their core; both in terms of determining which locations in the Borough are to be allocated for new development and then the form and nature of such development.

3.10 The ensuing Land Use Strategy should prioritise locations that are able to achieve the principles of *Good Growth*, albeit there are instances where there are competing interest and, as with all planning decisions, balanced judgements will be necessary.

Development Strategy

3.11 This Section of the Regulation 19 Plan describes the factors that the Council has used to determine its Development Strategy. Because of the range of considerations that are inputted to, and then flow from this, what the Plan is actually describing is its land use strategy, namely where development is acceptable and conversely where factors determine new development would not be appropriate and other considerations are more important.

Landscape and countryside

3.12 We agree that there are parts of the Borough which have a fundamental importance in landscape terms and it is right that preservation of the landscape in those locations is the principal consideration. Figure 3.1 which illustrates the Key Diagram identifies "Areas of Special Landscape Quality" and we agree with the designation of the areas shown in this regard. Policy DS3, which we comment on later, should be worded to ensure that preserving the special landscape quality of these areas is given primacy.

Settlement boundaries

3.13 Settlement boundaries delineated in earlier development plans were drawn in the context of development needs as determined at that time.

3.14 Where the scale of development cannot be met on land within the Borough's urban area, development in the countryside adjoining main settlements is a wholly necessary and legitimate proposition.

3.15 As a consequence of allocating land for development to meet identified needs, settlement boundaries can and should be amended accordingly. In short, the existing settlement boundaries are not immutable.

The desire to respect settlement identity

3.16 Given that Areas of Special Landscape Quality have been assessed and delineated on the Key Diagram it is also necessary to consider whether land identified in the current Development Plan as Strategic Gap still requires such protection, whether its boundaries can justifiably be amended in light of up-to-date circumstances or whether any areas of land subject to that designation can be developed in order to contribute to a sustainable pattern of development.

3.17 The *Technical Review of Areas of Special Landscape Quality and Strategic Gaps* considers existing Strategic Gaps in the adopted Local Plan and concludes that land south of Fareham, east of Peak Lane and west of HMS Collingwood does not perform the same function in terms of maintaining separation between Fareham and Stubbington as other land that is subject to this designation and is more integral to the purpose of preserving identity.

3.18 Chapter 4 of that Study, Paragraph 10 states that "*there exists some opportunities for development to be absorbed within the strategic gap subject to scale and future detailed design, without compromising its gap function combined with mitigation measures that can support green infrastructure enhancement*".

3.19 It follows as a matter of principle that this land should not be designated as Strategic Gap in this Local Plan as this designation plainly cannot be justified in that location. Conversely, to continue to propose this land as Strategic Gap is not justified on the basis of the Council's own evidence.

3.20 It is highly material that the Local Plan Supplement had anticipated a Strategic Growth Area in this location, reflecting the broad conclusions of the earlier Options testing that this represents a sustainable and accessible location for new development and that such development can be accommodated without harm to the separation between Fareham and Stubbington. The significance of this is especially important in the context of the greater scale of development the Local Plan should accommodate and as such this represents an eminently suitable location for development. The fact this land is outside of the settlement boundary is in no way an overriding determinant that would preclude its allocation.

Climate change, flood zones and coastal management areas

3.21 We agree that the Local Plan should not direct major new development to areas identified as having a role in mitigating the impacts of flooding or coastal erosion. It is noteworthy that the areas of potential flood risk are associated with the River Hamble, River Meon, River Wallington and Lee-Solent estuary and are largely subject to nature conservation designations and landscape designations which limit the extent these locations would be suitable for development in any event.

3.22 In this context, the land identified as suitable for future development to the south of Fareham is not subject to flood risk and can be developed with Sustainable Urban Drainage measures that would not increase the risk of flooding elsewhere.

Protected areas for nature conservation

3.23 There are strategic nature conservation constraints that exist in the Borough in the form of International and Nationally designated sites. These overlap with other environmental designations and exert a significant constraint on where development can be located, limiting the extent of land absent a constraint. None of these constraints directly affect the land south of Fareham referred to in proceeding paragraphs.

Transport corridors and opportunities to encourage more active travel modes

3.24 The NPPF advises that the planning system should actively manage patterns of growth to support sustainable travel. Significant development should be focused on locations which are

or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.

3.25 In this regard, the Local Plan Strategic Transport Assessment states the following: *The proposed growth locations in the Local Plan to accommodate forecast population and economic growth, took a wide range of factors into consideration, including transport and access implications. Most of the Local Plan growth is located either within or on the edge of existing conurbations, providing good opportunities for trips to be made by modes of transport other than the private car. Consequently, the proposed growth in the Local Plan is generally in sustainable locations in terms of transport and access".*

3.26 It is important to stress that this Transport Assessment in fact includes development at the Strategic Growth Areas, therefore, this conclusion reflects the suitability of new development in this location in these terms.

3.27 Whilst certain representations have previously raised concern about traffic impacts, the Transport Assessment concludes that the scale of development proposed (including the Strategic Growth Areas) and the resulting transport impacts are capable of mitigation at the strategic level, and that the Plan is therefore deliverable and sound from a transport perspective.

Need to encourage diversity in the housing market

3.28 We agree that there needs to a balance in the portfolio of housing sites. We comment later on the likely delivery of housing from Welborne, which can only represent a modest supply of housing in anything other than the longer term.

3.29 To meet the objective of providing sufficient housing, additional housing allocations are required for all of the reasons in this representation and in particular those in response to Policy H1. Whilst development to the south of Fareham will change the character of part of the undeveloped land between Fareham and Stubbington, this must be balanced with the material benefits of the scheme in terms of the new housing to increase housing supply in the short term and to provide a surety of supply over the longer term.

3.30 The opportunity to the south of Fareham is of a sufficient scale to meet the identified need for market housing, affordable housing, specialist accommodation and self-build and custom build housing, along with the co-location of local services and facilities to support a new neighbourhood.

Sustainability and accessibility to services

3.31 Fareham is identified in the Core Strategy as a 'key growth point' in the South Hampshire sub region and a 'secondary regional centre'. The town is the largest in the Borough with a population of approximately 37,000 people. Fareham is also an important economic centre, which has developed further over recent years, with the success of The Solent Enterprise Zone at Daedalus to the south of the town supported by significant investment in infrastructure improvements including improvements to Newgate Lane, Peel Common Roundabout and the construction of the Stubbington Bypass.

3.32 Amongst the advantages previously identified for the South Fareham Strategic Growth Area is

its proximity to the town centre, the Solent Enterprise Zone at Daedalus, the railway station and existing local services and amenities with good access to walking, cycling, and public transport links. Local facilities are situated along Bishopsfield Avenue and at Broadlaw Walk. Large-scale out-of-town retail facilities are located at Newgate Lane and Fareham Road to the east of Longfield Avenue.

3.33 Large-scale development to the south of Fareham, rather than a more dispersed pattern, would maximise opportunities to prioritise pedestrian and cycle links and extend public transport to maximise sustainable modes of travel.

The requirement to meet housing and employment needs

3.34 *Good Growth* can only be achieved if the Local Plan intends to meet objectively assessed need for housing, which for the reasons set out in response to Policy H1, it does not achieve this at the present time.

Spatial Interpretation

3.35 As a matter of principle, the identification of deliverable or developable previously developed land should be a priority, however, it is widely understood that such opportunities do not exist to accommodate the scale of new housing and employment required in the Borough.

3.36 Accordingly, the allocation of greenfield sites for future development is both a legitimate and necessary measure.

3.37 The morphology of the Borough is comprised of three urbanised areas: Fareham, Portchester and the 'Western Wards', which are part of a coastal conurbation that extends from Portsmouth in the east to Southampton in the west. Fareham is the pre-eminent urban area within the Borough in terms of services and facilities and public transport. Portchester and the 'Western Wards' are characterised more as residential suburbs.

3.38 Interspersed to a greater and lesser degree between these settlements are areas of separation comprising Portsmouth Harbour, Alver Valley, Meon Valley and the River Hamble. These are strategically important corridors that separate the main urban areas, protect their identity and prevent settlements within the coastal conurbation from merging together.

3.39 To the north of the M27, the Borough is of a more rural character, noting of course the proposed new community at Welborne which will undoubtedly change the character of this area over a long period of time.

3.40 Stubbington, a residential suburb, lies south of and separate from Fareham's urban area along with the sub-regionally important employment and logistics node at Daedalus. The Borough Council have stated aspirations to maximise the potential of the airfield's land and infrastructure assets through new commercial development, providing clusters for aviation, non-aviation and skills/innovation activity. This will contribute positively to the creation of skilled jobs in the Solent Enterprise Zone.

3.41 These characteristics have led the Council, rightly in our opinion, to consider the designation of Valued Landscapes as part of the Local Plan and in this context we are aware that the 2017 Landscape Assessment acknowledges the intrinsic landscape character of the Meon, Hamble

and Hook valleys.

3.42 We agree that the Meon Valley is a distinctly valued landscape. In our 2019 response to the Issues and Options consultation we referred to various Appeal decisions that alight upon the value of the landscape in this location. Continuing to protect this area from development and formalising a landscape designation in the Meon Valley would be appropriate.

3.43 The extent to which land around the 'Western Wards' is capable of accommodating new development is constrained by the extent of nature conservation designations close to the existing urban area which limits development opportunities to small scale schemes at most.

3.44 On the basis of the above, it follows that **locations that adjoin Fareham town, as distinct from villages away from it located in the rural hinterland to the north and west of the Borough, are inherently more suitable in terms of reflecting the morphology of the Borough, preserving its natural environment and maximizing accessibility to services and facilities to achieve the most sustainable pattern of development.**

3.45 The extent to which new development opportunities in those locations can consolidate and enhance the accessibility advantages of Fareham Town Centre and Daedalus are consistent with the *Good Growth* principles set out in paras 3.5 and 3.6 above.

Development Strategy Policies

3.46 Para 3.2 of the consultation document defines the Development Strategy as providing the "*distribution, scale and form of development and supporting infrastructure, a set of proposals to deliver the strategy, policies against which to assess planning applications, and proposals for monitoring the success of the plan*".

3.47 In addition to the narration of the Strategy, this Section of the Plan includes three policies; the first controlling new development in the countryside, the second in respect of the Strategic Gap and a third concerning Landscape. These policies do not set out a Settlement Hierarchy or Spatial Strategy for the Plan area and such policies do not appear elsewhere in the Plan either. The practical effect of this is that there is no policy that delivers the spatial objectives in so far as where new development should be located i.e. affording a priority to locations within and adjoining Fareham town as the most sustainable location in the Borough.

3.48 Given that para 3.2 suggests the role of the Development Strategy provides a set of policies that direct where and how new development should be located, the omission of what are usually commonplace policies is significant.

Strategic Policy DS1: Development in the Countryside

3.49 Policy DS1 seeks to control the use of land outside defined settlement boundaries i.e. in countryside locations.

3.50 In some circumstances it would be appropriate to grant planning permission for new development in such locations. In those instances, the benefits of a development proposal would need to be considered against the criteria in part two of the policy. In this context, we do not agree that Criterion 'v' is drafted correctly.

3.51 On certain occasions other considerations associated with a development proposal would merit planning permission being granted notwithstanding the agricultural classification of the land concerned. In this regard, whilst the NPPF affords a preference to development of lower quality agricultural land, it does not preclude the development of best and most versatile land (see footnote 53 of the NPPF).

3.52 As presently drafted Policy DS1 conflicts with the expression of this policy approach in the NPPF; as such criterion 'v' should be reworded as follows: "*avoid or minimise the loss of best and most versatile agricultural land*".

Strategic Policy DS2: Development in Strategic Gaps

3.53 In earlier representations we have identified that the evidence base provided by the *Technical Review of Areas of Special Landscape Quality and Strategic Gaps* does not justify the delineation of the Strategic Gap south of Fareham in the manner shown on the Key Diagram.

3.54 In particular, that Report identifies that the land south of Longfield Avenue and west of HMS Collingwood could accommodate new development without a significant adverse effect on the objectives of the Strategic Gap designation.

3.55 If follows that this land is not an integral part of the Fareham and Stubbington Gap.

3.56 As such the Strategic Gap should not extend across this land, as this would add a policy restriction that ought not apply on the basis of the published evidence. Put simply, such a designation should not include more land than is necessary to achieve its purpose.

3.57 For the Local Plan Key Diagram to be justified, and for the Local Plan to be sound, the delineation of the Strategic Gap south of Fareham should be amended accordingly.

Strategic Policy DS3: Landscape

3.58 The Local Plan intends to formalise Areas of Special Landscape Quality to reflect their valued status as determined through the *Technical Review of Areas of Special Landscape Quality and Strategic Gaps*. As written, Policy DS3 does not however afford any particular level of protection to these areas beyond Policy DS1, which in any event requires development proposals in the Countryside to *"conserve and enhance landscapes"*.

3.59 Policy DS3 also appears to permit major development proposals in these locations whereas the Development Strategy has sought to avoid new allocations in these locations because of their landscape sensitivity. The definition of major development is provided in the Glossary[1] and when applied to this Policy, could see large scale development proposals being advanced when this is what the Local Plan is seeking to avoid. As drafted, this Policy does little to enforce the Plan's Development Strategy.

[1] For residential schemes, major development includes those of 10 dwellings or more or on a site of 0.5 hectares or more. For other development, it includes building(s) with a floor area of 1000sq.m or more or on a site of 1 hectare or more.

4 Policy H1: Addressing housing needs by the end of the plan period in an appropriate and sustainable manner

4.1 In this Section we consider specifically Policy H1 and whether, as presently formed, the Borough Council's strategic housing requirement and housing supply strategy are sound.

4.2 The NPPF expects the planning system to significantly boost the supply of new housing by providing, in the first instance, a sufficient amount of development land where it is needed (para 59 refers).

4.3 It is clear that a Local Plan's housing requirement is to be calculated by reference to the Government's Standard Method, unless exceptional circumstances can be proven (para 60 refers).

4.4 In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

4.5 As discussed in Section 2, the Plan's Vision and Strategic Priorities establish the intention to address the Borough housing and employment needs by the end of the plan period in an appropriate and sustainable manner, creating places people want to live or where businesses want to locate.

4.6 For the Plan to address, and indeed meet, housing needs by the end of the plan period, it is important to have regard to the following considerations which are material to determining a sound strategy in the context of the Government's presumption in favour of sustainable development:

– context and the backdrop to this Local Plan;

– an objective assessment of local housing need;

– unmet need from neighbouring authorities;

– the Plan's housing deliver strategy and whether this is sufficiently robust.

4.7 As will be shown, the consultation document will not achieve this, and when measured objectively, a shortfall in housing supply over the plan period will be inevitable, contrary to the stated Vision and Strategic Priority.

Context

4.8 The earlier Core Strategy set out a Development Strategy for the period to 2026 that has hitherto been achieved in part only. This partial achievement has had significant implications for housing delivery in the plan area.

4.9 In aggregate, the Core Strategy intended that some 9,000 new homes would be built in Fareham

in the 20 years between 2006 and 2026. This comprised:

- 5,350 at the North Fareham Strategic Development Area (Welborne) to meet sub-regional needs as identified in both the South East Plan and the South Hampshire Sub-Regional Strategy; and
- 3,729 elsewhere in the Borough[2];

4.10 Over the 13 years since the start of the Core Strategy's plan period (2006/7 and 2018/19) only 4,200 new homes have been built. This is equivalent to 46% of the housing requirement in 68% of the plan period.

4.11 In comparison with the trajectory on page 21 of the Core Strategy, new housing has had to be accommodated in locations outside of allocated Strategic Development Area; in the four years from 2016, almost twice as many new homes have been provided elsewhere in the Borough than the 469 intended for the whole of that 5 year period 2016/21.

4.12 Following the Core Strategy, when the Welborne Plan was prepared in 2015, and to reflect the changed circumstances by then the Council re-calculated likely delivery at the Garden Village. Policy WEL3 identified approximately 6,000 new homes to be completed by 2036. First completions were to be achieved in 2015/16, 1,500 completions were to have been achieved by 2021 and 2,860 completions by 2026.

4.13 Plainly this hasn't been achieved and without question there has been a substantial shortfall in housing provision compared to the Core Strategy.

4.14 Manifestly, this shortfall is significant and cannot simply be put to one side. It is striking that Welborne was identified originally to meet sub-regional needs but because it hasn't delivered it now represents a source of housing to meet in a substantial part the Borough's own housing need and thus the Borough's contribution of the wider sub-regional need is much reduced.

4.15 Given the strategic objective defined by the Council, and in the context of the NPPF's presumption in favour of sustainable development, this has a clear implication for plan-making in Fareham. National Planning Policy invites Local Authorities to exceed the minimum housing requirement and to adopt a positive approach to planning for future housing. Plan-making should not be a simple mathematical exercise but a fundamental examination of how to best plan for the long-term future of the Borough. In this instance, and as the Local Plan Supplement was endeavoring to achieve, this enables the Council to develop a strategy for the longer term.

4.16 The change of direction in the Regulation 19 consultation document appears to be framed by precisely the opposite; planning for the minimum plan period and the least amount of new development plausible. Patently, that approach does not include the flexibility which a Local Plan should provide.

4.17 For example, had the Regulation 19 Plan retained the level of housing calculated by reference to the published Standard Method – 520 dwellings per annum – and had a lower housing requirement in fact materialized, the practical effect of this would merely have been a housing supply strategy that would endure beyond the end of the plan period. In simple terms, the

[2] Policies CS2 and CS15 refer

housing strategy would cater for an addition 5 years worth of housing. Given that it is beyond comprehension that housing need will not cease after 2037, this would have been a positive, adaptable, plan-led, longer term strategy.

4.18 The fact that the Council has alighted upon a potentially lower housing requirement without apparently considering the practical effect of retaining the existing housing requirement manifestly demonstrates a negative, rather than positive, approach to plan making.

4.19 Moreover, the Sustainability Appraisal has plainly not considered this as a reasonable alternative and, as such, is flawed. The Assessment of Alternatives in Section 5 of the Sustainability Appraisal relates to development locations rather than the overall quantum of development The PPG advises that "*a sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic and social characteristics of the area and the likely situation if the plan were not to be adopted*". The purpose of testing reasonable alternatives is to determine that a Local Plan promotes sustainable development when judged against reasonable alternatives, to achieve relevant environmental, economic and social objectives.

4.20 This negative approach is further evident when considering the components of the housing strategy which again illustrates a do-minimum approach.

Local Housing Need

4.21 Application of the Standard Method to calculate the Local Plan's local housing need would require 520 new homes to be provided each year, or 8,320 new homes in total between 2021-2037.

4.22 Alternatively, the Regulation 19 Plan is based on 403 new homes each year which is derived from the proposed revisions to the Standard Method published as a consultation document by the Government in the Summer. These proposed revisions carry no weight at the present time and do not provide any basis for the calculation of housing need for the purpose of this Local Plan at the present time.

4.23 Only if the proposed revisions are carried forward without alteration by Government would this serve as a basis to underpin the Plan and enable it to be submitted. Any change to the formula, as it relates to Fareham or any of its neighbouring authorities, would require reconsideration of the housing requirement in Policy H1. The Regulation 19 Plan is contingent therefore on the outcome of that entirely separate process, rather than being a Plan which the Council is able to submit for Examination. It is, for want of a better term, a "wait and see" plan.

4.24 As the Council appear to acknowledge themselves by the intention not to submit the Plan for Examination until the outcome of the Government's consultation is known, it is plainly not a sound approach at the present time.

4.25 Little more can be said about this, other than to draw attention to the obvious difficulties that have arisen in light of the Government's consultation, which have led to a significant level of opposition to the suggested changes. As recently as mid-November the Planning Minister referred to estimates of local housing need derived from its consultation exercise as "*entirely speculative*" and indicating that the revised formula was being re-evaluated.

4.26 It is also important to consider when the Standard Method was introduced and the practical effects of this which the Council don't appear to acknowledge.

4.27 The Standard Method was introduced in 2018 and the assessed level of local housing need was based on a period of 2016 onwards. The Council appear not to have grappled with the guidance in the Planning Practice Guidance in respect of this: "*Strategic policy-making authorities will need to calculate their local housing need figure at the start of the plan-making process. This number should be kept under review and revised where appropriate*". Plainly we are someway into the plan making process which commenced in 2017 and this requires the Council to have asked themselves how have housing completions compared with the level of local housing need from that point.

4.28 The published requirement was 520 dwelling per annum from 2016 onwards, whereas the highest number of completions was 349 in 2016/17 and less than half for the two years since where monitoring information is available.

4.29 The Standard Method takes account of backlog but only in so far as affordability will have increased in the years prior to the calculation and does not take account of underprovision since then. In these terms, the shortfall between the assessed level of housing need by reference to the Standard Method and actual completions has to be taken into account going forward.

4.30 The following table illustrates this:

Year	Number of Completions	Level of Local Housing Need	Shortfall
2018/2019	290	520	230
2019/2020*	263	520	257
2020/2021**	132	520	388

*Projected housing supply April 2019
**Projected housing supply June 2020

4.31 This indicates in the three years since the Standard Method was first published, the cumulative shortfall in housing completions is expected to be 875. No account is taken of this in the current consultation document. Even if the lower figure of 403 was taken as the level of local housing need, the shortfall would be in excess of 500 new homes.

4.32 In the circumstance where housing delivery in the Borough has been below both that anticipated by the Core Strategy and the measure of local housing need derived from the Standard Method, however calculated, the Council are plainly wrong to have selected a plan period that takes no account of this and a housing strategy that has no regard to that underprovision. This further undermines any notion of a positively prepared plan.

Unmet Need

4.33 Section 33A of the Planning and Compulsory Purchase Act 2004 requires a local planning authority to cooperate with, *inter alia*, other local planning authorities, and engage constructively, actively and on an ongoing basis in the preparation development plan documents, so far as relating to strategic matter. Paragraph 25 of the NPPF says 'strategic policy making authorities should collaborate to identify the relevant strategic matters which they need

to address in their plans'. Unlike problems associated with soundness, a failure to discharge the obligation in Section 33A cannot be remedied once the plan has been submitted for examination.[3]

4.34 It is clear from the work of the Partnership for Urban South Hampshire that housing provision is a strategic matter and thus there is a need for co-operation between constituent plan-making authorities. In this regard, the 'plan-making' section of the PPG provides guidance in relation to the duty to cooperate. Paragraph 022 states that strategic policy making authorities are expected to have addressed key strategic matters through effective joint working, and not deferred them while relying on an inspector to direct them. It states "[An] Authority will need to submit comprehensive and robust evidence of the efforts it has made to cooperate and any outcomes achieved; this will be thoroughly tested at the plan examination."

4.35 The consultation document makes an allowance of an additional 847 houses as a contribution to meeting unmet need from Fareham's Neighbourhing Authorities. But as this is the Submission version of the Plan, this allowance should have regard to the co-operation referred to above. There is no evidence that this is anything other than an allowance made by Borough Council without reference to the joint working through PUSH; this is nothing else but a '"cart before horse" approach.

4.36 The consultation document acknowledges that there is "*a significant likelihood of a substantial level of unmet need in the sub-region*" (para 4.4) and that over the plan period the level of unmet need in the sub-region could be circa 10,750 new homes. It is instructive that the references to unmet need in para 4.5 of the consultation document are in the context of the current Standard Method and not the higher sub-regional figure that the proposed Standard Revision indicates. In this regard, the plan appears to be "comparing apples and pears".

4.37 The following table compares the housing requirement from the current Standard Method and that indicated by the proposed revision.

LPA	Current Local Plan Requirement	Average Delivery (last 3 years)	Current Standard Method	Proposed new Standard Method	Difference between current and proposed SM
Portsmouth	547	328	855	730	-125
Fareham	147	310	514	403	-111
Gosport	170	145	238	309	+71
Havant	315	402	504	963	+459
Winchester	625	643	692	1025	+333
PUSH East	1804	1828	2802	3430	+628
Southampton	815	1148	1012	832	-180
Eastleigh		857	694	885	+191
New Forest	521	346	729	782	+53
Test Valley	588	834	550	813	+263
PUSH West	1924	3183	2977	3312	+335

4.38 The above illustrates that whilst the Fareham figure might decline, across the sub-region the

[3] *Samuel Smith Old Brewery (Tadcaster) v Selby DC [2015] EWCA Civ 1104 paragraphs 38 and 40*

overall scale of housing is greater both in PUSH East and West.

4.39 Over a 16-year period, the difference between the proposed new Standard Method would require an additional 10,000 new homes to be built across PUSH East. Compared to average delivery over the past 3 years, almost twice as many new homes will need to be built. This is unquestionably a step change in housing delivery and each Local Authority area will need to contribute towards this and maximise its contribution to the sub-regional requirement.

4.40 In September 2020 the PUSH Report to its Joint Committee looked at the potential implications of housing supply relative to Local Housing Need, and using the proposed revision to the Standard Method this still identified a shortfall of over 6,500 across the PUSH East sub-region.[4]

4.41 At para 4.5 of the consultation document, the Borough Council put forward a contribution of 847 dwellings towards meeting unmet need. There is no evidence of how this figure has been derived. All that is evident from the earlier passages of that paragraph is the very unclear picture that exists and which is subject to additional work by PUSH. Consequently, the proposed contribution of 847 dwellings – 13% - to unmet need doesn't appear to have any basis in a full and proper assessment of future housing requirement and supply across the sub-region. This is significant because, historically, Welborne had been identified to provide housing supply for that sub-regional purpose whereas now its contribution almost entirely to meet Fareham's housing need.

4.42 Switching the role of Welborne in this fashion is taking away a supply of housing identified previously to meet sub-regional needs in the longer term, when plainly that need still exists, and elevating supply available to meet the Borough's need. This denies the original intention of Welbourne, and places a very heavy reliance on one source of housing to meet local needs; on the basis of the Council's strategy, some two thirds of the Borough's housing needs would be met at Welborne.

4.43 Again, this illustrates why preparing a Regulation 19 Plan on this basis isn't justified and does not contribute to effective planning across the sub-region.

4.44 Moreover, on this basis, the evidence to justify the Council having discharged its duty under Section 33A is not at all obvious; this is particularly significant as this is the Regulation 19 Plan to be submitted for Examination.

Plan Period

4.45 The current consultation document is based on the plan period 2021-2037. This is 16 years and would accord with the 'at least 15 years' in the NPPF, if the Local Plan were in fact adopted in 2021. Experience of Local Plan Examinations and the length of time between Regulation 19 and adoption suggests this is highly unlikely. But assuming the Plan is adopted in the 2022 this would provide the bare 15-year plan period.

4.46 It is in this context that one has to consider whether the plan is *"sufficiently flexible to adapt to rapid change"*. For the reasons given later we say it does not meet this requirement.

[4] Table 4 Comparison of Housing Need and Supply 2020-2036

Delivery at Welborne

4.47 The consultation document's housing strategy is heavily reliant on housing delivery at Welborne, which was previously identified to meet sub-regional requirements. Table 4.2 of the consultation indicates that over 4,000 new homes are to be built at Welborne by 2037 to meet Fareham Borough's local housing need.

4.48 This is not a realistic assumption.

4.49 It has been readily apparent for some time that past delivery assumptions at Welborne could not be achieved. Despite the Core Strategy and the Welborne Plan assuming a significant number of new homes would have been built at Welborne by the present time, there is still no outline planning permission some 14 months after the Borough Council's Planning Committee resolved in October 2019 to grant permission for the outline planning application (P/17/0266/OA).

4.50 In our response to the January 2020 Supplement, we noted that it wasn't surprising that by that time the Section 106 had not been signed given the particular scale of that development.

4.51 However, by the present time, the absence of an outline planning permission raises a more fundamental concern about delivery at Welborne.

4.52 Nowhere do the Council provide any evidence as to when they expect outline permission to be granted, the extent of any pre-commencement works and their associated timescale, when reserved matters applications are expected and when first completions will be achieved. The closest the Council gets to any justification is that the housing trajectory has been agreed with the developer Buckland.

4.53 We are aware that there will also need to be Highway Agreements relating to works to the M27 Junction 10 prior to those works being commenced; again, in our experience such highway agreements are complex and can take a long period of time to complete. The works to be undertaken to the M27 and A32 are substantial. The Planning Officer's Report highlights the estimated costs of these works as £80m-£90m and that funding gap exists in relation to these works. More recently, we understand the Council has had to seek additional funding from Government to cover earlier Local Enterprise Partnership funding that has since been lost. Hampshire County Council has recently confirmed that: "The J10 works are not fully committed at this stage and there is no defined timescale for delivery." This is clearly a major risk in overall terms but also in terms of when such works will be undertaken and the duration of such works.

4.54 This is germane to timescales as to when development at Welborne can be anticipated, notwithstanding the milestone it reached in 2019.

4.55 A number of housing trajectories have been proposed for Welborne at different stages. The Borough Council's January 2017 Background Paper concerning Welborne set out the Council's assumption at that time. This suggested that 4,090 new homes would be built at Welborne by 2036. Whilst this would align with the current assumption, this overlooks the fact that circumstances have already moved beyond the key dates suggested therein.

4.56 If the 2017 trajectory is simply rolled forward to the present day and it is assumed that outline planning permission is granted in 2021/2022 and development commences in 2023/24 then the

total number of completions would be 3,090 dwellings by 2037 – see *Appendix 1*.

4.57 This trajectory is clearly sensitive to assumptions. Any delay in commencing development beyond will 2023/24 will cause fewer completions in the plan period.

4.58 Moreover, the extent to which 250 dwellings can be built and sustained each year from 2026 onwards is also a highly sensitive assumption.

4.59 We note that more recent research from Lichfields[5] suggests that for sites of more than 2000 dwellings, the average period of time from planning to delivery is 2.9 years. Moreover, that research indicates that for scheme the size of Welborne the number of houses built each year averaged 140 dwellings.

4.60 If a mid point between these two assumptions of 185 dwellings per annum were achieved and sustained as the peak output, this would only yield 2,360 dwellings in the plan period.

4.61 It is instructive to note that to achieve 4,020 completions in the plan period would require a build rate from 2024/25 onwards of 309 dwellings per annum. A build rate in excess of 300 dwellings per annum was rejected by the Council in 2017.

4.62 What is clear from the above is that Welborne's contribution to housing supply during the plan period has been over-estimatated. This component of housing supply is not justified and consequently the housing supply strategy is not effective.

Proposed Allocations

4.63 From our analysis of proposed allocations we have been able to identify that, whilst a number of subject to current planning applications, a significant number are subject to constraints that could delay there development. A number of Sites are owned by public bodies or are subject to multiple landownerships and with existing uses[6]. Moreover, a great many are Sites within the urban areas which are likely only suited to flatted schemes to achieve the capacity numbers and may not be suitable to developers.

4.64 Other Sites are subject to nitrates constraints[7] which may require a strategic solution to enable their release.

4.65 Consequently, it is questionable whether they will all be developed and this supports not only the principle of a contingency allowance but also the importance that that allowance reflects the overall level of uncertainty associated with the housing supply strategy.

Windfall

4.66 Table 4.2 of the consultation document includes a windfall allowance of 1,224 new homes between 2021 and 2037.

4.67 The principle of including a windfall allowance is explained in the NPPF at para 70 in the

[5] Start to Finish (2016), Driving Housing Delivery (2018)
[6] FTC1, FTC2, FTC3, FTC4, FTC5, HA7, HA13, HA22, HA24, HA31, HA36-39, HA42, HA44
[7] HA1, HA12, HA34, HA40

following terms:

- Firstly, there should be compelling evidence that they will provide a reliable source of supply.
- Secondly, any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.

4.68 It is evident that the above is much more than a consideration of historic windfall delivery and requires the plan-maker to actively consider future supply from this source.

4.69 The Council's Windfall Background Paper projects forward 51 windfall completions on small sites from 2024/25 and an additional 52 windfall completions from large sites from 2025/26. The only source of information that the Council has used to arrive at these figures is its breakdown of past windfall delivery from 2009 – 2019 which averaged 101 dwellings (51 for small sites and 52 for large sites).

4.70 Para 3.6 of the Background Papers states: *"The estimated rate of windfall development is based on past completion rates…."* (emphasis added)

4.71 Para 3.9 of the Background Paper states: *"To ensure that a cautious approach is taken and windfall projections are not overly optimistic, the projections have only taken account of windfall delivery since 2009/10*".

4.72 The very next paragraphs states *"Based on the preceding analysis, the windfall projections for the Borough are 51 dwellings per year from small site delivery and 51 dwellings per year from large site delivery"*.

4.73 It is clear that the assumption in Table 4.2 of the consultation document is derived solely from past trends and it is claimed that this demonstrates *"a compelling case"*. However, nowhere in the analysis is there consideration of whether this is a reliable source of future supply, rather it is just a forward projection of what happened in the past. The analysis does not provide any consideration of expected future trends.

4.74 It is important to recognise that windfall opportunities are finite. Opportunities to redevelop vacant or redundant land will have largely been exhausted by the present time because of planning policies that have prioritised such sources of supply for the past decade and longer. Consequently, future windfall over the plan period will rely to a much greater extent on recycling of land (i.e. existing uses being changed). This is inevitable a less certain source of housing supply.

4.75 For the purpose of assessing whether the Plan's housing supply strategy is sound, we have adjusted the windfall contribution by 25% i.e. 918 completions over the plan period.

Revised Housing Strategy

4.76 In the preceding Sections we have considered both the level of local housing need and the housing supply strategy providing a reasoned justification why this Regulation 19 Plan is not sound. The following table illustrates the effect of this.

Housing Component	Dwellings	Notes
Local Housing Need 2021-2037	8,320	520 dpa
Under-supply 2018-2020	875	Added to reflect actual housebuilding relative to LHN
Unmet need from Neighbouring Authorities*	847	No adjustment
Strategic Housing Requirement	**10,050**	No adjustment
Commitments	552	No adjustment
Sites with the benefit of Resolution to Grant	838	Excludes Welborne but no other adjustment
Welborne	3,090	Reduced to reflect roll-forward of 2017 Trajectory
Allocations in the Publication Plan	1755	No adjustment
Windfall Development	918	Reduced by 25% to reflect finite supply
Total Supply	**7,150**	Sum of Supply estimates
Shortfall	2,900	

*retained at 13% of unmet need for illustrative purposes absent any Statement of Common Ground

4.77 The above illustrates that with these alternative assumptions, addition land needs to be identified for some 3,000 new homes.

4.78 Even if the strategic housing requirement were calculated simply by reference to 403 dwellings per annum, there would be no contingency to take account of changing circumstances over the plan period, contrary to the assertion in the plan to this effect.

Housing Component	Dwellings	Notes
Local Housing Need 2021-2037	6,448	403 dpa
Under-supply 2018-2020	nil	N/A
Unmet need from Neighbouring Authorities*	847	No adjustment
Strategic Housing Requirement	**7,295**	No adjustment
Commitments	552	No adjustment
Sites with the benefit of Resolution to Grant	838	Excludes Welborne but no other adjustment
Welborne	3,090	Reduced to reflect 2017 Housing Trajectory
Allocations in the Publication Plan	1755	No adjustment
Windfall Development	918	Reduced by 20% to reflect finite supply
Total Supply	**7,153**	Sum of Supply estimates
Shortfall	142	

4.79 The above analysis clearly shows that Policy H1 has not be prepared in accordance with National Planning Policy, is not justified, is not effective and is not positively-prepared. Policy H1 should be amended to increase the strategic housing requirement and for this to be phrased as a minimum, and, both because of this, and necessary adjustments to assumptions about housing supply, additional housing land should be allocated for development.

4.80 In the following Section we submit that the Strategic Growth Area identified in the Local Plan Supplement 2020 should be allocated for housing development.

5 South Fareham Strategic Growth Area

5.1 In our previous representations we supported the inclusion of Strategic Growth Areas in the Local Plan. Hallam control a substantial tract of land to the South of Fareham, adjoining the Stubbington Bypass, the construction of which has recently commenced. This land, along with other parcels in this location, is identified in Figure 3.2 of the Local Plan Supplement Consultation Document as the Proposed Strategic Growth Area South of Fareham.

5.2 The justification for the allocation of a Strategic Growth Areas is evident from the preceding Section which identified a significant shortage in the amount of new housing to be provided in the Borough and the amount of future development land allocated for this purpose. Development South of Fareham could provide housing land over the plan period, both in the immediate term and continuity over the long term.

South of Fareham

5.3 Fareham is a sub-regional centre and is the main focus for facilities and services in the Borough. The town is the largest in the Borough with a population of around 37,300. It follows that development which adjoins the existing urban area will benefit from accessibility and connectivity to these facilities and services, enhancing opportunities for active travel and supporting the vibrancy and vitality of the town.

5.4 Fareham is also an important economic centre, which has developed further over recent years with the success of The Solent Enterprise Zone at Daedalus to the south of the town supported by significant investment in infrastructure improvements including improvements to Newgate Lane and the Peel Common Roundabout.

5.5 A new, mixed use masterplanned development to the South of Fareham, contiguous with Longfield Avenue, benefits from its proximity to the town centre, Daedalus, the railway station and existing local services and amenities with good access to walking, cycling and public transport links. These are locational merits that align with *Good Growth*.

5.6 Stubbington and Hill Head form a single urban area and have a population of c.14,300. These settlements have a range of services with a local centre, doctors, dentists, two primary schools, a secondary school and a community centre.

5.7 Local employment has improved with the development at Daedalus, which lies to the south east of the settlement. Development in south Fareham would delivery homes close to this economic and employment zone, providing housing for the growing workforce.

5.8 The Stubbington Bypass is being constructed to connect Gosport Road, Peak Lane and Titchfield Road. This will inevitably create an urbanising influence through the centre of the existing Strategic Gap. Development to the south of Fareham would assist in assimilating the bypass into the landscape and soften the impact of the road on the gap, beyond what could be achieved from constructing the bypass alone.

Development Potential

5.9 Paragraph 3.24 of the consultation document identifies high-level development principles and

requirements. Hallam support these intended outcomes and these have underpinned their proposals for a mixed-use masterplanned development.

5.10 Work undertaken over a long period of time has identified the suitability of the land controlled by Hallam to accommodate new development, how development can be arranged and the extent of mitigation required.

5.11 In our response to the 2019 Issues and Options consultation, we identified potential areas for development in this location and for convenience we have attached this at *Appendix 1*. Whilst this considered only land which Hallam control, we recognise that there are other smaller scale development opportunities within the general location, and that the Borough Council intend to work with landowners and site promoters to develop a Council-led masterplan which will focus on the delivery of community benefits as part of Good Growth. In this context, Hallam are committed to working with the Council and others to develop these proposals further as part of a co-ordinated approach.

5.12 A development scheme could comprise the following:

- Approximately 1,200 units
- a new healthcare facility
- a primary school
- a care home
- community hub
- local shops
- sports hub and
- Green Infrastructure to include public open space, equipped areas of play, Sustainable Drainage Systems (SuDS), tree, hedge and shrub planting, meadows, structural woodland planting, allotment gardens and permissive footpaths and cycleways.

5.13 Development would be accessed from a primary and secondary access from Longfield Avenue, along with associated improvements to the existing Long field Avenue/Bishopsfield Road junction and carriageway and a primary access from Peak Lane.

5.14 An outline planning application for such a proposed development was submitted in June 2020 and is presently undetermined.

Accessibility and Movement

5.15 The accessibility advantages of this location enables positive promotion of active travel. The proposed development will be served by an internal network of footways and access arrangements that can be utilised by both pedestrians and cyclists. The site is surrounded by Public Rights of Way (PRoW) that in turn can serve as cycle/walking connections from the site to other roads in the vicinity of the site. These will be maintained and improved in order to encourage more sustainable modes of travel as an alternative to the conventional car.

5.16 Bus based public transport is also a feasible means of sustainable travel from this location. Service provision on the route number X5 operated by First Group provides opportunity for peak commuter travel and also for off-peak travel. The scale of development proposed is

sufficient to deliver dedicated public transport coverage between the Site and key destinations that will have the frequency and reliability to attract patronage to secure long term viability. Any improvement will be discussed with the necessary stakeholders, but it is envisaged that the development will support the introduction of new services.

5.17 The Eclipse Busway - a Bus Rapid Transport scheme between Fareham and Gosport opened in 2012 providing a priority public transport route connecting the two towns. The BRT scheme provides a more efficient service using new, comfortable, low-emission buses that encourages bus travel through enhancing the bus travel experience. Using the new busway, buses are able to avoid congested parts of the highway network including A32 so that passengers can benefit from reliable journey times and can plan their onward travel connections.

5.18 A number of new highway improvements works have been implemented or are currently under construction which is intended to improve bus journey reliability, and encourage more people to switch from car travel to using the bus. This would have an effect of helping reduce traffic numbers and traffic congestion between Fareham and Gosport, including along Newgate Lane.

Nitrates

5.19 The land is located directly west of the edge of urban area that forms part of the designated Chichester, Langstone and Portsmouth Harbours Eutrophic NVZ (TraC) (Nitrate Vulnerable Zone). The land is currently predominantly arable farmland with a history of mixed crops such as wheat, barley, oats, rape etc. and break crops such as peas, winter oil seed rape and beans.

5.20 The above is recorded on a Nutrient plan detailing fertilizer types, tonnages and time applied for each individual field. The fertilizer applied during the period of record is a mix of pig and farm yard manures.

5.21 It is recognised that intense farming with fertilization with natural manures will lead to nitrate leaching into the surrounding surface water and ground water environment.

5.22 Through development of the land, the leeching of nitrates through farming activities will be curtailed. While there will be a new source of nitrate production and leachate associated with the new development, this is considered to be at worst a neutral impact and through further assessment a net reduction in nitrate leaching can be achievable.

Biodiversity

5.23 The Hallam land is divided into two areas by Peak Lane; the eastern area comprises largely of arable land with hedgerows and ditches forming the compartmentalisation typical of the surrounding arable tenure and has limited nature conservation value. The western compartment consists of a large area of set aside land, with areas of arable crops, which are bound by limited hedgerows and tree lines.

5.24 The most significant habitat is Oxleys Coppice which is designated as a SINC and an area of ancient and semi-ancient woodland (ASNW), which has been evaluated as county level conservation value. The Scheme can ensure that Oxleys Coppice is protected.

5.25 Hedgerows are mostly classified under the Hedgerow Evaluation Grade System (HEGS) as moderate and moderate/high value. Only two hedgerows are classified as 'important' under the

Hedgerow Regulations (REGS). Several drainage ditches are found through the Site but only have limited marginal and aquatic vegetation. These are classified as no more than local conservation value.

5.26 Surveys have identified the presence of a number of protected species, bats and breeding birds. Measures to safeguard these species and their habitats can readily be accommodated as part of the development proposed. The habitats created and the species which will benefit from the mitigation measures proposed in the Site will lead to an overall beneficial effect in the long term. Similarly, in accordance with the Solent Waders and Brent Goose Strategy, a financial contribution will be made to this, based on the classification of land's suitability for supporting such species.

5.27 The Solent & Southampton Water Ramsar/SPA, which also includes Titchfield Haven SSSI, is approximately 700m from the Site. Portsmouth Harbour Ramsar/SPA/SSSI is located approximately 1.3km to the east of the Site at its nearest point, which also support a variety of habitats and an assemblage of dark-bellied brent geese. The Solent Maritime SAC extends from the River Hamble mouth up to Botley in the west, this is approximately 4.7km west of the Site.

5.28 There is the potential for a Likely Significant Effect on the Solent SPAs from an increase in recreation from new housing development within a 5.6km zone of influence of the Solent. As a result, an Interim Solent Recreation Mitigation Strategy was published in 2014 to enable initial mitigation measures to be placed, so LAs could continue to grant permission for new homes. The strategy has been updated to form the basis for future new housing up to 2034, with the Bird Aware Solent Recreation Mitigation Strategy (2017).

5.29 As this Site falls within the established zone of likely significant effect (5.6km), a HRA/AA will be required by the LPA; however a site specific Test of Likely Significance will be provided to facilitate the LPA assessment. The mitigations measures required to facilitate the Proposed Development will see a financial contribution provided for the in-combination effects on the Solent SPA, with additional bespoke mitigation provided within the Site to mitigate for the alone effects.

5.30 The details of bespoke mitigation are to be discussed with Natural England. Current proposals will include an area of County Park/Green Infrastructure to the west of Peak Lane, measuring approximately 23ha, which will include a circular walk, car park and habitat features to provide point of interest, as well as safe areas for dogs to be exercised off the lead. Alternative areas of GI will be provided around the main residential areas to the east of Peak Lane, here approximately 32ha will be provided, which will incorporate recreational opportunities and areas of biodiversity net gain.

5.31 The mitigation measures provided within the Site will ensure that there are no likely significant effects on the Solent alone and in-combination with other schemes within Fareham.

Strategic Gap

5.32 The current Core Strategy designates land between Fareham and Stubbington as a Strategic Gap. This follows such a designation being contained within earlier Development Plans; Settlement Gap policies in Hampshire date back at least 30 years when they were included within the South and Mid Hampshire Structure Plans (1988 and 1989). They were carried forward into the Hampshire County Structure Plan 1994 and the Hampshire County Structure

Plan 1996-2011. Consequently, with each new development plan needing to make provision for current and future development needs, the role and function of gaps need to be considered having regard to up to date circumstances.

5.33 The Borough Council has now commissioned a new assessment of its Strategic Gaps. Whilst there are reasons why a Gap Policy should be retained, the assessment that relates to the Gap between Fareham and Stubbington rightly identified that not all of the land currently subject to that designation serves an integral purpose to retaining separation between the settlements to protect their identifies. As described earlier, this new assessment concludes that land south of Longfield Avenue, west of HMS Collingwood can accommodate new development without significant adverse impact on the integrity of the Gap. Such a conclusion is similar to the assessment undertaken by Hallam previously.

Summary

5.34 Hallam support the identification of the Strategic Growth Area to the South of Fareham and have identified a development scheme that achieves the high-level development principles and requirements set out in the consultation document.

5.35 Importantly, development in this location can be brought forward that provides new homes, associated community and commercial facilities within an overall scheme that provides accessible green infrastructure and open space that will enable residents and visitors to experience a high quality of life and well-being. The accessibility of this location can be capitalised upon with investment in new sustainable and active modes of travel. By locating new development here, valued landscapes and natural environments will be preserved.

5.36 The merits of this location are substantial, and carefully planned development will not result in the coalescence of Fareham and Stubbington and the separate identities of these settlements can be retained.

5.37 As such, the allocation of land at South Fareham in the Local Plan for future development is considered wholly appropriate.

6 Policy NE5 and Policies Map

6.1 The Policies Map includes designations relating to Waders and Brent Geese and are associated with Policy NE5. This designation covers four categories of land – Core and Primary Support Areas, Secondary Support Areas, Low Use Areas and Candidate Areas.

6.2 The extent to which the land concerned is used by Waders and Brent Geese, particularly beyond the Core Areas, is transitory and can differ from time to time as a consequence of changes in agricultural practices (for example, arable land with wintering cereals provides an optimal foraging resource, whereas when this is replaced / succeeded by grassland habitats its function can change, which could affect species assemblages and regularity it is used. Changes in land use also promote further recreational uses which is the case for areas west of Peak Lane) or changes to the extent of the built environment (for example newly built structures, such as the Stubbington Bypass, will change the suitability of a location in proximity to it as a receptor). Therefore, to delineate these areas in the manner shown on a Policies Map, which affords permanence to the designation, fails to take account of the potential changes in circumstance and is not sound as a matter of principle.

6.3 The practical effect of this is that Policy NE5 directs the decision-maker to consider development proposals against the criteria listed therein and the status of the land by reference to the designations shown on the proposals map, which may at that point in time no longer be up-to-date or relevant.

6.4 Through Hallam's work in respect of the land to the South of Fareham, and through discussion with Natural England, it has identified a different classification to that shown on the Policies Map for certain of those parcels of land, as shown on *Appendix 2*. This illustrates how the application of Policy NE5 could misdirect the decision maker.

6.5 On this basis, these designations should not be shown on the Policies Map in the manner they are presently.

6.6 A more generic designation such as Areas of Waders and Brent Geese Sensitivity, which does not classify individual land parcels, would be more appropriate.

6.7 It would follow that Policy NE5 would be amended to require planning applications to assess and determine the use of land subject to those development proposals and at that point, when an up to date classification has been determined, the criteria and mitigation in Policy NE5 would apply.

7 Summary

7.1 These Representations have been prepared on behalf of Hallam Land Management Limited (Hallam), who control a substantial tract of land to the South of Fareham, adjoining the existing urban area and Stubbington Bypass, the construction of which has recently commenced.

7.2 This land was identified in the Local Plan Supplement 2020 as a potential Strategic Growth Area. Whilst the Regulation 19 Plan does not propose to carry forward the South of Fareham Strategic Growth Area, as is evident from these representations the need for such an allocation has not diminished.

7.3 The consultation document rightly identifies the Borough Council's commitment to meet the Borough's housing need by the end of the plan-period. This is plainly aligned with the NPPF and the Government's objectives. What is notably absent from the Vision and Strategic Priorities, is the recognition that Fareham is important in a sub-regional context and was previously intended to provide significant development land at Welborne to meet wider needs.

7.4 Policy H1 is not founded on a sound basis. In preparing and publishing this Regulation 19 Plan, the Borough Council has afforded greater weight to a potential revision to the Government's Standard Method and has disregarded the published and established measure of local housing need which has underpinned its work to date. Unless and until the Government publish a revision to the Standard Method, this version of the Plan cannot be submitted for Examination as it is plainly unsound. The Borough Council recognise this from its Committee Papers.[8] This is nothing other than a "wait and see" Plan.

7.5 Only if the Standard Method is published in the same final form will the Plan be able to proceed – there is no indication if or when the Government intend to complete this exercise given the significant scrutiny it has attracted.

7.6 A more positive approach would have been to retain the higher level of housing as the basis of the Plan to provide surety over a long term with policy measures to manage housing supply in the event the level of local housing need was reduced. Unfortunately, the Council hasn't considered this as an option or a reasonable alternative in the Sustainability Assessment.

7.7 Even in the event the proposed revision to the Standard Method were confirmed as the Plan assumes, there is little if any evidence of a cogent understanding of the level of unmet need across neighbouring authorities. There is no apparent evidence of effective co-operation to justify the contribution the Plan proposes to unmet need.

7.8 Moreover, the Council hasn't applied its mind to the level of housing that been achieved since the Standard Method was introduced at the start of the plan making process and the date the plan is to be adopted. Viewed objectively, housing completions over that three year period were below the level of local housing need and this shortfall, which is part of a much greater shortfall when compared to the Core Strategy's housing intentions, should be accounted for.

7.9 Turning to housing supply, the assumption that Welborne will provide 4000 new homes within the plan period is not founded upon evidence previously produced by the Council and the level

[8] Executive Briefing Paper 12th October 2020, para 12

of housing output assumed is at a level the Council previously considered unrealistic.

7.10 The windfall assumption drawn simply from past trends has not justified why this is a source of future supply. Uncertainties also exist in relation to a number of the proposed allocated sites because of landownership, extent of existing uses and location.

7.11 For all of the above reasons, the Plan's approach to housing will fall short of its Vision and Strategic Priorities. Policy H1 has not be prepared in accordance with National Planning Policy, is not justified, is not effective and is not positively-prepared. Policy H1 should be amended to increase the strategic housing requirement and for this to be phrased as a minimum, and, both because of this, and necessary adjustments to housing supply, additional housing land should be allocated for development.

South of Fareham

7.12 Fareham is a sub-regional centre and is the main focus for facilities and services in the Borough. It follows that development which adjoins the existing urban area will benefit from accessibility and connectivity to these facilities and services, enhancing opportunities for active travel and supporting the vibrancy and vitality of the town. Similarly, Fareham is an important economic centre, including the Solent Enterprise Zone at Daedalus to the south of the town.

7.13 It is considered that development to the south of Fareham would be in a sustainable location, with good access to walking, cycling and public transport links, as well as local services and amenities. This location adjacent to the existing urban area creates a good opportunity for a natural and sustainable extension to the urban area. Development in south Fareham would delivery homes close to the an important source of new employment and jobs at Daedalus.

Strategic Gap

7.14 The current Core Strategy designated land between Fareham and Stubbington as a Strategic Gap.

7.15 The Borough Council has now commissioned a new assessment of its Strategic Gaps. Whilst there are reasons why a Gap Policy should be retained, the assessment that relates to the Gap between Fareham and Stubbington rightly identified that not all of the land currently subject to that designation serves an integral purpose to retaining separation between the settlements to protect their identifies. This new assessment concludes that land south of Longfield Avenue, west of HMS Collingwood can accommodate new development without significant adverse impact on the integrity of the Gap. The delineation of the Strategic Gap on the Policies Map should be amended accordingly.

Proposed Modifications

7.16 The following Modifications are considered necessary for the Local Plan to be sound:

7.16.1 The minimum housing requirement in Policy H1 to be defined by reference to the existing Standard Method;

7.16.2 The housing requirement be increased further to take account of the low level of completions from 2018 onwards compared to the level of local housing need;

7.16.3 The level of unmet need that is accommodated be based on constructive, active and on ongoing engagement with neighbourhing authorities;

7.16.4 Assumptions about the delivery of new housing at Welborne be revisited and revised down;

7.16.5 The windfall allowance be revised down;

7.16.6 Alternatively, to 6.16.4 and 6.16.5 the level of contingency be increased;

7.16.7 Additional housing allocations be provided for;

7.16.8 Land South of Fareham is allocated for housing development; and

7.16.9 Separate from the allocation of land South of Fareham, the boundary of the Strategic Gap south of Longfield Avenue and west of HMS Collingwood is amended so as not to include the land identified by the Borough Council's *Technical Assessment* that is not considered integral to the Gap function.

7.16.10 The designation associated with Waders and Brent Geese on the Policies Map should be altered with consequential changes to Policy NE5.

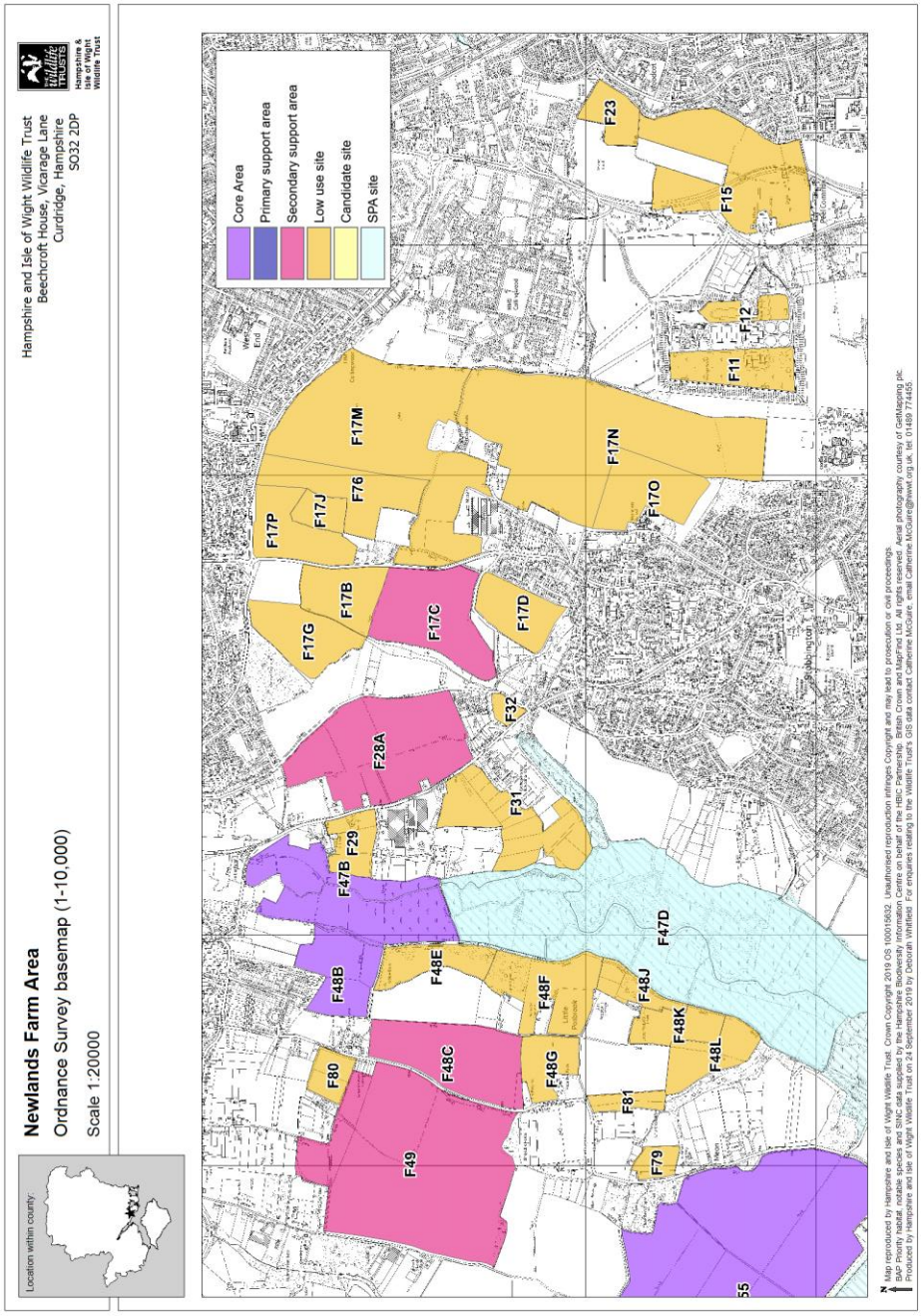
LRM Planning Limited
15th December 2020

Appendix 1: **Alternative Housing Delivery Trajectory at Welborune**

Delivery Year	Year	Dwellings Per Annum	Cumulative Completions	Further Information
1	2016/17	0		Outline Planning Application submitted
2	2016/17	0		
3	2017/18	0		
4	2018/19	0		
5	2019/20	0		Resolution to Grant October 2019
6	2020/21	0		
7	2021/22	0		Outline Planning Permission to be Granted
8	2022/23	0		Anticipated Reserved Matters Applications for Phase 1
9	2023/24	0		Anticipated commencement of Phase 1 Site Works
10	2024/25	140	140	Anticipated first housing completions
11	2025/26	200	340	
12	2026/27	250	590	
13	2027/28	250	840	
14	2028/29	250	1090	
15	2029/30	250	1340	
16	2030/31	250	1590	
17	2031/32	250	1840	
18	2032/33	250	2090	
19	3033/34	250	2340	
20	2034/35	250	2590	
21	2035/36	250	2840	
22	2036/37	250	3090	By 31st March 2037 3090 dwellings are expected to be completed

Based on assumptions in FBC Background Paper: updating the Welborne Plan (October 2017)

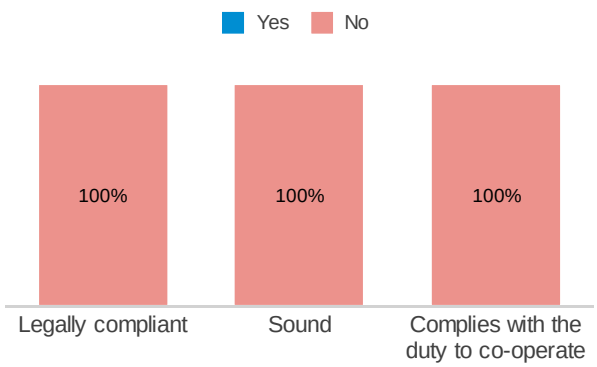
Appendix 2: Newlands Farm Wader and Brent Geese support habitat



Paragraph | 9.1

4 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	4	4	4
Yes	0 0%	0 0%	0 0%
No	4 100%	4 100%	4 100%



Respondent: Unknown1 Unknown1 (Unknown1)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 9.10 Whereas the LPA is aspiring to Nitrate Neutrality, Strategic Policy NE1 requires designated sites be protected and ENHANCED Likewise Para 9.50 (Policy NE4) confirms permissions will be granted when the integrity of designated sites be maintained or IMPROVED. Finally, Page 199 Para 9.54 indicates that proposals for development should provide a net REDUCTION in eutrophication for designated sites in an unfavourable condition. The LPA's approach therefore contravenes both the Habitats Directive and the Publication Plan in respect of these policies. Furthermore, a leading QC's opinion is it is unclear how any development could be contemplated in the Western Wards without negatively impacting the SAC and RAMSAR sites and therefore based on proximity alone, this would invalidate the deliverability of these developments. As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves beyond scientific doubt, that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been mitigated (rather than compensated). There is doubt that the LPA is applying the Natural England advice correctly and lawfully in this respect.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

The LPA must ensure that mitigation of eutrophication complies with the directive to REDUCE overall Nitrate Levels and that inline with Natural England Advice that protected sites (SAC, SPA, RAMSAR) are not compromised because simple broader-region off-setting has been used as opposed to Local Mitigation of effects on those sites

How would the modification(s) you propose make the Local Plan legally compliant or sound?

The Plan would become consistent with Advice From Natural England and the Habitats Directive

Your suggested revised wording of any policy or text:

Sites will be allowed where Nitrate Reduction mitigation can be proven at a local area level

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Respondent: Mr Richard Jarman (1712-211841)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Whereas the LPA is aspiring to Nitrate Neutrality, Strategic Policy NE1 requires designated sites be protected and ENHANCED Likewise Para 9.50 (Policy NE4) confirms permissions will be granted when the integrity of designated sites be maintained or IMPROVED. Finally, Page 199 Para 9.54 indicates that proposals for development should provide a net REDUCTION in eutrophication for designated sites in an unfavourable condition. The LPA's approach therefore contravenes both the Habitats Directive and the Publication Plan in respect of these policies. Furthermore, a leading QC's opinion is it is unclear how any development could be contemplated in the Western Wards without negatively impacting the SAC and RAMSAR sites and therefore based on proximity alone, this would invalidate the deliverability of these developments. As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves beyond scientific doubt, that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been mitigated (rather than compensated). There is doubt that the LPA is applying the Natural England advice correctly and lawfully in this respect.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

The development site needs to be protected and improved , with a net reduction on nitrites and consider the legal opinion.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would meet legal requirements on the habitats directive

Your suggested revised wording of any policy or text:

No comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Respondent: Mrs Pat Rook (1812-261942)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 9.10 Whereas the LPA is aspiring to Nitrate Neutrality, Strategic Policy NE1 requires designated sites be protected and ENHANCED Likewise Para 9.50 (Policy NE4) confirms permissions will be granted when the integrity of designated sites be maintained or IMPROVED. Finally, Page 199 Para 9.54 indicates that proposals for development should provide a net REDUCTION in eutrophication for designated sites in an unfavourable condition. The LPA's approach therefore contravenes both the Habitats Directive and the Publication Plan in respect of these policies. Furthermore, a leading QC's opinion is it is unclear how any development could be contemplated in the Western Wards without negatively impacting the SAC and RAMSAR sites and therefore based on proximity alone, this would invalidate the deliverability of these developments. As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves beyond scientific doubt, that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been mitigated (rather than compensated). There is doubt that the LPA is applying the Natural England advice correctly and lawfully in this respect.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

no comment

How would the modification(s) you propose make the Local Plan legally compliant or sound?

no comment

Your suggested revised wording of any policy or text:

no comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Respondent: Mrs Charlotte Varney (2011-171355)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 9.10 Whereas the LPA is aspiring to Nitrate Neutrality, Strategic Policy NE1 requires designated sites be protected and ENHANCED Likewise Para 9.50 (Policy NE4) confirms permissions will be granted when the integrity of designated sites be maintained or IMPROVED. Finally, Page 199 Para 9.54 indicates that proposals for development should provide a net REDUCTION in eutrophication for designated sites in an unfavourable condition. The LPA's approach therefore contravenes both the Habitats Directive and the Publication Plan in respect of these policies. Furthermore, a leading QC's opinion is it is unclear how any development could be contemplated in the Western Wards without negatively impacting the SAC and RAMSAR sites and therefore based on proximity alone, this would invalidate the deliverability of these developments. As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves beyond scientific doubt, that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been mitigated (rather than compensated). There is doubt that the LPA is applying the Natural England advice correctly and lawfully in this respect.

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Para 9.10 Whereas the LPA is aspiring to Nitrate Neutrality, Strategic Policy NE1 requires designated sites be protected and ENHANCED Likewise Para 9.50 (Policy NE4) confirms permissions will be granted when the integrity of designated sites be maintained or IMPROVED. Finally, Page 199 Para 9.54 indicates that proposals for development should provide a net REDUCTION in eutrophication for designated sites in an unfavourable condition. The LPA's approach therefore contravenes both the Habitats Directive and the Publication Plan in respect of these policies. Furthermore, a leading QC's opinion is it is unclear how any development could be contemplated in the Western Wards without negatively impacting the SAC and RAMSAR sites and therefore based on proximity alone, this would invalidate the deliverability of these developments. As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves beyond scientific doubt, that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been mitigated (rather than compensated). There is doubt that the LPA is applying the Natural England advice correctly and lawfully in this respect.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Para 9.10 Whereas the LPA is aspiring to Nitrate Neutrality, Strategic Policy NE1 requires designated sites be protected and ENHANCED Likewise Para 9.50 (Policy NE4) confirms permissions will be granted when the integrity of designated sites be maintained or IMPROVED. Finally, Page 199 Para 9.54 indicates that proposals for development should provide a net REDUCTION in eutrophication for designated sites in an unfavourable condition. The LPA's approach therefore contravenes both the Habitats Directive and the Publication Plan in respect of these policies. Furthermore, a leading QC's opinion is it is unclear how any development could be contemplated in the Western Wards without negatively impacting the SAC and RAMSAR sites and therefore based on proximity alone, this would invalidate the deliverability of these developments. As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves beyond scientific doubt, that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been mitigated (rather than compensated). There is doubt that the LPA is applying the Natural England advice correctly and lawfully in this respect.

Your suggested revised wording of any policy or text:

Para 9.10 Whereas the LPA is aspiring to Nitrate Neutrality, Strategic Policy NE1 requires designated sites be protected and ENHANCED Likewise Para 9.50 (Policy NE4) confirms permissions will be granted when the integrity of designated sites be maintained or IMPROVED. Finally, Page 199 Para 9.54 indicates that proposals for development should provide a net REDUCTION in eutrophication for designated sites in an unfavourable condition. The LPA's approach therefore contravenes both the Habitats Directive and the Publication Plan in respect of these policies. Furthermore, a leading QC's opinion is it is unclear how any development could be contemplated in the Western Wards without negatively impacting the SAC and RAMSAR sites and therefore based on proximity alone, this would invalidate the deliverability of these developments. As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves beyond scientific doubt, that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been mitigated (rather than compensated). There is doubt that the LPA is applying the Natural England advice correctly and lawfully in this respect.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Steve Matthews 18-12-2020

Warsash Inshore Fishermen's Group

RESPONSE TO CONSULTATION ON FAREHAM LOCAL PLAN 2037

Dear Planning Team

I am responding on behalf of the local fishermen here at Warsash and Southampton Estuary to the Fareham Local Plan 2036 (Final version;Publication Plan (fareham.gov.uk)).

We have some serious issues regarding the Plan's ability to deliver sustainable housing development without guarantee of protection (beyond reasonable doubt) of certain marine ecosystems within the Solent European Maritime Site and without guarantee of positively enhancing local commercial fishing businesses.

Although the features and species listed under the Habitats Directive (Special Areas of Conservation and Special Protection Areas) have already been evaluated by both Natural England (NE) and the Environment Agency (EA) in the respective Habitats Regulation Assessments (SCA's/SPA's), there are clearly some significant **Assessment oversights and gaps in the evidence base** which are of direct relevance and concern to the local Fishing Industry and also, we would suggest, to the future viability of the Solent Oyster Regeneration Project (Blue Marine Foundation).

These assessment oversights mean that the Fareham Plan, if implemented as stands, will likely lead to and exacerbate environmental effects within the SEMS . The specific issues we raise regarding the existing overgrowth of red seaweed (also known colloquially as 'The Red Menace') have not been evaluated by NE or the EA or mentioned in the Fareham Plan's evidence base.

The Plan fails to pass the test of soundness, (paragraph 1.5) in that it is discriminatory in that community-generated evidence carries less weight than that provided by the Councils (and developers) statutory consultants. Furthermore, there has been no formal involvement from the Councils statutory advisers with local fishermen with regard to seaweed eutrophication and the effects of wider seaweed overgrowths on their local industry.

The Plan fails under section 9 Natural Environment:

Specifically, NE4 water Quality effects and likely fails under NE1, protection of local ecological network (regarding sandbanks within the SEMS).

Paragraph 9.16 states: '*Paragraph 174b of the NPPF states that the Plan should promote the conservation and enhancement of priority habitats, ecological networks and the protection and recovery of* ***priority species****. Development proposals within the Borough are therefore expected to contribute to achieving this objective*.'

Solent native oyster, *ostrea edulis*, is currently a priority species for regeneration (Blue Marine Solent Oyster regeneration project). Nutrient exacerbated growth of smothering seasonal red seaweed masses leads to a significant negative effect upon the spatfall of the native oyster (ref: Warsash Fishermen SEMS enclosed)

The Plan fails to pass the test of soundness, in that there is a question regarding its long-term effectiveness with respect to Nitrogen-Mitigation. This strategy has not been proven. There is doubt that the Local Planning Advice is applying the Natural England advice lawfully in this respect.

However, as we have outlined above, there is a systemic failure here in that NE have not thus far considered the wider environmental issues we have brought to their recent attention (by email letters) and outlined comprehensively in this letter and attached paper. **These represent the 'evidence gaps' mentioned previously.**

It is the duty of NE and other Statutory Consultees to provide relevant evidence, ***where gaps in the evidence base have become available during the Consultation process, (NE submission to the Council, 2020).***

Para 9.5 of the Plan fails on the test of soundness. It assumes the Mitigation policy will be effective throughout the SEMS. Although the Local Planning Authority (LPA) is aspiring to Nitrate Neutrality, paragraph 9.1 requires designated sites be protected and ENHANCED as well as Strategic Policy NE1. Additionally, Para 9.50 (Policy NE4) confirms: 'Planning permission will be granted where the integrity of the designated sites is maintained, having regard to the effect of nutrients on the designated sites arising from increased wastewater production'. SEMS is a designated site.

The Plan fails to include the likely increase in bacterial contamination of shellfish (within sand-gravel bank seabed features) from increased sewage overspills, not mentioned in the Plan.

Para 9.38 through to 9.43 of the Plan indicates that proposals for development should provide a biodiversity net gain (including enhancements). This cannot be guaranteed.

The Plan fails under Para 9.5, under Policy NE4: '*Planning permission will be granted where the integrity of the designated sites is maintained, having regard to the effect of nutrients on the designated sites arising from increased wastewater production*'. This implies a REDUCTION in eutrophication for <u>designated sites</u> in an unfavourable condition. The LPA's approach therefore

cannot be proven to support the Habitats Directive, because ***the NE solutions are entirely untested, rely entirely on hypothetical modelling and fail to consider wider seaweed overgrowth issues specific to the fishing industry exacerbated by excessive nutrient loadings into Solent waters.***

The SEMS is already in an unfavourable condition with respect to localized seasonal seaweed aggregations and Southampton Water also receives frequent unfavourable shellfish classifications due to direct sewage overspills after heavy rain. Both significantly affect the local fishing fleet. (see enclosed paper, Warsash Fishermen SEMS)

It is inconceivable that additional development could be contemplated in the Western Wards without negatively impacting the SEMS, SAC and RAMSAR sites. This would invalidate the deliverability of these developments.

As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves ***beyond scientific doubt,*** that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been **effectively** mitigated (rather than just compensated for). There is no evidence the N-Mitigation Plan will be effective throughout all areas of the SEMS affected by red-seaweed overgrowths.

We are of the opinion that the Plan fails badly in that respect.

If implemented as stands, the Plan is <u>unlikely to</u>:

1) ensure that red floating seaweed overgrowth within the wider SEMS (which already seriously restricts Commercial Fishing Activity within the SEMS) is not further exacerbated by increasing nutrient loadings in Solent waters, especially with respect to the Solent sewage outfall pipe serving Peel common effluent and its immediate marine environs.

2) ensure that water quality with respect to undesirable bacterial and viral contamination of shellfish beds in Southampton Water and the wider SEMS is not further exacerbated. (by post-rain/ storm waste-water overspills)

3) ensure that intertidal algal matts (seaweed overgrowth /deposition on mudflats) do not increase.

Although the Statutory Consultees for this Consultation (NE and EA) have included Assessments relating to point 3) above (intertidal Eutrophication) in line with their Statutory duties under the Habitats Directive, (SAC's/SPA's) **they have not made any Assessments regarding points 1 and 2. This is a serious oversight and failure of the process.**

If it is not the remit of either NE or EA to evaluate these effects (1 and 2), then we suggest further consultation with any relevant monitoring bodies. NE or CEFAS may be able to provide advice as could the fishery regulator, Southern IFCA.

We have already prepared a paper (enclosed) which comprehensively outlines the negative effect of seaweed overgrowth on the efficiency of commercial fishing businesses operating in the SEMS. As you will see from the report, the Solent is almost unique in this respect, distinct from other inshore commercial fisheries, which makes it imperative that the wider commercial and ecological impacts of increasing nutrient loadings in Solent waters are determined by the relevant Statutory or science-monitoring bodies.

This should be done <u>before</u> the Secretary of State is presented with this Plan for consideration.

Our enclosed paper also raises the issue of wastewater overspills after heavy rain which subsequently lead to shellfish beds becoming contaminated by E-coli and viral agents., not covered by this Plan.

There is no indication in the Fareham Plan that these contamination events will <u>not</u> increase and there is no indication from the EA or Southern Water advice with respect to that point.

In Part 2 of our paper (Warsash Fishermen SEMS, enclosed), we cast serious doubt on the ability of Natural England's Nitrogen Mitigation strategy to deliver a positive impact on seasonal seaweed overgrowths in the SEMS (specifically the red floating weed described in our paper).

The specific failure regarding this involves the assumptions made by the mitigation scheme rationale.

For the record we will expand on that here:

"NE's N-Mitigation strategy assumes that the effluent exiting the Peel Common outfall pipe in the Eastern Solent, homogenously disperses with all Solent Waters. This clearly is highly unlikely. The sewage effluent plume data available from Southern Water reveals that there is already likely to be an unequal dispersion of the effluent due to distinct variations in tidal flow rates/timings throughout the SEMS (which fishermen are highly aware of already).

Furthermore, it is entirely unknown whether offsetting land on the Isle of Wight will positively impact marine sites within the SEMS (already seasonally infested with the red seaweed masses) which are spatially and tidally distinct from the offset watershed. In other words land offset north of Wooton is highly unlikely to reduce sub surface seaweed overgrowths along the Lee-on Solent shore, due to incomplete tidal mixing.

Because of these tidal variations, the area between East Bramble and Meon Shore will still likely receive a critical dose of nitrogen/phosphate and oestrogenic compounds on the westward/north-westward flowing ebb-tide. These compounds must already be having a site-specific impact on already present seaweed overgrowth here and due to shifting, already must be creating negative impacts on the wider SEMS in other bays of the Solent (that fishermen are already aware of). Potentially the Blue Marine oyster regeneration project, will also be negatively impacted, where dense algal deposits can prevent oyster spat-fall in the summer. (see historic reference to this, Warsash Fishermen's SEMS paper)

The local fishermen here have long supposed that the sewage outlet off Browndown must effectively 'feed' the growth of the red-filamentous floating weed throughout the spring and into summer growth season. Because of the behavior of the tidal flows in the Bramble East area, this weed congregates en masse along the contours of the seabed, including the greater Brambles Bank, eventually becoming spread along a wide area. It often persists into the Autumn and makes commercial net fishing with set nets and trawls very difficult. One area usually seriously affected is between the Lee post and Meon bouy (off Chilling Cliffs, but there are numerous weed infested spots throughout the Solent at peak seasonal growth times). It is not clear how much of this is attributable directly to the Peel outfall distinct from other outfalls in the catchment and this would require further Assessment as our paper suggests, but it IS more likely to be directly accelerated by significant localised sourcesof N-loading directly discharged from the Sewer discharge pipe.

Unless there is a significant lowering of nutrient transfer from agricultural land between Warsash and Lee-on Solent into this stretch of the fishery, as part of the Mitigation, then the nutrient loading from the Peel offshore outfall pipe would likely still encourage these overgrowths to occur along that stretch of the seabed and, without effective at- source Nitrogen/Phosphate removal at the Peel Common Waste-Water Treatment Works, would likely increase in proportion with increasing housing development and population density. ''

The Evidence base for the Fareham Plan includes the subsection 4.3.24, *'sandbanks which are slightly covered by seawater at all times.'.* We are advised that this would include the Brambles Bank and subtidal areas of sand/gravel shoals along the stretch between Lee and Chilling, together with other such banks throughout the SEMS which form important fishery locations and features for local fishermen who use a variety of fishing practices from set-netting and trapping, to trawling and shellfish dredging.

Therefore, the Plan fails on the test of soundness in that it fails to supply evidence that these banks have been fully considered in the scoping advice with respect to: seaweed overgrowths and deposition effects on the seabed habitat and associated negative impact on commercial fishing operations. We would include the likely effects on the Solent oyster regeneration project in this.

Therefore, **the Plan also fails under paragraph 6.3 (Employment)** in that it fails to consider likely significant impact to local fishing businesses with regard to *seaweed overgrowth* impacts and potential bacterial/viral *shellfish contamination* from untreated sewage overspills. There will be a likely significant impact with respect to both parameters.

Natural England's latest advice to the Council is that: '.. t*his approach may be refined if greater understanding of the eutrophication issue is gained by thorough new research or updated modelling*.' (section 4.3 and 4.11, ADVICE ON ACHIEVING NUTRIENT NEUTRALITY FOR NEW DEVELOPMENT IN THE SOLENT REGION, version 5, 2020)

We advise Fareham Borough Council to instruct, with immediate effect, its Statutory and non-Statutory Consultees that research should be extended to include:

- -the seasonal floating seaweed overgrowths in the SEMS and related consultation with the local fishing fleet and Blue Marine Native Oyster Regeneration Project.
- -a study of the possible interference effects of seasonal red seaweed depositions on native oyster spatfall in inshore zones of low tidal flows. (seaweed is not dispersed effectively inshore)
- -An enhanced and detailed study of the tidal variations in the Peel sewage outfall environs specific to sewage effluent dispersal.
- -seasonal floating red seaweed deposition in the local inshore zone (SEMS) and biodegradability study.
- -A thorough assessment of the efficacy of land offsetting/N-mitigation in specific areas of the Solent catchment (eg; the Wooton Creek farm) and an evaluation on the extent of mitigation effects (seaweed growth) in areas that are *not within the immediate vicinity* of the designated N-mitigation/offsetting site. (this relates to seawater tidal mixing disparities, and that our contention that offsetting in one area may not impact seaweed overgrowth/ depositions in another part of the SEMS due to tidal flow differences)

We would also request that the issues we have highlighted here be retrospectively applied to the Welborne development.

Finally, in addition to the failure of the Plan regarding the subject of seaweed overgrowth and water quality and effects on local fishermen, the Plan fails the test of soundness on:

Section 4 Housing Need and Supply:

The total new homes proposed for specific sites across the Borough (not including Welborne) is 1327. The allocation for Warsash is 924 dwellings (HA1 Greenaway north and south and including the Warsash Maritime site, HA7). This contributes around 69.6% (or thereabouts) of the entire allocation proposed by the Plan, excluding Welborne. This allocation is a massively unrealistic distribution and will lead to a number of negative impacts locally and therefore unsound.

Prepared on behalf of the Warsash and Southampton Estuary Fishermen

Co-ordinated by and signed:

Stephen P Matthews,

[redacted]

Copies to: Natural England, Environment Agency, Blue Marine Foundation, Chief Fishery Officer Southern IFCA

Councillor Keith Evans (Warsash ward)

Suella Braverman MP and Fishing News.

Communication from Warsash Inshore Fishermen's Group.

November 2020

Subject: The effect of seaweed overgrowth and poor water quality (sewage effluent) on local inshore commercial fishermen in the Solent European Maritime Site (Part 1) and critique of Natural England's provision for nitrate mitigation (Part2).

Overview

The increased presence of nitrates and phosphates entering the Solent European Maritime Site (SEMS) via the watercourses in the riverine catchment area in Hampshire has recently shown to have had a significant adverse effect on the SEMS mudflat habitats locally, due to extensive deposits of putrefying seaweed arising from accelerated overgrowth. This led to a temporary closedown of house-building activity in the Fareham Borough while a 'mitigating solution' was found.

Part 1 of this report will focus on this issue from the perspective of the local fishermen operating from Warsash, Hants and will widen the perspective beyond just what has been reported in the media.

In **Part 2** it will be seen that serious doubt will be cast as to the suggested effectiveness of the nitrate mitigation plan as advised by Natural England and widely being adopted by Councils since hard evidence that the plans will be successful is lacking.

It should be noted that our views regarding the extensive seasonal presence of seaweed (Part 1) generally align with other fishermen within the wider Southampton Water and Solent region together with some of the reported experiences of local sea anglers.

Since we are now highlighting the important extensive seaweed problem and committing our views to paper for the first time in local history, the reader will be able to see the significance of the seaweed issue in relation to the urgent requirement to maintain our various local net fishing practices (severely affected by weed) which are currently under threat by local fishery regulators.

PART 1:

Solent Seaweed: An Historic Local Problem

(*Note the use of the term 'weed' or 'seaweed' refers mainly to invasive, free floating varieties, not species like bladderwrack or kelp which usually are not an extensive problem for fishermen here).

For many years the local fishermen that fish the Solent and estuarine areas nearby have had ongoing issues with seaweed* overgrowth, with different types of weed causing different effects at differing times and interfering with the deployment and function of fishing gear in the district. There is also some anecdotal evidence that the decay of various types weed and deposition onto the seabed may be having some serious implications for seabed sea life and for the current ongoing Solent Oyster Regeneration Project (see below).

There has not been much, if any, serious scientific exploration of the wider seaweed overgrowth problem in the SEMS and no one has sought out the fishermen's views on this matter, until now. We are outlining here how seaweed affects fishing operations, not offering specific statements as to possible causes of seaweed overgrowth (That is covered in **Part 2**).

Local fishermen here know that recent focus by ecologists on the green seaweed overgrowth on the mudflats within the SEMS is only part of the story and obscures the wider unseen problem of floating red-seaweed overgrowth in the less visible areas, away from the general view of the public.

Fishermen here however are widely acquainted with the issue as they are effectively sampling the sea every time they go out fishing. Our intimate knowledge of the Solent seabed and the characteristics of the tidal streams is unparalleled. The next best authority (in our humble opinion) would be professional divers and maritime hydrologists.

Seaweed overgrowth and interaction with fishing practices

Local fishermen at Warsash have used a variety of fishing practices throughout the last fifty-year period. During the height of the Solent oyster fishery, (1970s to 2007), the main seasonal winter fishery was oyster dredging with some clam dredging as well. During spring and summer seasons there have historically been inshore trawling for demersal fish and cuttlefish and later, the extensive use of traps for cuttlefish, together with whelk potting. Set nets, drift nets and baited longlines is also a common practice continuing until today.

All of these methods can be significantly hampered (and some methods often made literally unviable) when floating seaweed begins to grow in late April and into the summer months. This is the main fishing season for Warsash fishermen. Some fishing methods will be affected more than others.

It is said locally that Solent fishermen have to be much more determined than common as they have to contend with the extra burden and challenges of the ever-present seaweed problem, not to mention the challenge of working in a fast tidal area with extensive ship and sailing craft to contend with as well. The fisherman's decision of 'where to fish today?' is often accompanied by a question to another fishermen friend to the effect of: 'what was the weed like in that area?'..

The 'red weed', as we call it, is known by different names and grows rapidly locally (as does the green varieties of lettuce-like and filamentous green weed, often found in the mudflat areas near freshwater/brackish environments and identified by NE as contributing to eutrophication of the SEMS mudflat habitats).

There is a rapid growth of both red and green weed from the end of April into summer. Large tides (Springs) tend to disperse the red weed throughout the water column and it can sometimes be seen near the surface. It is a free floating, filamentous weed and when it stops growing in late summer is deposited in the bays and bank contours throughout the Solent with some areas being affected more than others. It can persist well into the Autumn and can still be present in some areas (Osborne Bay, Stanswood Bay, Inner Hurst, Beaulieu etc) into the winter months, when it will have already been decomposing for a month or two.

It is regularly identified by sea anglers as being the main obstacle to rod fishing, both by shore and by boat. But that is just the tip of the iceberg.

The green weed mentioned in connection with the mudflat habitats with the SEMS also can hamper inshore fishing and angling activities on occasions. These areas are not regularly fished heavily commercially. One fishery in this environment is the historic mullet net fishery. Some of the Warsash Fishermen have inshore mullet fishing permits supplied by the River Hamble Harbour Authority. This allows them to fish seasonally and legally for mullet within the River Hamble in small boats. The fishery is similar to that of Poole Harbour which has been going for decades.

Any significant deposit of either green or red seaweed in these inshore areas will often be the deciding factor for the fisherman as to whether the net is safely deployable or not. We have noticed an increased abundance of the green weeds in the mudflat areas in recent years and the red variety is always present in the wider Solent area and can be more or less abundant depending on environmental factors like temperature, rainfall, tide strength, sunlight etc. Storm events can often move coagulated deposits inshore and dump it onto seabed contours.

The public slipway at Warsash hardway has to be regularly cleaned by the Council when often large masses of mainly green weed are taken away.

Furthermore, we must state that there may be a connection with the increasing tendency for returning mullet shoals to avoid inshore mudflats during the height of the green seaweed overgrowth. This observation has been recently noted by the fishermen locally and we wonder if it connected to the decaying effect and subsequent chemical release onto the mudflats, together with the effect of mudflat 'eutrophication' and water oxygen depletion. That will need further investigation by scientific study.

Netting in the Solent (SEMS) and seaweed overgrowth issues.

Set Nets/Drift/Ring

Throughout the UK the extensive use of **set-nets** (nets secured on the seabed) is a common practice and fishermen are able to have a relatively reliable fishing method for much of the fishing season when the fish target species are abundantly available. This is not the case in the Solent and Southampton Water.

Go to any fishing port west of Swanage or east of Selsey Bill and you will be able to observe the nearly year-round use of set nets, tides permitting, (for sole for example) with little, if any, troubling effect from floating red weed. This is not to say it does not occur sometimes and there are increasing reports we hear from outside the Solent of weed events, so it appears that the issue is increasing across the south, apparently in direct correlation with population density and growth.

In our case, the use of nets can be severely restricted and made impossible by the abundance of mobile seaweed. Nets cannot be left for as long as other fishermen do in other areas. Some years, it is virtually impossible to use

extensive lengths of set nets with any reasonable expectation of making an easy living, especially in the shallower zones, where red weed settles. At other times it may be possible to leave a surface net for a short time and still catch a few fish to make it just about worthwhile. Those nets are nearly always attended by the fishermen.

Fishermen here have to modify their deployment of set nets by either stopping much earlier than many of their UK counterparts (when the weed situation becomes intolerable, usually as early as the beginning of May) and switching fishing methods (traps or bottom set lines for example) or by seeking areas in the Solent and Southampton estuary where the weed may not yet have reached 'critical mass', or by limiting the amount of net and using short soak times. The potential loss of income is considerable compared to weed free areas in the UK.

Later in the year, Autumn, the weed situation can improve markedly in some spots which can allow the resumption of some netting activity, but it can still be a liability.

Seeking out other areas to fish may, in some cases, mean going out into deeper areas off the contours of the channels in order to avoid a negative weed event ('dose of weed' is the usual local term). However, it should be stated that this has a high risk attached as the tidal currents are often greater out deeper and if the fisher gets it wrong, a 'dose of weed' will likely result, with either the loss of the gear or a long period of cleaning out the nets.

Long hours cleaning nets from weed is physically wearing, mentally demotivating and economically counter-productive. Furthermore, the practice of having to deploying nets in deeper waters just to avoid floating sea weed is a risky business due to shipping movements/small craft and is usually restricted to smaller nepe tides only, as nets do not fish well in fast flows.

We have reason to believe that the Marine Management Organization (DEFRA) which regulate quotas and legislate nationally have yet to fully acknowledge and comprehend the difficulties that Solent fishermen face with regard to this seaweed issue, affecting their ability to provide fish for the table and secure a reasonable living. Regulation on the use of nets in the inshore zone throughout the UK and locally <u>always</u> fails to take into account the hampering effect on fishermen due to extensive mobile weed effects.

Furthermore, we should also state for the record that the Warsash Inshore Fishermen's critique of the proposed restriction on netting practices within the estuaries of the Southern Inshore Fisheries and Conservation Authority (SIFCA) and wider district should also be seen in the context of the difficulty of deploying nets locally, due to extensive hampering from the presence of seaweed. Again, this has not yet seriously been a consideration by the Authority and we hope they will take these comments here into consideration during their Consultation.

Fishermen also use a variety of drift net practices throughout the UK. The local fishermen here can fall back onto a drift net fishery to a certain extent, in line with national legislation requirements, when the setting of fixed nets is made impossible by sea-weed overgrowth. Drift nets are highly size selective. Because the net drifts with the tide the worst of the seaweed can often be avoided, but this is not always the case.

The use of drift nets (and also set nets) is severely restricted by the incoming yearly natural growth of a plankton called nocticula, (known locally as 'the fire'**) which is bio-luminescent and lights up the water when disturbed (for example by a moving vessel, boat propellor and also by tidal currents).

**'Fire' appears with the return of the 'May Water' when the 12 degree (celsius) seawater thermocline reaches the local area, usually by mid May, .

Tidal currents moving across either a drift net or a set net will cause the plankton to literally light up the net, sometimes leaving a jelly-like deposit on the mesh. Some species of fish that have good eyesight, will often be able to see the net glowing in the dark (as nets are often deployed after dark) especially in clearer water conditions and this will often highly restrict the catch at times. Other fish species like sole do not seem to be affected by the 'fire'. 'Fire' makes the use of nets for some fish much less effective and therefore reduces the effective netting season by a large degree.

The increased presence of nutrients like nitrates and phosphates in the seawater will likely exacerbate the overgrowth of this plankton and this is an additional concern for us. Further scientific study will be required.

The 'fire' problem is commonly known by fishermen, but again, as with seaweed presence, is underappreciated by local and National commercial fishing authorities who may inadvertently seek to restrict or regulate the

seasonal deployment of nets without duly taking these already significant 'natural' restrictions on net deployment into account.

Another netting method which can be used to overcome the natural restriction of 'fire' and weed is ring netting in daylight hours in a small circle with a short length of net, (effectively a set net). This has already been officially recognised as a method of net fishing by Danish/Dutch authorities and we are seeking a similar classification here liaising through the NFFO with the use of (attended) short lengths of surface net, which also significantly lower the risk of salmonid interception in estuaries. This, if successfully negotiated with the local Authority will be a first for UK inshore fishermen.

This method is also the common method used in the Poole harbour mullet fishery. Because the net is deployed for a short time only, a 'dose of weed' can often be avoided, but not always. Short time net deployments locally are therefore the only real option left for local fishermen at most times of the year.

Longlines

When the red weed has reached maximum growth the use of longlines in certain areas can be rendered much less efficient. May through June is not really much of a problem in the deeper areas. By high summer the longline fishery should be in full swing with line caught fish like bass, skate and ray being a viable fishery.

The best areas to deploy to avoid weed are in the deeper sections of the Solent away from the contours where weed tends to get dumped by the tidal flows. Some areas by late July are usually un-fishable by longlines. These usually include inshore at Osborne Bay, Stanswood bay, Chilling and Hillhead and most of the stretch between Beulieu and Hurst. Some areas of Southampton Water can get bad also; near Calshot and the Thorn Channel are notorious as well for gathering red weed masses in summer, with some years better/worse than others.

Off the 40' contour however, it is usually possible to find a relatively weed free stretch on some tides. However, this year (2020) some fishermen had to cease line fishing late July as most of the best offshore areas were infested with red weed for a few weeks as well. This was the case for at least one Lymington fisherman that we know also, working further west, (personal communication).

By September 2020, most of the weed in the deep had been shifted by tides and wind with fewer areas affected offshore. Some of it had still remained inshore however in the areas which do not benefit from regular tidal flushing (bays) and tidal dead-spots such as Norris near Cowes.

Apart from the obvious interference of weed on the hooks of a longline (reducing fish catches) red weed packs onto the buoy- to- anchor line with the moving tide, taking down the marker buoy and in some cases, it will only reappear later in the slower part of the tide cycle. This means that the fisher has much less time to retrieve gear before the tide turns and begins flowing back in the opposite direction. It can become then a race against the clock. Therefore, the fisher will have a tendency to be less motivated to shoot the number of longline sets they usually would deploy.

Furthermore, retrieval of a weed packed buoy line means that a significant time loss will ensue as the fisherman will have to pull off (by hand) the weed packed onto the buoy line. This is easier said than done. Often the amount of weed is considerable, with historically nine to twelve-foot columns of weed measuring a foot wide packed solid onto the line not uncommon. Again, as with net cleaning, this represents a serious time wasting and physically draining extra operation which would not be the case if there was a lot less or no weed present.

Trawling

There are a few trawlers which regularly fish in the Solent and the skippers tend to be very cautious about where and when they deploy the gear due to the potential for a 'dose of the weed'. As with lining, the deeper areas are often favoured, away from weed strewn areas.

In September 2020 we had a report from a Gosport fisherman who deployed a trawl inshore in the Solent and filled the entire trawl up with the free-floating red weed. Simply put, a trawl just will not fish effectively if there are significant quantities of seaweed on the Solent sea bed. It is very disheartening for trawl skippers as they have a higher fuel cost overhead to pay than some smaller non-towed gear vessels and waisted efforts due to the presence of weed are de-motivating.

Shellfish dredging

Toward the end of the now defunct historic Solent Oyster fishery (2007) the presence of large masses of red weed sitting (and rotting) on the inshore seabed was cited by some fishermen as being a significant detrimental effect to the deposition of juvenile oyster spat. This problem was part of the perfect storm which sealed the fate of the already reducing return spat falls of the Solent Oyster largely triggered by the invasion of the American tingle driller whelk.

Other factors such as a failure to close the fishery earlier were also at play, (which led to over-fishing an already non renewing stock) but it is commonly accepted by local Warsash fishermen that seaweed overgrowth also played a significant role in the last days of the fishery.

The red seaweed overgrowth has also been raised at a recent committee meeting of the Southern IFCA relating to the oyster regeneration project. (September 2020). It is possible that the comment was 'minuted'.

Along Chilling and Hill Head, we have at least one testimony from a member of the Warsash group which describes the required effort to continually hold the same line of dredging for a considerable time in order to 'get through the weed' before any oysters could be reached.

The success of the Solent Oyster Regeneration project instigated by the Blue Marine Foundation will rest mainly upon the successful spatfall of small juvenile oysters onto the seabed. Many variables will be at play, including the presence of oyster pests like starfish, but the presence of large areas of trapped seaweed in the summer to autumn in some local bays not subject to much tidal flushing will severely reduce the success of this project in our opinion; since the numbers of adult oysters being set in cages in the marina environment represent nowhere near the kind of density of oysters that we remember on the seabed during the height of the fishery in the late 1970's and through to the 1990's. Back then, the seabed was literally thick with healthy, thriving oysters. Even the 'smell' of the sea was different, as we remember it.

The fishermen living now, that were involved in that industry, are the last living link to an important part of social history and all that knowledge will disappear with them.

The disappearance of the Solent oyster also has a cumulative knock-on effect, since there is no longer the massive water filtering capacity that was once present (one adult oyster filters up to 200 litres a day). Increasing seasonal,

mobile red weed on the seabed which eventually settles, decays and reduces seawater oxygen content is more likely then, to have a localised negative environmental impact, making the seabed even less hospitable to newly hatched oysters. It is doubtful this has been extensively studied, so more work would be required.

Although we wish the Blue Marine oyster project every success, the local fishermen are not very optimistic and even less so, when we know there is a largely unseen and un-acknowledged seaweed overgrowth problem which has not been factored in as well as the fact that oyster pests have not yet been removed.

Scallops

This year (2020) the newly emerging Solent scallop fishery* was affected by the mass of seaweed in Osbourne bay (mid summer) which stopped effective dredging for scallops there (Warsash Group fisherman's testimony). Sighting data from the Southern IFCA would be able to confirm that point. Only when the weed had cleared on the bed enough did the fishermen return there (mid September into October). At the time of writing (November 2020) the scallop areas in the bay have cleared and are largely weed free.

The efficient functioning of any shellfish dredge will be highly reduced if red-weed and other weed species are in abundance. The only option for the scallopers is to find spots out much deeper, but with the added increase risk associated with dredging in deeper waters (quick capsize after snagging on seabed being an ever-present and potentially lethal threat)

*With the disappearance of many oysters, a relative newcomer has begun to take hold; the scallop. Which is good news for the local fishermen.

Shellfish Beds in the SEMS and Southampton Water

There are many different shellfish types in the area. Oysters, clams, cockles whelks, winkles and scallops. All of these can be fished under fishing license and are very sensitive to water quality, especially the bi-valve varieties like clams and oysters.

The main issue is the detrimental effect of bacterial and viral contamination resulting from inefficient sewage treatment and/or sewage overspills, the latter being a more likely after high rainfall events, like torrential downpours.

The classification of shellfish is carried out regularly and reported in a UK wide Sanitary Survey.

The Southampton Water is regularly tested for E-coli by the Food standards Agency in Southampton and a shellfish will only be designated if the species in question is tested. Once that occurs a designation will result; class A, B or C.

For many years now, mannila clams and pelourdes clams in the upper Southampton Water have regularly received a class C designation or the areas have been closed completely due to high E-coli levels, making the shellfish unfit for human consumption. Therefore, fishing activity is severely affected.

This situation has gone on for many years to the detriment of the local fishing industry. No schemes are in place to compensate fishermen for the yearly loss of potential earnings. Furthermore, the longer the beds remain unfishable, the less the shellfish will benefit from regular turning which can lead to the terminal decline in quality of the beds.

The recent upgrade to the sewage treatment works at Woolston will theoretically lower the E-coli/viral loadings from the effluent which is a positive development. However, with increasing pressure on the sewage system infrastructure due to an expanding population density in Southampton, it is questionable as to whether there will be any change in the shellfish quality as sewage overspills after heavy rain will still likely occur, (our assumption). (The population of Southampton grew by around 18 percent between 2001 and 2011; it is even higher now)

This is further re-inforced by the fact that climate change models predict far more frequent torrential downpours, leading to the increased risk of sewage overspill events (CSO's), allowing raw sewage to make its way into the shellfish production areas.

This is already an increasing problem in the Poole Harbour district, with at least one shellfish cultivation business currently being negatively affected.

As to the wider Solent: The current shellfish classification is taken to be Class B (which means the shellfish must be tanked for a short period with UV filtering in place). Any lowering of the water quality due to increasing sewage overspills and/or increasing sewage effluent discharges (from expanded development) will be a severe negative for the local fishing industry.

Part 2:

Analysis of the Nitrate Mitigation proposal (Natural England)

Author: Steve Matthews, Fishing Vessel, Sandie Ann, Warsash.

Disclaimer: The following analysis is solely that of the author alone and may not necessarily reflect the views of all inshore fishermen throughout the district. The causes of the wider Solent seaweed overgrowth problem outlined in the description above (Part 1), should be investigated by independent scientific assessment.

Pending further scientific study, it is reasonable to assume that the problem of the largely hidden red filamentous seaweed overgrowth issue we have uniquely outlined in Part 1 above is causally linked to the green seaweed inshore deposits, already identified as a significant problem on the SEMS mudflat areas by Natural England and wildlife organizations (Eutrophication).

It is also reasonable to assume that the existence of excess nitrogen compounds/phosphates and their sources (sewage and farm run-off being just two) is also causing the *offshore* red seaweed issue which can seriously interfere with commercial licensed fishing activities and has done so, unacknowledged by Government environmental bodies, for many years.

Our group estimates that for local set netting alone the seasonal fishery potential net worth is reduced by as much as 80% from May to September due to the presence of free-floating red weed restricting the effective use of fishing nets. This is therefore a serious concern.

Other trawler skippers that operated locally would also be able to give similar estimates.

The solution presented by Natural England (NE) of offsetting farmland in the water catchment area (taking out of agricultural production/re-wilding) has been suggested as a solution to the SEMS nitrate problem and looks, on the face of it, to be a reasonable one.

However, it is only a recent methodology, still highly hypothetical (rolled out in Poole, only a few years back) and there is no hard guarantee that the problem will be solved throughout each separate estuarine area and in the wider Solent (SEMS).

Indeed, the introduction of the Poole and Purbeck nitrogen mitigation scheme in 2017 may have had some local effect on the green weed overgrowth (has

that been scientifically demonstrated yet?), but clearly the shellfish cultivators there still have a problem with E-coli.

Therefore, it would appear that Combined Sewage Overspills (CSO's) are still occurring there (mitigation scheme or not and assuming sewage transfer from leisure craft have remained static) and that therefore, nitrogen is still being delivered directly into the aquatic environment from raw sewage sources, leading to ongoing seaweed overgrowth as well as associated E-coli/Norovirus shellfish contamination.

Since that is the case in Poole, serious doubts as to the effectiveness of the Nitrogen mitigation Scheme (Natural England) applied to the Solent water catchment are not unreasonable to raise.

Furthermore, the NE model appears not to factor in the climate change models into the N-mitigation methodology. Higher seawater temperatures will likely further accelerate seaweed growth, quite possibly negating any nitrogen-offsetting effect. The appearance of nocticula ('fire') as described in Part 1 is highly temperature dependant, just one or two degrees, as is the appearance of migrating fish.

Increasing torrential downpours will likely increase run off events and CSO's. Increasing housing development in the Solent catchment will lead to increasing hard-surfacing of the countryside and road building. *Those two causes, downpours and hard-surfacing, working together, will likely lead to an increasing irreversible compounded effect*: ie; a higher delivery rate of water run-off (and therefore nitrate/nitrogen compounds from various sources) to the SEMS. This does not appear to have been taken into account by the NE model.

Also, the nitrogen leaching effects from groundwater exacerbated by increasing run offs into the proposed development pond systems (SUDS) appear <u>not</u> to have been factored in either. Since those ponding systems are supposed to 'return water as quickly as possible', there is an un-quantified factor here also.

Additionally, the 110litre per day water compliance for developments is un-enforceable and therefore the wastewater flow determinations will likely to be higher in many cases.

The Natural England models and calculations *assume complete tidal mixing* of the run-offs and effluents with Solent tidal waters into the SEMS. As stated above, local fishermen's knowledge of the Solent seabed and tidal streams in the Solent is unparalleled and lead the author to conclude that if offsetting is carried out on the Isle of Wight (for example) to allow exclusive continued development of green-field sites on the mainland then the effluent nitrate offset from re-wilding a farm north of Wooton (for example) is highly unlikely to make any difference to seaweed overgrowth at Chilling (for example) due to the way the tidal flows move in Osbourne Bay.

That is a serious oversight by NE.

Note: The Southern Water sewer plume map (made available at time of writing) only shows the eastward flow of the plume from the outfall off Lee on Solent/Browndown. This is only the flood tide representation and not the ebb tide (westward flow). All of the hydrological modelling and mapping of the plume flows would need to be made available by Southern Water in order to be able to draw any further conclusions.

As well as the delivery of nitrogen via the watercourses, the NE calculations for nitrate loading and subsequent guidance for housing developers appear not to take into account sewage overspills (CSO's) after extended heavy rain/torrential downpours and subsequent likely nitrogen, bacterial and viral delivery and contamination of shellfish beds.

Unless developers are building adequate sewage flow infrastructure into the development then Combined Sewage Overspills (CSO's) will still likely increase in proportion to increased development. Food Standards Agency (FSA) limits for shellfish *may still continue to get worse* as they regularly do most years in Southampton Water after FSA monitoring.

In other words, *the viability of our inshore shellfish beds will still likely be at risk and will likely have an even higher risk in proportion to ever increasing development in the SEMS catchment.*

Even with nitrate land 'offsetting' more local to the proposed development this fact will likely not change due to CSO's.

The models used by the NE and the EA have not factored in the future (with increased development) considerable nitrogen loading into Solent catchment resulting from nitrogen loading from increasing car exhaust emissions and industrial development. All the science shows that with increasing development and road use and vehicle numbers, the nitrogen loading will increase significantly.

As with increased chance of CSO's after heavy rain due to more hard-surfacing, their will a similar increase delivery flow rate of dissolved nitrogen compounds to the SEMS; again, a factor not taken into account in the NE model.

The Fareham Borough and Eastleigh Council for example, must already know that the local road systems have been pushed to over-capacity in a very short time within the last few years, evidenced by virtual gridlock on the A27 road (just an example) at peak flow times: their highway modelling has already clearly failed local people who are living daily traffic nightmares in Locks heath, Sarisbury Green, Hamble, Fareham and Southampton. It is not clear whether any scientific assessment has been carried out as to the increased delivery of nitrogen compounds via vehicle exhaust emissions from increasingly free standing/engine idling traffic in gridlock and increased traffic flows in general. All of this extra nitrogen is likely ending up in the Solent and NE has failed to include it in their calculations. Another massive oversight.

And it is not just local. This would also include the entire road infrastructure, including motorway areas in South Hampshire, where exhaust emission nitrogen contaminated road water run-off feeds into SEMS. Increasingly wider gridlock events and increasing traffic in South Hampshire must be supplying significant emission-dissolved nitrogen compounds to the water catchment adjacent to many roads. (This has been widely studied in the USA).

Notwithstanding micro-particulates from tyre rubber and oils, washing into the same catchment systems; the biological effect on water borne fauna (like salmonids and other fish) from these particulates has simply not been scientifically determined.

All of this leads to the reasonable assertion that the calculations for nitrate loadings in the NE models are highly likely to be inaccurate by a significant degree, the expected offsetting effect: doubtful. There will still be a doubt regarding the current 'nitrate'/seaweed problem which is already being exacerbated by overdevelopment in the Hampshire water catchment zone feeding into the Solent (SEMS).

Further development in proportion with an ever-expanding population growth will likely further exacerbate these problems. It is simply the law of cause and effect in action.

The conclusion is that it is <u>highly uncertain</u> that the SEMS water quality with respect to nitrates/phosphates will *practically* change and that it is *highly*

uncertain that all the affected estuarine habitat (SAC's and SPA's) areas relating to seaweed overgrowth on mudflats and the wider SEMS where we fish will improve consistently throughout the district.

Secondly, it is highly unlikely that the water quality with respect to E.coli/norovirus contamination in shellfish will improve since CSO's will still be happening in proportion with increasing development without considerable improvements in the infrastructure/treatment of sewage.

Thirdly: any increasing CSO's will still deliver a loading of nitrogen (other than 'nitrate') in other nitrogen compound forms from raw sewage overspills, along with bacterial and viral contamination into the SEMS and Southampton Water, so there is some reasonable doubt that NE's nitrate offsetting methodology will actually be practically effective in reducing wider free-floating red seaweed overgrowth and improving the microbial quality of shellfish beds in Southampton Water and SEMS.

Regarding shellfish quality: most wider SEMS Food Standards Agency classifications are currently assumed as class B. However, that could easily be reduced to Class C with more frequent testing and an increasing CSO threat resulting from increased development. That must be avoided, the fishermen will not be happy if that happens.

Class C shellfish rating would be a disaster for the local clam shell fishing industry, the emerging Solent scallop fishery and the Solent Oyster Regeneration Project (Blue Marine Foundation). The potential loss of the Solent shell fishing industry would be incalculable. This is already a clear possibility and looming threat for Poole Harbour. Although Poole Harbour does not benefit from tidal flushing in the same way as the Solent, there is still a reasonable degree of doubt for the SEMS, so it would behove NE to take our warnings seriously. This year for example we have already seen an extension south, down the Southampton Water towards Chilling, of an unfavourable Class C rating for one clam species. (see FSA survey 2020).

Currently, in Poole Harbour, shellfish cultivation businesses are significantly being affected due to bacterial sewage contamination. (personal communication/Southern IFCA Committee meeting comment Sept 2020)

Any increase risk of contamination from sewage overspills applied to the local shellfish fishery most likely to prove detrimental to the quality of our local

shellfish beds and fishery will most certainly result in litigation with the water companies. We are watching the situation closely.

It appears that the local Councils together with NE and the Environment Agency have rushed through this nitrate mitigation 'solution' in order to enable the ever-expanding over-development of green field sites by developers within the SEMS water catchment area to continue. This will mean that over-development will continue and that the un-studied negative environmental effects like red seaweed overgrowth will also likely continue.

It is alarming that such on- the- hoof science (without hard, long-term proof that the measures will be successful) can be fast tracked through by Government Agencies who are failing to protect not only our green field areas but the very unique landscape of parts of southern England.

It should be their responsibility to assert that Central Government implement sensible policies which control the drivers of unsustainable housing demand (namely the drivers of population growth and movement of people). In short, sustainable policies for sustainable population growth, which include a revocation of existing legislation that currently enable unbridled green-field development by housing developers.

This would also help ease pressure on offshore marine aggregate dredging (which supports the building industry) which often takes place in environmentally sensitive juvenile fish spawning grounds in the English Channel and elsewhere. These grounds are being dredged back to bedrock in some cases, partly to feed ever-expanding UK housing/population growth.

Therefore, pending those long overdue changes to Central Government policy, and taking into consideration our analysis above, it would be pertinent that all current development in the Solent (SEMS) water catchment cease with immediate effect, until further long-term studies and peer review has been carried out.

Steve Matthews

Warsash Inshore Fishermen's Group

Warsash, Hants.

[redacted] November 2020

Keely, Lauren

From: June Ward <[redacted]
Sent: 10 December 2020 15:39
To: Consultation
Subject: Fwd: FBC Continued
Attachments: FBC Continued .docx

For the attention of Katherine Trott

Begin forwarded message:

[redacted]

Subject: FBC Continued

Dear Katherine,
As discussed with you Friday 4 December I enclose the start of my comments on the consultation document which you said you would be able to put in the appropriate boxes as I am unable to as I found that I could not continue without logging on, each time which was not how the system should've worked.
When we spoke you said that you had not received the second paragraph that I submitted so I am hoping that I will start there, as you have already received my first submission.

As I am not able to view the pro forma I hope you will be able to put them into the correct boxes as obviously with only one iPad that I am using to work on and one for my notes which I have made, it would be too torturous.

So onto matters of legal compliance which I believe is paragraph 1.6

There is no mention of the 2017 unadopted draft plan although it has been confirmed that it was in the previous 2015 plan.
Although there was an overall reduction in the new housing it would appear that Warsash is actually going to take 20% more. HA1 has no joined up thinking. There should be an environmental impact on all of the sites proposed , so that each one is not seen in isolation.

Paragraph 4.19 states that many of the housing policies brackets HE256 811 1416 1820 2125 and no longer considered to be proposed allocations. I should like to know how objectively assessed housing need arrived at the fact that site HA1 was to take the bullet.

It would appear that the developers have taken advantage of the LPA's decision that proposing HA1 would mean that they have carte blanche to submit applications. I believe this is contrary to the publication plan.It would also appear that in order to fit in as many houses as possible into HA1 the boundaries have been adjusted to accommodate them. How does this not look as though the Developers have the upper hand and are actually driving this through.

So onto the Habitats directive which again comes under Matters of legal compliance.
Paragraph 9.10 is about nightrates neutrality strategic policy. I cannot see how the policy which requires designated sites to be protected and enhanced and improved is adhered too. I think the word I am looking for is there should be a net reduction the designated sites in unfavourable conditions. TheLPA's way of adjudging is the exact opposite. It would appear that this is in direct contravention of both the habitats directive and the publication plan policies. The developments contemplated would be negatively impacting theSAC and RAMSAR sites. I cannot see that under these circumstances it would be a valid option.

I am calling it a day at present and wonder if you can reply to acknowledge receipt of this and that I am actually doing the right thing and making comments that you can import into the documentation,

Many thanks,

June Ward

[redacted]

Dear Katherine,
This next part of my document relates to the Test of Soundness

I am not at all happy with the settlement definition.
Policy HA1, which is supposedly a greenfield site is proposed to be changed to an urban area – via the redefinition of settlement boundaries reference WW 17. Greenfield sites are not particularly favourable for development as it says in the forward to the publication plan.
Paragraph 2.10 says that Fareham Borough aims to retain the identity of the amazing valuable landscape and settlement definition, protecting it's natural, built and historic assets. As someone who has lived in Warsash 45 years and been conversant with this area for nearly 10 years before that, ie the late 1960's, is a complete contradiction. What was once a very gentle countryside location seems to have been redesignated giving it up and status. And the change of the settlement boundary to enable this to happen is in my view completely unethical and beyond belief. I take exception to the fact that policy HP1 calls for the efficient use of existing buildings to meet such need on a 1 for 1replacement dwelling basis. This is not applicable for HA1 and it would appear that FBC has managed to redraw the urban boundary.

My next comment on test of soundness is where infrastructure is concerned.

This concerns policy HP4 to be found paragraph 5.24; I think HA1 demonstrably fails to have any thing other than a detrimental effect on the environment, certainly the traffic(witness the two and a half hours to get off the motorway on Friday 4 th December, where all roads in and out of Warsash were snarled up, as we are a peninsula....or has this not occurred to anyone) and amenity has implications. Even now I feel that I cannot venture out too far from Warsash for fear of not getting back at a reasonable time due to the amount of traffic on the few roads in and out of Warsash. Warsash almost appears to be a prison! Don't go anywhere because you can't get back to your house!

This ties in with my next point policy HA1. Page 51 talks about traffic routes. As I have said earlier it almost feels that one is imprisoned in Warsash. I note that there was a recommendation that there should only be six dwellings and Greenaway Lane now I see that the plan proposes for 140 houses and that to enable this to be accessed the lane needs to be widened. I think the clue is in the word Lane. This is a delightful lane to walk through but with that amount of traffic proposed would be considerably dangerous. It is already "take your life in your hands to cross Warsash Road "let alone the impact of trying to walk within what was once considered countryside. As one gets older and appreciates the ability to be able to walk along country lanes. Page 54 suggests there should be seven new accesses onto an incredibly busy Brook lane and LockswoodRoad as well as an additional iaccess at Brook Lane via three entry points from Greenaway Lane. I have already had to change my surgery where I was a patient for 40 odd years as it was impossible to get to the surgery on time due to the amount of traffic. My surgery is now in locks Heath Centre. I note that there was an occasion some time in the last few few weeks that the Air ambulance was unable to land; and ambulance was unable to get there because of the gridlock. My point is very much that the proximity of these access points and the position of such will cause even more gridlock. We are a peninsular we are hemmed in. More traffic will make us feel that we are even more in a cage.

Continuing with my other comments about infrastructure
Paragraph 10.15 where has that been an analysis of roads where the new houses are proposed. If we are considering 830 new dwellings what about the transport assessment for HA1. Although there could be an average of two cars per dwelling I know from experience that at one point, with our daughters coming and going from University, we had five cars in the driveway, which we could accommodate.....many of the new homes will not have this advantage, and extra cars will be accommodated on the roads.. how therefore is there no reference for the mitigation required to reduce congestion by 2037. Plan as presented failed the test of soundness by not being positively prepared in this respect.In this very Rural area one has to have access to a car to get anywhere, unless being confined to one's home is the way forward for FBC. I cannot see that paragraph 10.14 helps any of us.

I have had the pleasure of one of my family is moving closer to live with me in Warsash and the boys are very involved in outdoor activities so it was a joy that I saw there was provision of two junior football pitches however these appear to be missed off of the master plan?

Document 3 for FBC

Dear Katherine,

This relates to Test of soundness-

Housing need methodology

I think there is a disparity CE paragraph 3.27 figure 3.2. The map shows that there are eight possible growth areas when there are actually more than this. Could you confirm which is the correct one.
Again paragraph 3.37 does not align with paragraph 4.13 regarding the definition of small-scale development. In other words, is it sites of less than 1Ha or development of not more than four dwellings.
Again under the same heading; paragraph 4.2 of the publication plan is dubious as it bases housing numbers on the proposed new methodology for calculating need and there is some concern that this may not be adopted by the government. Also page 37 paragraphs 4.12, 4.16 and policy HP13 illustration says that the contingency barrier of 1094 has been made. I think the plan is very dependent that 4858 houses at Welbourne will be delivered.

Occupancy rates
Paragraph 5.41 states that a four or five bed house would have an average occupancy rate of 2.4 with regard to nitrate budget calculations. However it also states that the range of occupancy for affordable homes will be between 4-6 persons. This does not marry up with the claims in the publication plan for what the council needs and requires.

Carbon reduction

Paragraph 8.60 section 8 does not state what the target should be for the requirement of meeting CO2 emission targets. It simply refers to individual developments power generation. I would contend that the plan is not positively prepared.

Paragraph 11.34 does not state what the meeting of CO2 emission reduction targets should be.The plan just refers to individual developments power generation so again I contend that plan is not positively prepared.
Paragraph 11.36 no standards have been set for the developers to design for natural ventilation and green infrastructure. I cannot see how just meeting building regs, allies with the Governments needs to meet the promised carbon reduction. The council should lead by example by setting standards to ensure that developers are designing for sustainability. We need to look to the future using the new standards SA10.

Retail facilities
Paragraph 7.13 if Warsash is to have more houses then there will be additional retail facilities needed and with that will be the need for more parking spaces as many who have lived in this area for decades need to use their own transport for shopping, hairdressers, and many other facilities that this village has provided. It is already a job to cross the road from one side to the other and more cars to the area will make this even more impossible.There would need to be a crossing area to allow children to cross safely to get to the bus stop or to Brookfield School as well as the many elderly people who need to cross from one side to the other.

Paragraph 7.18 although out-of-town shopping is discussed it is not however defined. As one gets older one prefers to take ones custom to the local shops as driving is not so pleasurable. If we are to be encouraged to shop elsewhere this will increase the amount of traffic on our heavily congested roads.

Education

Paragraph 10.26 infrastructure delivery plan section 5.5. I note that education is planned with Hampshire county council however the period of any proposed extensions only covers to 2021. The plan however goes up to 2037. My grandchildren are already in three different schools within the area, two of which need cars. Offering houses to be developed but then not having school places it's not a sound approach to help to realise the dreams of future generations.
Paragraph 10.27 Infrastructure delivery plan table item 83 calls for section 106 provisions of additional early years foundation provision within the western wards. However H a one does not say if there is going to be a nursery or preschool within the proposed development area. There should be a child placement contribution to be allocated as there are over 1000 new houses being proposed for the Warsash area alone. Again If parents need childcare provision they would have to travel out of this immediate area in order to access provision; not at all ideal, adding to traffic chaos, length of time travelling to and from child care setting and not allowing children to make friendships with those who they might be at school with when they reach statutory age.

Healthcare
As regards Paragraph 10.26 the infrastructure delivery plan calls for the expansion of healthcare provision through further GP practices in the western wards. The document however only provides an historic timeline through dating the local plan. This is not a sound approach considering that HA1 will bring in additional 830 houses. It is already impossible to get an appointment at the nearest GP practice within a week.

Complies with duty to cooperate
Housing need methodology

Paragraph 1.28 which agrees to take up the shortfall of homes from Portsmouth, numbering 847, would appear that FBC are taking a risk as the new methodology for calculating housing need has not been signed off by the Government. Also during this time of public consultation the housing delivery test will not be available

Paragraph 3.10 The rewilding of the Stubbington strategic gap was made without consultation with the council offices or elected members. It came via an announcement through a press release after the start of the full council meeting, which was in the process of debating this plan.

Representations | Amy Robjohns

1811-291310

Respondent details:

Title:	Ms
First Name:	Amy
Last Name:	Robjohns
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: 5.1

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Building on SINCs is not ok or justifiable. SINCs should be incorporated into the local plan. Also, the current plans to deal with the negative impacts of recreational disturbance on the Solent's SPAs is not good enough and is not working. Surely Fareham, and indeed the rest of the Solent, must pause house building (like it did recently due to other issues impacting the area) until a better solution is found. The disturbance levels in the Solent's SPAs is recognised as being high and yet very little is being done to reduce this. This results in negative impacts to the birds who are the reason why these designated areas exist. This summer the key tern roosts in the summer were abandoned due to very high levels of disturbance and it seems to get worse every year. At hill head / Brownwich area, disturbance is bad all year round but the beaches are important all year round for migrating, wintering & breeding birds. BirdAware along is not and will not work. Please stop throwing money at a scheme which isn't solving the problem just to tick boxes. Education is important, but so too is forcing people to comply and leave the beaches free for birds whose lives depend on them. They loose lots of energy each time they are disturbed and it takes hours (or days) to regain that lost energy. Sometimes they don't regain it. This can impact on their ability to migrate, breed and ultimately to survive. Everything about the management of Fareham's beaches is wrongly about people (even your website still says nothing about the SPAs and simply tells people where they can swim...). The new posters at hill head & Meonshore also aren't being as effective as hoped. There is still high levels of disturbance. This needs to change. Even if what's currently happening regarding disturbance is "legal", it shouldn't be, and given the negative impact disturbance has on these sites, it really ought to lead to more action, putting wildlife first at long last. Indeed, action is supposed to be taken to stop activities negatively impacting SPAs. Increasing numbers of houses will bring more people & dogs and thus make the problem worse. In Fareham, the local beaches already can't cope with the sheer number of people either. There is not enough parking (too many cars & poor buses) do the local roads are a nightmare. There is not enough space for more parking spaces.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

More real action to reduce recreational disturbance on the Solent's SPAs. BirdAware along is not working. "Migration" in the form of money isn't working.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

If disturbance to the SPAs is significantly reduced, then the SPAs will at last be doing their job of protecting species. BirdAware's plan isn't even to reduce current levels of disturbance which is very worrying

Your suggested revised wording of any policy or text:

N/a

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

The countryside charity
Hampshire

Em [redacted]

Working locally and nationally for a beautiful
and living countryside

15th December 2020

FAO: planningpolicy@fareham.gov.uk

Fareham Local Plan 2037 Publication
Regulation 19 Consultation

Dear Sirs,

Please find attached comments from CPRE Hampshire regarding the Regulation 19 Fareham Local Plan 2037 consultation.

Firstly, a general point; CPRE Hampshire is extremely pleased to see that Fareham BC have approached their new Local Plan from a landscape-based perspective, a process which we wholly support. Furthermore, we fully endorse Fareham BC's inclusion of a Climate Change policy, which must underpin all other policies and spatial planning.

Furthermore, we are pleased to see that Fareham have adopted housing numbers based on the latest available housing projections from the ONS, the 2018-based projections, which show a considerable reduction in estimated local need.

However, we remain disappointed that there seems to be no mention of a potential new South Hampshire **Green Belt** in the Reg 19 consultation. In an earlier consultation by Fareham BC in July 2019, there were a number of mentions of this option, notably in Section 10c regarding the Meon Valley, where it said "The Council will also be working with PUSH to consider the potential for greenbelt land across local authority areas, and there could be scope for this area to become part of a South Hampshire greenbelt." As CPRE Hampshire has long campaigned for a sub-regional area of restraint in order to encourage urban regeneration and prevent sprawl, this was very much welcomed. Sadly, this does not seem to have been included in the Reg 19 document, and we consider its exclusion to be a significant wasted opportunity, as the NPPF allows local authorities to designate Green Belt as part of the Local Plan process. It has been agreed that the PfSH authorities are to consider a new Green Belt as part of their forthcoming Statement of Common Ground and we would have hoped to see Fareham BC leading the way.

CPRE Hampshire has completed Response forms for individual policies which are attached below this letter, but in summary our headline comments are as follows:

Development Strategy

Strategic Policy DS1 Development in the Countryside: CPRE Hampshire agrees with these principles but notes that a South Hampshire Green Belt could aid considerably in achieving these goals.

Strategic Policy DS2 Strategic Gaps: We note the decision to re-define strategic gaps (the Meon and Fareham-Stubbington gaps) and suggest that a new Green Belt could achieve this. An area could easily be defined to encompass the Meon Valley, which could link to an area of larger Green Belt to the north of the Borough in Winchester District.

Strategic Policy DS3 Areas of Special Landscape Quality: CPRE Hampshire agree with Fareham BC's analysis of the Borough's varied landscapes and supports any intention to define them as Areas of Special Landscape Quality, illustrated in Figure 3.3. However, CPRE Hampshire suggests that some of these could be further protected if they also formed part of a wider South Hampshire Green Belt, in particular the Upper Hamble Valley, the Meon Valley, the Forest of Bere and Portsdown Hill.

Climate Change

Strategic Policy CC1 Climate Change: CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. The aspirations in Policy CC1 are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. We consider that this is a missed opportunity. However, we feel that Criterion a) does not go far enough. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes "Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle." It must be a fundamental tenet of the Fareham Local Plan that NO development should be permitted that relies on the car as its main means of access.

Nothing less than a drastic change to spatial strategy and a move away from South Hampshire's historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture. The adoption of a South Hampshire Green Belt would assist this by encouraging urban redevelopment, and preventing sprawl into the countryside where modal change to walking, cycling and public transport is very much more difficult to achieve.

Housing

Policy H1 Housing: CPRE Hampshire recognises that the current guidance from MHCLG requires the calculation of local housing need (LHN) based on figures from the 2014-based household projections, although a recent MHCLG consultation suggested a new methodology. Whatever the methodology, CPRE Hampshire supports Fareham BC in using the most up-to-date household figures based on the 2018-based projections. We also welcome the removal of Policy HA2 from the Reg 19 Local Plan.

Policy HA1 Warsash: CPRE Hampshire does not believe that the proposed development around Warsash can be consider truly sustainable, reliant as it is on the car as the main means of transport. We are concerned about the lack of a masterplan and believe the proposed framework does not fulfil a place making function.

Policy HP4 Five-Year Housing Land Supply: CPRE Hampshire has significant concerns about the unintended consequences of this policy, specifically its linkage with DS1, and believe that it may lead to site selection looking outside the Urban Area in the first instance.

Policy HP6 Exception Sites: The potentially inadvertent use of the word OR in Criterion c) could allow significantly large exception sites to be allowed, as long as they remain below the threshold of 5% of the size of the adjacent settlement. There should be a fixed upper limit.

Natural Environment

Strategic Policy NE1 Protection of Nature Conservation, Biodiversity and the Local Ecological Network: CPRE Hampshire supports the use of ecological network mapping to conserve nature and protect biodiversity and as a tool for influencing spatial planning.

Policy NE2 Biodiversity Net Gain: CPRE Hampshire supports the requirements for 10% biodiversity net gain on all development.

Policy NE4 Water Quality effects on the SPAs, SACs and Ramsar sites of the Solent: CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse the proposed policy until the legal issues have been resolved.

Policy NE6 Trees, Woodlands and Hedgerows: CPRE Hampshire agrees with any policy that supports the preservation or enhancement of trees, woodlands and hedgerows.

Policy NE8 Air Quality: CPRE Hampshire supports the requirements for air quality improvement but considers more could be achieved if development were only to be permitted in locations around mass public transport hubs, rather than being car dependent.

Policy NE9 Green Infrastructure: CPRE Hampshire agrees that green infrastructure is important to the wider ecological network and to the health and wellbeing of residents but suggests that it would be better protected in perpetuity were it to be formalised as part of a new Green Belt.

Transport and Other Infrastructure

Strategic Policy TIN1 Sustainable Transport: CPRE Hampshire recognises that Fareham BC aspire to have 'good growth' with existing and proposed transport corridors influencing choice of development, but we feel the policy does not go far enough. The Council should feel empowered to reject development which is not already located around, or can provide, public mass transit hubs, in particular the rail network.

The principles of development and transport as set out in the Transport for New Homes checklist should be followed - https://www.transportfornewhomes.org.uk/the-project/checklist-for-new-housing-developments/.

Design

Strategic Policy D1 High Quality Design and Placemaking: The design quality of future developments starts with overall masterplanning and landscape context as well as specific building details. Fareham has seen a proliferation of poorly designed car dependant nondescript developments over recent years, and it is critical that major improvements are made for the future.

Yours faithfully,

Caroline Dibden

Vice-President
CPRE Hampshire

The countryside charity
Hampshire

A1 Is an Agent appointed:

No, an agent is not appointed

A2 Please provide your details below:

Title:	**Mrs**
First Name:	**Caroline**
Last Name:	**Dibden**
Job Title:	**Vice-President**
Organisation:	**CPRE Hampshire, the countryside charity**
Address:	[redacted]
Telephone:	[redacted]
Email Address:	[redacted]

POLICY DS1: Development in the Countryside

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.29 – 3.36

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS1: Development in the Countryside

B1c Which part of the Policies Map?

Areas of Special Landscape Quality and Strategic Gaps

a) East of Welborne,
b) the Strategic Gap along the Meon, and
c) to the north-west of the borough.

2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire STRONGLY SUPPORTS the overall approach taken by Fareham BC in the Fareham Local Plan 2037 for a spatial strategy based on countryside, which is justified as it is in accordance with the aspirations as set out in the NPPF for development to be brownfield first, and for countryside to be protected for its intrinsic value and beauty, and for protection of Best and Most Versatile agricultural land. It is also supported by the Government's 25-year Environment Plan and for the recommendations as set out by the Climate Change Committee.

Furthermore, CPRE Hampshire SUPPORTS the Vision for the Fareham Local Plan 2037 which states that Fareham BC seek to retain its identity, and the identity of individual settlements within the Borough, through measures that seek to retain the valued landscapes and settlement definition.

We also SUPPORT Strategic Priority 2 which seeks to maximise development in the urban area and away from the wider countryside, valued landscapes and those of special quality and spaces that contribute to settlement definition.

CPRE Hampshire believes that the Vision and Strategic Priority 2 would both be better achieved if a new Green Belt was designated, due to its permanence and effectiveness. We submitted to Fareham BC and to PfSH a report by NEF Consulting on the potential socio-economic and environmental benefits of a Green Belt: https://www.cprehampshire.org.uk/our-campaigns/south-hampshire-green-belt/. This demonstrates the considerable financial benefits as well as to health and wellbeing, climate change and natural capital of protecting the green space near to population centres, in perpetuity, something that only Green Belt is designed to achieve.

Looking at the specific policy wording, CPRE Hampshire believes that criterion (e) of **Policy DS1** is unsound, specifically in the way it permits development in the countryside that is compliant with Policies **HP4, HP5 and HP6**. Permissions that might be compliant with these polices appear to be in direct contradiction with the other criteria in **Policy DS1**, and the policy is therefore internally inconsistent.

HP4 relates to the Five Year Housing Supply (5YHLS) and allows residential development outside the urban area boundary where the Council is unable to demonstrate a 5YHLS. It is believed that the Government intends to remove 5YHLS test in the planning reforms, so this policy may be redundant and should be reworded to future proof its deletion. However, that notwithstanding, the main problem is that the wording of Policy HP4 and its linkage with **DS1** could unintentionally lead to countryside locations taking priority over alternative, more sustainable, urban or brownfield locations.

HP5 relates to the provision of affordable housing on sites of 10 or more, and its linkage to **DS1** could unintentionally suggest that Fareham BC accepts in principle the development of ANY affordable housing site outside the urban area boundary. The risk is that the linkage could potentially enable large scale housing development in the countryside as long as it could be demonstrated that 40% affordable housing would be achieved.

HP6 relates to small rural affordable housing exception sites, and whilst CPRE Hampshire supports the provision of rural affordable housing, the concern is that the linkage with **DS1** could inadvertently lead to a series of separate applications which in combination amount to significant levels of development in the countryside. The cumulative impact on the separation of settlements resulting from a number of sites each individually sub- 1 hectare or <5% of the adjacent settlement must be considered, but at the moment the policy has no mechanism for dealing with this potential eventuality. See separate comments on **Policy HP6** as regards the use of the word *OR*.

CPRE Hampshire SUPPORTS criteria i) to v) of **Policy DS1** and believe they provide a sound underpinning of the principles aspired to by Fareham BC.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Fareham BC should look at the areal extent of a possible South Hampshire Green Belt as part of this Local Plan, as it has been confirmed by Leader Cllr Woodward that they wish to see such a designation to protect the countryside and gaps.

Remove the linkage of **Policies HP4, HP5 and HP6** with **Policy DS1**.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Including a proposed South Hampshire Green Belt would be in accordance with the aspirations as set out by the Council in council meetings, PfSH meetings and in press releases.

Removing the linkage of **Policies HP4, HP5 and HP6** with **Policy DS1** would remove the internal inconsistency by removing the possibility of inadvertent development in the countryside.

B4c Your suggested revised wording of any policy or text:

Remove the linkage of **Policies HP4, HP5 and HP6** from Policy **S1 (e).**

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for Local Plans to take the countryside into account when devising spatial development strategy, and we would like to appear at the Hearings to support Fareham BC in choosing this approach. Our expertise lies in spatial strategy and reconciling development requirements with the environmental constraints of countryside, and its uses and purposes.

POLICY DS2: Development in Strategic Gaps

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.43 to 3.46, Para 3.10

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS2: Development in Strategic Gaps

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC to designate strategic gaps between Fareham / Stubbington and the Western Wards (Meon Gap) and between Fareham / Bridgemary and Stubbington / Lee-on-the-Solent (Fareham- Stubbington Strategic Gap). However, a study carried out on behalf of CPRE Hampshire in January 2019, by consultants West Waddy, showed that historically strategic gaps in South Hampshire have failed to adequately prevent coalescence of settlements. This report was shared with Fareham BC as a member of the Partnership for South Hampshire, and can be submitted as part of our evidence on this matter to the examination hearings.

"An Assessment of the Effectiveness of Settlement Gap Policies in South Hampshire in preventing Urban Sprawl & the Coalescence of Settlements" – January 2019, West Waddy.

The conclusions show that through appeals and permissions the gaps designated in South Hampshire (including Fareham) have been significantly reduced over time, and are thus an ineffective policy and thus unsound. Para 3.10 confirms that this has been the case in Fareham.

The findings of this report show that "In the national context, South Hampshire is fairly unique among the large urban areas in England in having no designated Green Belt, with reliance instead being placed upon Gaps designated in Local Plans to prevent the coalescence of settlements."

Furthermore "given the major urban extensions currently being proposed and the past history of erosion of Gaps through subsequent permissions being granted, a strong argument can be made that the current Gap policies across the sub-region are failing in their remit to prevent coalescence and sprawl, which is ultimately likely to lead to currently separate settlements forming one large South Hampshire conurbation and expanding out into the adjoining areas of countryside. The exceptional circumstances therefore exist to demonstrate that a new stronger policy backed by explicit Government advice is needed to prevent this happening and the tool for this is a Green Belt, which is already in use around most large urban areas in England. South Hampshire is the exception in having no such designation."

CPRE Hampshire has submitted to Fareham BC and to PfSH a report by NEF Consulting on the potential socio-economic and environmental benefits of a Green Belt: https://www.cprehampshire.org.uk/our-campaigns/south-hampshire-green-belt/

Notwithstanding the above comments regarding a new Green Belt, CPRE Hampshire SUPPORTS the removal of the earlier proposed Strategic Growth Area SGA, previously entitled HA2 (in the Reg 18 consultation version) from the now proposed Fareham-Stubbington Strategic Gap. The previous inclusion of the SGA was clearly subject to objections by neighbouring Gosport BC, which would have undermined any Duty to Co-operate and thus soundness. It was also objected to by many CPRE members and is therefore of concern to us.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Fareham BC should look at the areal extent of a possible South Hampshire Green Belt as part of this Local Plan, as it has been confirmed by Leader Cllr Woodward that they wish to see such a designation to protect the gaps between settlements.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Including a proposed South Hampshire Green Belt would be in accordance with the aspirations as set out by the Council in council meetings, PfSH meetings and in press releases, and would lead to a much more rigorous policy to prevent coalescence which is Fareham BC's stated aim.

A need for a South Hampshire Green Belt was confirmed by Cllr Woodward in the Fareham BC Executive Committee at 6pm on Monday 7th December 2020. Its omission from the Reg 19 Local Plan consultation is thus not in accordance from the council's own publicly announced policy.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for a new South Hampshire Green Belt, and we would like to appear at the Hearings to further explain our justification and why Fareham merits the exceptional circumstances required to designate a new Green Belt. We have a petition which has been signed by nearly 15,000 people asking Fareham BC (alongside Eastleigh BC, Winchester CC and Test Valley BC) to designate a Green Belt as part of its Local Plan process.

POLICY DS3: Landscape

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.48 to 3.58

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS3: Landscape

B1c Which part of the Policies Map?

All Areas of Special Landscape Quality

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE fully SUPPORTS the approach taken by Fareham BC in respect of analysing and including Areas of Special Landscape Quality as part of its development strategy and as Strategic Policy S3. This is in accordance with the aspirations outlined in the NPPF to value landscape for its intrinsic character and beauty of the countryside, as outlined in NPPF Para 170 a) and b).

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for Local Plans to take landscape into account when devising spatial development strategy, and we would like to appear at the Hearings to support Fareham BC in choosing this approach. Our expertise lies in spatial strategy and reconciling development requirements with the environmental constraints of, and impacts upon, the wider landscape.

POLICY H1: Housing Provision

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 4.1 to 4.20

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy H1: Housing Provision

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

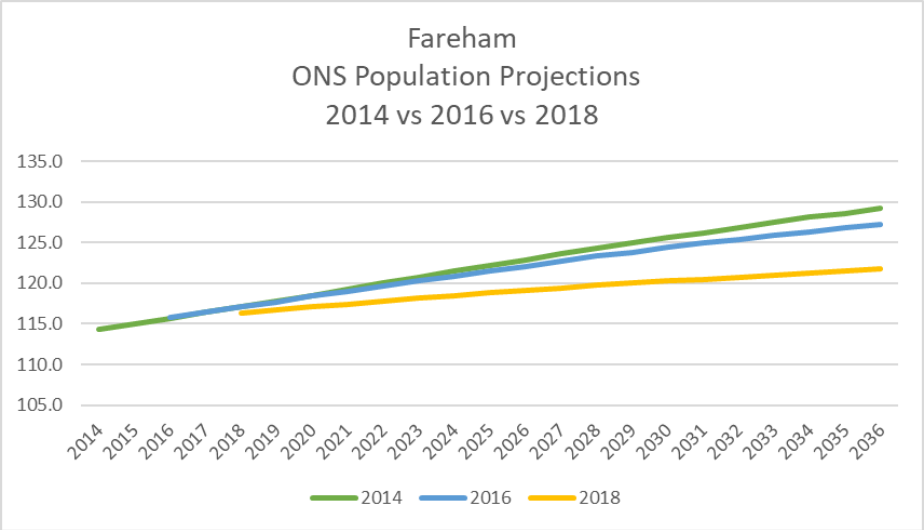
B3 Please provide details you have to support your answers above

The approach taken by Fareham BC to calculating housing need for this Reg 19 version is based upon the MHCLG consultation on a new standard method in August 2020, which showed Fareham's housing need to be lower (403 dpa) than using the previous standard method (514 dpa). CPRE Hampshire SUPPORTS the use of the latest base data on household projections (the 2018-based projections from the ONS) as it conforms with Para 31 of the NPPF "The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals."

As can be seen from the graph below, the most up-to-date population projections (in 000's) for Fareham evidences the trend towards a lower requirement, and this would translate into a lower household projection. The impact of Covid-19, and corresponding economic fallout, on migration patterns will remain unclear for some time, and it is therefore sensible to use a cautious approach to planning and development.

However, for Fareham to agree to take unmet need from Portsmouth is premature, predating as it does the revised statement of common ground from PfSH, and therefore Policy H1 is unsound.

It is also clear that there remains a significant reliance on delivery of housing at Welborne, which is subject to a separate plan. Delays to infrastructure finding at Welborne could have an impact on Fareham's overall strategy for delivery of its housing needs in the plan period.



B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Remove the requirement to take housing from Portsmouth CC.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a recognised authoritative voice on Hampshire's housing numbers, the standard methodology and has been involved in this aspect of Fareham's Local Plans since the time of the South East Plan in 2005, and the formation of PfSH (Partnership for South Hampshire).

CPRE Hampshire is part of an expert group in the National CPRE network on housing numbers, and would like to appear at the hearing sessions to SUPPORT the use of the most up-to-date household projections.

POLICY HA1: North and South of Greenaway Lane, Warsash

B1 Which part of the Local Plan is this representation about?

	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA1 North and South of Greenaway Lane, Warsash

B1c Which part of the Policies Map?

Figure 4.1

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire has significant concerns about the piecemeal development already seen, and proposed, in the Warsash area. Population growth in the 10 years 2009-2019 has reached 9% in Warsash and the western wards, while Fareham itself has only grown by 4%. As Warsash has no access to the rail network, this pattern of development could not be considered sustainable. It therefore fails the soundness tests.

An indicative framework as shown in Figure 4.1, but this does not meet the requirements for a masterplan, and it is not adequate for long-term planning to integrate the various separate sites and applications by a series of different developers. Policy HA1 will fail to meet any government aspirations for placemaking as set out in the NPPF Chapter 12, Paras 124 to 130, and is therefore unsound.

Para 124 of the NPPF states “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

Para 125 of the NPPF states "Design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics." It is apparent from discussion with CPRE Hampshire members that there has not, to date, been any meaningful involvement of local communities.

It is clear that the settlement policy boundaries have been moved to accommodate the applications pending for Warsash. This is not consistent with a plan-led approach but is simply reactive to a developer-led situation, and takes no account of the area's defining features.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

More analysis of the sustainability criteria for the overall development strategy, such as access to public transport is required before sites such as HA1 are confirmed. Has every opportunity for brownfield development around rail networks been ruled out?

Much more consultation with the local community is required before the proposed HA1 framework meets NPPF prerequisites.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has worked for some years with local campaign group Save Warsash and the Western Wards, and a number of our members will be affected by the proposals for such a large allocation of housing to one small settlement. We would like to take part in the hearing sessions to represent their concerns for initial choice of an unsustainable site, loss of countryside and open space in Warsash, and poor design due to lack of a masterplan.

POLICY HP4: Five-year housing land supply

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 5.22 to 5.28

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy HP4: Five-year housing land supply

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

Policy HP4 states "If the Council cannot demonstrate a five-year supply of land for housing against the housing requirement set out in Policy H1, additional housing sites, outside the Urban Area boundary, may be permitted where they meet all of the following criteria….." The problem with this policy is that inadvertently it encourages the first choice of sites to be "outside the Urban Area". CPRE Hampshire is sure that this is not what Fareham BC intends, and in any event it would not be in accordance with the councils own aspirations for a brownfield first approach, nor in accordance with the NPPF Para 137, and is therefore unsound. A sequential approach should be used, even in the event of a lack of a five-year housing land supply.

The problem is exacerbated by the linkage of **Policy HP4** with **Policy DS1**, particularly **DS1 Criterion (e)** as discussed above**.**

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HP4 should be rewritten to include a sequential approach, which "makes as much use as possible of suitable brownfield sites and underutilised land" as per Para 137 (a) of the NPPF.

The linkage of **Policy DS1 (e)** and **Policy HP4** should be removed.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be in accordance with the NPPF.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is part of an expert group in the National CPRE network on housing numbers, and the five-year housing land supply, and would like to appear at the hearing sessions to discuss its impact on the Fareham Reg 19 Local Plan.

POLICY HP6: Exception Sites

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 5.43 to 5.51

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy HP6: Exception sites

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The second part of **Policy HP6, Criterion (c)**, would allow exception sites with a limit of 1 hectare *OR* a proviso that the scheme does not exceed 5% of the size of the adjacent settlement. The problem is the word OR, as this could lead to large sites adjacent to large settlements being permitted as they would still be beneath the 5% cut-off. For example, Fareham town is a large settlement, of some 20,000 households, and so an exception site of up to 5% could itself number 1,000 dwellings. CPRE Hampshire is sure that this is not what was intended by Fareham BC as the aspiration is for small sites on urban boundaries.

The problem is exacerbated by the linkage of **Policy HP6, Criterion (c)**, with **Policy DS1**, particularly **DS1 Criterion (e)** as discussed above**.**

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HP6 should be rewritten to include a sequential approach, which "makes as much use as possible of suitable brownfield sites and underutilised land" as per Para 137 (a) of the NPPF.

Criterion c) should be reworded to remove the reference to *OR* 5% of the size of the adjacent settlement and have a fixed upper limit of what is meant by 'small sites' as identified in the justification text (Para 5.46).

The linkage of **Policy DS1 (e)** and **Policy HP6** should be removed.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Any ambiguity on what a "small site" means would be removed giving clarity for applicants and for FBC.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of affordable housing, such that it is located and designed appropriately, and would like to appear at the hearing sessions to discuss the impact of Policy HP6 on the Fareham Reg 19 Local Plan.

STRATEGIC POLICY CC1: Climate Change

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 8.1 to 8.10

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy CC1: Climate change

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		**NO**
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire generally SUPPORTS the approach taken by Fareham BC to Climate Change. But we believe that **Policy CC1, Criterion (a)** does not go far enough to encourage/enforce a truly sustainable pattern of development and is unlikely to lead to a meaningful reduction of emissions from private car use.

Section 19(1A) of the Planning and Compulsory Purchase Act 2004 requires that a local authority's development plan documents must: (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.

The NPPF Para 148 further includes the requirement that "the planning system should support the transition to a low carbon future in a changing climate", should "shape places in ways that contribute to radical reductions in greenhouse gas emissions" and Footnote 48 "in line with the objectives and provisions of the Climate Change Act 2008."

CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. The aspirations in **Policy CC1** are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. We consider that this is a missed opportunity. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes "Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle." It must be a fundamental tenet of the Fareham Local Plan that NO development should be permitted that relies on the car as its main means of access.

Nothing less than a drastic change to spatial strategy and a move away from South Hampshire's historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture.

Policy CC1 is therefore not legally complaint unless the large part of Fareham's spatial strategy is geared to development around mass public transport hubs and avoiding sites which are car-dependant. It is clear that sites such as Policy HA1 would fail to meet this condition.

CPRE Hampshire recommends the checklist provided by Transport for New Homes, which sets out an objective approach to planning new housing areas without dependence on cars: https://www.transportfornewhomes.org.uk/wp-content/uploads/2019/10/checklist.pdf

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

CPRE Hampshire recommends strengthening **Policy CC1, Criterion (a)** to enable a spatial strategy more likely to meet the requirements set out in Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and the NPPF, by including a requirement for mass public transport hubs to be the first approach for development, and to enable Fareham to refuse car-dependent applications.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be in accordance with Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and the NPPF Para 148.

B4c Your suggested revised wording of any policy or text:

(a) A development strategy that minimises the need to travel by allocating sites and generally directing development to locations **near to mass public transport hubs**, with better services and facilities, or where they are capable of being improved.

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning housing, such that it is located and designed appropriately around public transport hubs to minimise emissions and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy CC1** in this regard.

POLICY NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.5 to 9.27

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

B1c Which part of the Policies Map?

The Local Ecological Network map in Appendix C

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The approach taken by Fareham BC is sound, and CPRE Hampshire SUPPORTS the requirement for nature to be conserved and ecological networks to be protected as per the forthcoming Environment Act.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning development, such that it is located and designed appropriately to conserve and enhance the biodiversity of the area and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE1** in this regard.

POLICY NE2: Biodiversity net gain

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.28 to 9.44

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE2: Biodiversity net gain

B1c Which part of the Policies Map?

The Local Ecological Network map in Appendix C

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The approach taken by Fareham BC is sound, and CPRE Hampshire SUPPORTS the requirement for biodiversity net gain as per the forthcoming Environment Act.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning development, such that it is located and designed appropriately to see a net gain in biodiversity of the area, and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE2** in this regard.

POLICY NE4: Water quality effects on the SPAs, SACs and Ramsar sites of the Solent

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.50 to 9.54

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE4: Water quality effects on the SPAs, SACs and Ramsar sites of the Solent

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		**NO**
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse the proposed policy until the legal issues have been resolved.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire's remit covers protection and enhancement of both land and seascape, including Hampshire's iconic chalk streams and rivers, and the Solent. In the absence of an outcome on the legal matters, the hearing session may be the first opportunity to evaluate the effectiveness and legality of the proposed policy.

POLICY NE6: Trees, woodland and hedgerows

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.79 to 9.89

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE6: Trees, woodland and hedgerows

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE6** is sound. The Climate Change Committee has called for a 40% increase in the extent of hedgerows by 2050 to help tackle the climate emergency, and we would thus like to see more hedgerows planted and restored in Fareham BC.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

NO Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

POLICY NE8: Air quality

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.98 to 9.118

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE8: Air quality

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE8** is sound.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

NO Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

POLICY NE9: Green infrastructure

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.119 to9.125

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE9: Green infrastructure

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE9** is sound. However, we believe that a link with **Policy HE1** should be included within **Policy HE9** itself, rather than just within the supporting text in **Para 9.122**. CPRE Hampshire further believes that much better Green Infrastructure provision could be safeguarded over the long term if it were to be incorporated within a South Hampshire Green Belt.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of green infrastructure alongside planning development, such that it is located and designed appropriately, in order to benefit biodiversity, natural capital, but also residents' health and wellbeing. We would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE9** in this regard, and to discuss whether a South Hampshire Green Belt could ensure green infrastructure is protected in perpetuity.

POLICY TIN1: Sustainable transport

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 10.1 to 10.11

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy TIN1: Sustainable transport

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy TIN1** to be a good starting point. CPRE Hampshire recognises that Fareham BC aspire to have 'good growth' with existing and proposed transport corridors influencing choice of development, however we feel **Policy TIN1** does not go far enough. The Council should feel empowered to reject development which is not already located around, or can provide, public mass transit hubs, in particular the rail network. The policy as it stands does not give Fareham BC a sufficiently robust mechanism for achieving this. It is therefore unlikely to comply with the aspirations to meet climate change objectives as set out in **Policy CC1** or for air quality in **Policy NE8**.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

The principles of development and transport as set out in the Transport for New Homes checklist should be followed - https://www.transportfornewhomes.org.uk/the-project/checklist-for-new-housing-developments/.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

The policy would then comply with climate change and air quality objectives.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning housing, such that it is located and designed appropriately around public transport hubs to minimise emissions and impacts on climate change. We would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy TIN1** in this regard.

POLICY D1: High quality design and place making

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 11.1 to 11.36

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY D1: High quality design and place making

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire welcomes the approach taken by Fareham BC towards high quality design in **Policy D1** but would like to see the inclusion of the words countryside and landscape into **Criterion (i)**. The omission of these words makes it inconsistent with **Strategic Policies DS1 and DS3** and therefore unsound.

The design quality of future developments starts with overall masterplanning and landscape context as well as specific building details. Fareham has seen a proliferation of poorly designed car dependant nondescript developments over recent years, and it is critical that major improvements are made for the future.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include the words countryside and landscape into **Criterion (i).**

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

This would then be in accordance with **Strategic Policies DS1 and DS3**.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

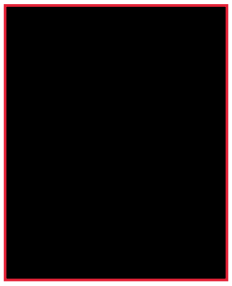
CPRE Hampshire has many members in Fareham who are keenly interested in the design of future developments and would like to see major improvements over previous failures in design quality, which has historically resulted in large spawling estates of car-dependant nondescript housing.

Date: 18 December 2020
Our ref: 333521
Your ref: N/A

NATURAL ENGLAND

Planning Strategy Team
Fareham Borough Council

BY EMAIL ONLY



Dear Sir/Madam,

Regulation 19 Local Plan Consultation (6th November – 18th December 2020)

Thank you for your consultation dated 06 November 2020 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the Council's approach to achieving sustainable development through its Local Plan, particularly through its suite of Natural Environment policies that include protection of internationally, nationally and locally designated sites, the enhancement of the local ecological network and the requirement for biodiversity net gain.

Our comments on the Regulation 19 Local Plan and supporting Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA) are made below.

Strategic Policy DS1: Development in the Countryside
It is recommended this Policy also requires proposals to ensure compliance with Natural Environment policies, in particular Strategic Policy NE1 and Policy NE2, to ensure impacts on nature conservation interests are properly considered and addressed, and biodiversity net gain is achieved (for applicable development).

With regards to soils, the local plan outlines that 'the benefits of protecting the Best and Most Versatile (BMV) agricultural land are considered against the need for development'. This Policy requires development proposals to demonstrate they 'Conserve and enhance landscapes, sites of biodiversity or geological value and soils'.

The National Planning Policy Framework sets out that:

> 'Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework[1]; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.'
>
> *1 Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.*

It is recommended that this Policy is amended to give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpin our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver. The plan should safeguard the long term capability of BMV agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future.

Where site allocations are sited on BMV land, the Plan should outline a requirement for the protection of soils during construction where possible, referencing the 'Defra Code of practice for the sustainable use of soils on construction sites'.

Strategic Policy DS3: Landscape
Natural England welcomes the proposed designation of eight Areas of Special Landscape Quality within the Borough, and the requirement for development in these areas to meet stringent criteria that seek to protect and enhance landscape.

Strategic Policy CC1: Climate Change
Natural England advise all Local Plans consider climate change adaption and recognise the role of the natural environment to deliver measures to reduce the effects of climate change, for example tree planting to moderate heat island effects. In addition factors which may lead to exacerbate climate change (through more greenhouse gases) should be avoided (e.g. pollution, habitat fragmentation, loss of biodiversity) and the natural environment's resilience to change should be protected. Green Infrastructure and resilient ecological networks play an important role in aiding climate change adaptation.

Natural England welcomes Strategic Policy CC1: Climate Change that promotes mitigation and adaptation to climate change through various methods including the integration of green and blue infrastructure into the design of developments, adopting higher water efficiency standards, the integration of energy efficiency, renewable and low carbon technologies into all development, and reducing reliance on car travel.

Natural England supports the embedding of policy that will deliver measures to increase sustainability of development over the Plan period. This should also include reducing consumption of raw natural resources, sourcing more renewable or 'green' energy, and reducing waste. Consideration should be given to the collection of financial contributions from development to offset residual carbon emissions elsewhere in the Borough. Consideration can also be given to the retrofitting of existing development with technology that improves energy and water efficiency.

It is recommended that Local Plan policy also seeks measures that help natural habitats across the Borough adapt to the effects of climate change. We would encourage you to refer to the Natural England and RSPB Climate Change Adaptation Manual and look at the step by step approach to identifying the climate resilience of habitats that occur in the Borough. Consideration should be given to addressing issues on habitats and protected sites that will be exacerbated by climate change, such as flooding, drought, reduction of water resources etc.- the Manual can also help identify these.

Consideration can be given to delivering specific projects within the Borough. For example, to maximise climate change adaptation and mitigation through the establishment of a Nature Recovery Network (NRN), and the Local Nature Recovery Strategy in which the NRN would sit, to ensure climate change resilience at their core. Such projects could potentially benefit from carbon offsetting contributions from development over the local plan period.

Such an approach could link into other aspects of the Plan such as water and air quality, nutrient mitigation for Solent European designated sites, delivery of biodiversity net gain, natural flood management, and green infrastructure implementation among others. Natural England would be happy to advise further on this aspect.

Policy CC2: Managing Flood Risk and Sustainable Drainage Systems
Natural England welcome this Policy that requires development ensures flood and surface drainage are properly addressed, and that Sustainable Drainage Systems (SuDS) are designed in accordance with CIRIA C753 SuDs Manual, to be as 'natural' as possible.

It is advised that the policy makes clear that where a development drains to a protected site(s), an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection may be required to ensure water quality impacts are avoided.

Where SuDS are proposed serving as mitigation for protected sites, development should ensure that appropriate resources are put in place to ensure their long-term (in perpetuity) monitoring, maintenance/replacement, and funding.

Policy CC3: Coastal Change Management Areas (CCMAs)
Sea level rise and coastal change are inevitable and bring both challenges and opportunities for people and nature. Sustainable coastal management needs to embrace long-term change and achieve positive outcomes for both.

Policy CC3 identifies that the North Solent Shoreline Management Plan (SMP) policy for the majority of Fareham Borough's coastline is 'Hold the Line', and identifies two CCMAs between Hook spit and Meon Shore, with an identified coastal management policy of 'No Active Intervention'. The Policy will ensure that development in these areas will appropriately consider coastal change. It also will ensure replacement coastal defence schemes 'are consistent with the relevant Shoreline Management Plan and that there will be no severe adverse impact on the environment, the English Coast Path, and the rights of way network'.

We would advise that the Local Plan should also help facilitate the relocation of valued environmental assets away from areas of risk.

Strategic Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network
Natural England welcomes this policy that sets out clearly the hierarchy of nature conservation and the requirement for development to 'demonstrate clearly that the mitigation hierarchy has been followed' in terms of avoiding, mitigating or compensating (as a last resort) impacts on biodiversity. Natural England welcomes the Local Ecological Network (LEN) approach that has been included in the local plan.

It is helpful that the LEN and the Council's Green Infrastructure Strategy have been suggested as tools to provide opportunity for enhancements across the Borough. Please read our comments below in relation to Policy NE2 that regards the choosing of suitable opportunities for biodiversity enhancement.

Policy NE2: Biodiversity Net Gain
Natural England is fully supportive of the inclusion in the local plan of a Policy for biodiversity net gain. It is welcomed that the policy refers to the benefits to Borough residents from the ecosystem services that being close to nature provides, and outlines an expectation that offsite net gain must be sought as close to the development as possible. However in some instances this may be difficult, and Natural England recommends that consideration is given to developing a suite of projects across the LEN that development within the Borough can contribute to thereby ensuring the biodiversity within the Borough is protected and enhanced. For example, partners that manage Local Nature Reserves and Sites of Importance for Natural Conservation in the Borough could submit projects to the local planning authority to enhance the ecological value of these sites. These projects could be funded by development that requires offsite compensation or additional enhancements to achieve biodiversity net gain. This approach can also be used by development with limited opportunities for biodiversity net gain on-site.

The Policy outlines that the Council may prepare and adopt a Supplementary Planning Document (SPD) for Biodiversity Net Gain. Due to the need to ensure net gain is delivered in a suitably

strategic way, and having regard to the timescales of the legislative requirement for net gain and further national guidance, Natural England would support the development of such an SPD and would encourage Policy NE2 to outline this as a clear intention of the Council, in order to provide further guidance and support to aid sustainable development across the borough. Natural England will be happy to advise further to aid the development of such an SPD.

- *Calculating net gain*

Please note that Biodiversity Metric 3.0 is due to be published early 2021, which will supersede Biodiversity Metric 2.0. We advise that the Policy is updated accordingly and that this metric is used to measure gains and losses to biodiversity resulting from development, and implement development plan policies on biodiversity net gain.

Please note that although the Policy includes 'nesting and roosting features' as suggestions for achieving net gain, it is our advice that features such as bird and bat boxes, swift bricks, bee hotels etc should be classed as general biodiversity enhancements that should be included as part of a wider biodiversity enhancement and mitigation plan. Net gain specifically should derive strictly from habitat enhancement and creation, required as calculated using the metric.

- *Wider environmental gains*

The reference to seeking wider environmental gains, for example to address water/air quality, flooding, climate change etc. is welcomed. Opportunities for environmental gains, including nature based solutions to help adapt to climate chance, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g. by sowing wild flower strips, changing cutting regime of open spaces and road verges*) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g. a hedgerow or stone wall or clearing away an eyesore)
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats

*Please see this paper regarding cost-effective and low-maintenance management for species-rich grassland on road verges and the value it can contribute to biodiversity and ecosystem services.

Please note that Natural England and Defra are developing an Environmental Net Gain/metric for Natural Capital Net Gain that can be used in conjunction with the Biodiversity Metric (but not instead of). Further information will be available in 2021.

- *Monitoring of net gain*

Your plan should include requirements to monitor biodiversity net gain. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

LPAs should work with local partners, including the Local Environmental Record Centre and wildlife trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations and providing as much up front information on monitoring will help to streamline the project stage.

Policy NE3: Recreational Disturbance on the Solent Special Protection Areas (SPAs)

Natural England welcome this policy that will require new residential development to address in-combination effects on the Solent SPAs via recreational disturbance. It is recommended the Policy also outlines that other types of development (such as new hotels, student accommodation, care homes etc.) may also need to address recreational disturbance impacts, both alone and in-combination. Such development should be assessed on a case by case basis.

Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
Natural England welcome this policy that will require new development that propose a net increase in overnight accommodation to address in-combination effects on the Solent designated sites via eutrophication from nutrients in wastewater.

Policy NE5: Solent Wader and Brent Goose Sites
Natural England welcome this policy that will require development to address effects on sites identified by the Solent Wader and Brent Goose Strategy (SWBGS) which serve as functionally linked land to the Solent SPAs.

It is recommended that the following wording within the Policy "*Sites which are used by Solent Waders and/or Brent Geese (as shown on the Policies map)*" is amended to read "*Sites which are used by Solent Waders and/or Brent Geese (as identified within the most up to date version of the Solent Wader and Brent Goose Strategy)*" to take account of any changes to sites and their distribution across the Borough, as these updates can be implemented at irregular times. Any further references to the Policies map should be similarly amended to refer to the SWBGS mapping.

Core Areas – due to their essential function within the SWBG network, it is advised these sites are identified for protection by the Policy. Any development that would result in impacts to a Core Area will need to be carefully assessed on a case-by-case basis. There are limited options where the function of a Core site can be fully replicated elsewhere in terms of its suitability and appropriate locality; where such land is available, an assessment of replicability will need to be undertaken through discussions with Natural England and the Local Planning Authority.

Financial contributions – it is welcomed that the Policy outlines that financial contributions proposed as mitigation will be used for the management and enhancement of an 'agreed suitable identified site for Solent Waders and Brent Geese'. Such proposals should demonstrate how such funds will be used to enhance, manage and monitor sites within the wider Solent Waders and Brent Geese network, in perpetuity. It is suggested that the Council works with relevant partners/stakeholders, including cross-boundary partnerships, to develop a strategic project(s), such as a bird reserve, and/or list of projects to enhance, manage and monitor the wider Solent wader and brent goose ecological network, to which contributions can be directed.

Policy NE6: Trees, Woodland and Hedgerows
Natural England welcomes this Policy that seeks to protect and enhance trees, woodland and hedgerows within the Borough. It is recommended that this Policy requires development proposals that affect ancient woodland, ancient trees and veteran trees, to ensure they are in line with standing advice published by Natural England and the Forestry Commission.

Policy NE8: Air Quality
It is welcomed that the Policy recognises that 'poor levels of air quality can also lead to environmental issues'. The Policy includes a need for planning applications to consider if they will have a 'potential adverse effect on biodiversity, especially where it would affect sites designated for their biodiversity value'.

The Policy outlines that the Local Plan HRA concludes the Plan 'would not have a likely significant effect on the internationally important habitats and species present in the area'. As this issue has

been considered within the HRA appropriate assessment, the wording here should be amended to use the correct terminology under the Habitats Regulations, i.e. the HRA concludes the Plan will not result in an 'adverse effect on integrity' (the term 'likely significant effect' is used at the screening stage of the HRA). See further comments on air quality below in regards to the Local Plan HRA.

Policy NE9: Green Infrastructure
Natural England welcomes this Policy that seeks to fully integrate green infrastructure (GI) into development and maximise opportunities to connect to the wider environment. The provision of enhanced green infrastructure and sites of nature conservation value can not only help address some of the mental and physical health problems that are experienced in the Borough's population, but can also benefit society in other ways including improvements to local air and water quality, reducing the risk of flooding, alleviating noise levels and aiding climate change adaptation.

Policy NE10: Protection and Provision of Open Space
This Policy references protection of public rights of way. Natural England advises that the Policy should also seek to secure enhancement of public rights of way and National Trails, as outlined in paragraph 98 of the NPPF. Recognition should be given to the value of rights of way and access to the natural environment in relation to health and wellbeing and links to the wider green infrastructure network. It is welcomed the plan seeks new access opportunities; it should seek to link existing rights of way where possible. The plan should avoid building on open space of public value as outlined in paragraph 97 of the NPPF.

It is welcomed that the Policy makes provision for appropriate quantity and quality of green space to meet identified local needs (as outlined in paragraph 96 of the NPPF) based on Natural England's work on Accessible Natural Greenspace Standard (ANGSt) in assessing the level of accessible natural greenspace; it is also welcomed that it recognises development may be required to 'provide more open space above what is required by the standards to make the development more acceptable'.

Policy D1: High Quality Design and Place Making
Natural England welcomes this Policy that requires the design of developments to integrate existing and new habitats and biodiversity within a coherent and well managed, connected structure. It is advised that landscaping of developments and open spaces seeks to use appropriate native and locally sourced species as far as possible to cater for local wildlife.

Policy D4: Water Quality and Resources
Natural England welcome this policy that seeks to conserve water and improve its quality.

Southern Water's Water Resources Management Plan (WRMP) 2019, that covers the planning period 2020-2070, projects a significant supply demand deficit during periods of drought in the Western Area, and commits to implementing a long term water resources scheme to restore the supply demand balance whilst avoiding and/or mitigating impacts on European sites, including the River Itchen SAC.

It is Natural England's advice that in advance of any permitting of such a suitable long term scheme, uncertainty remains with regards to water resources and the impacts of abstraction on protected sites.

Although it is welcomed that Policy D4 requires a water consumption for new dwellings of no more than 110 litres per person per day, Natural England strongly recommend all new development within the Southern Water supply area adopt a higher standard of water efficiency of 100 litres/per person/day, including external water use and re-use, in line with Southern Water's Target 100 demand reduction programme which is committed to within their WRMP19. Natural England also recommends that the Policy encourages the wise use of water in conjunction with the water companies, for example by developments incorporating grey water recycling systems and efficient appliances

Please see Natural England advice above in relation to Policies NE4 and Policy CC2 with regards to nutrients and surface water treatment via SuDS.

Neighbourhood Plans
Currently there are no Neighbourhood Plans in the Borough, but the Local Plan provides a 'strategic evidence base' which will inform any future Neighbourhood Plans.

It is recommended that any future Neighbourhood Plans which allocate housing should also identify spaces for environmental enhancement, for the purpose of offsetting environmental impacts, e.g. through the designation of Local Green Spaces. Such a local approach could give communities more ownership over such green spaces and provide a more strategic route to addressing common environmental impacts from development in that area, such as air and water pollution, habitat and species loss and increased carbon emissions, and could deliver biodiversity net gain and nutrient offsetting.

Such spaces could include the development of community orchards and play areas, woodlands and nature reserves, and serve a variety of functions that benefit both nature and the local community, for example providing benefits to health and wellbeing, offsetting nutrient discharges from allocated development and providing further scope for carbon sequestration.

Specific comments on Housing Allocation Policies

- HA9 - Heath Road (70 dwellings)

It is acknowledged this allocation site has resolution to grant permission for 70 dwellings. It is recommended this Policy includes the requirement to secure an appropriate level of offsite compensation to address the loss of secondary woodland on site which may in parts qualify as lowland mixed deciduous woodland habitat.

- HA29 - Land East of Church Road (20 dwellings)

Much of this site shows as Lowland Mixed Deciduous Woodland priority habitat on the Ecological Network mapping for Hampshire. Part of the site is designated as a Site of Importance for Nature Conservation (SINC) according to the Policy map. The Policy outlines a requirement for ecological mitigation for the site-specific construction and operational impacts of a development proposal. It is advised the Policy outlines a requirement to secure an appropriate level of offsite compensation to address any loss of priority habitat on site to ensure compliance with Policy NE1.

- HA31 - Hammond Industrial Estate (64 bed care home)

The Policy should ensure the impact of nutrients in wastewater is addressed to ensure compliance with Policy NE4.

- HA37 - Former Locks Heath Filling Station (30 dwellings)

This site is adjacent to an area of Lowland Mixed Deciduous Woodland priority habitat as shown on the Ecological Network mapping. The Policy should ensure that impacts on priority habitats and protected species are taken into account and appropriately addressed.

- HA38 – 68 Titchfield Park Road (9 dwellings)

The site is adjacent to Sylvan Glade SINC, much of which is ancient semi-natural woodland. The Policy should ensure compliance with standing advice on ancient woodland, ancient trees and veteran trees and that impacts on the SINC and protected species are appropriately addressed.

- HA42 - Land South of Cams Alders (60 sheltered housing)

This allocation site is located on 'Fort Fareham Grassland' SINC that supports woodland and meadow communities. It also lies adjacent to Fort Fareham SINC known for supporting wet woodland communities.

As previously advised in our response to the Supplement to the Reg 18 Local Plan (letter dated 23rd April 2020), allocations and development proposals should ensure they engage the mitigation

hierarchy, where impacts on designated ecological sites/features should first be avoided, and where not possible, adequately mitigated. Where this is not possible, any loss of priority habitat should be appropriately compensated. All residual ecological impacts will need to be addressed before any net gain for biodiversity can be achieved.

Natural England recommends that where loss of SINC habitat cannot be avoided, the policy should make clear how requirements set out within the NPPF, NERC Act 2006 and Local Plan Natural Environment policies will be met. It is advised an appropriate level of offsite compensation should be required to address any loss of priority habitat on site to ensure compliance with Policy NE1 .

- E4: Solent 2 (Employment - 23,500 sq. metres)

This employment allocation is located on Whiteley Meadow - Plot 2184 SINC and Ashley Wood, Fareham SINC. The Hampshire Ecological Network Mapping dataset shows much of this area as Lowland Mixed Deciduous Woodland, a priority habitat listed as required under Section 41 of the Natural Environmental and Rural Communities Act 2006. The site is also situated adjacent to the Gull Coppice (South-West Remnant) SINC which comprises ancient semi-natural woodland.

It is acknowledged that this site is an existing allocation within the adopted Fareham Local Plan Part 2 (2015).The current Policy outlines a requirement for this development to protect existing woodland and avoid habitat severance, and appropriate mitigation and compensation for any loss of protected trees. However, it is our view that a significant area of habitat, including mature woodland, is likely to be lost as a result of development. The Policy should ensure that it is compliant with Strategic Policy NE1 with regards to impacts on the local ecological network in this locality. In line with existing national and local policy and legislation, it is Natural England's advice that the mitigation hierarchy of avoid, mitigate and lastly compensate is employed where considering impacts on these habitats, particularly those designated as SINC. Measures should be sought to protect and enhance the local ecological network. Where impacts cannot be avoided or adequately mitigated, a comprehensive compensation package should be required that addresses the loss of all priority habitat on site (rather than just specifying protected trees), that seeks to enhance and connect habitat in the locality.

Comments on the HRA

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the Local Plan in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

We have the following comments on the HRA:

- *Recreational disturbance – New Forest designated sites*

The Local Plan HRA screening assessment outlines that although the Borough falls within the 25km buffer of the New Forest designated sites (via a straight line), the minimum actual travel distance by car is of approximately 30km travel distance (via the M27). In comparison to the number of visits from residents closer to the New Forest, the assessment states 'visits to the New Forest SAC/SPA/Ramsar associated with increased housing development in Fareham Borough contribute a significantly lower proportion of overall visits to the designated sites and it is not considered likely that significant effects associated with recreational disturbance from Fareham housing development would arise'. The HRA screens this impact pathway out from an appropriate assessment on this basis.

It is understood Footprint Ecology are currently conducting further analysis on several aspects of their latest visitor surveys. This analysis will assist the definition of a robust catchment area for recreational impacts. It will help in the preparation of a strategic, cross-boundary approach with neighbouring competent authorities to deliver habitat mitigation for the New Forest SPA/SAC/Ramsar. This work is due to be completed shortly and will provide a useful update to the evidence base against which such impacts from new development from surrounding local authority areas can be assessed.

Therefore, whilst acknowledging that the level of additional impacts from new residents is known to significantly decrease with distance from the New Forest designated sites, Natural England consider at this time there remains some uncertainty with regard to the evidence confirming the level of additional impacts from new residents of Fareham local plan development. We therefore advise this issue is taken forward to the appropriate assessment stage where further work may be carried out to ascertain the level of impacts as accurately as possible.

Where impacts are identified, suitable and proportionate mitigation should be proposed; we recommend the Council works with the New Forest National Park Authority and the other partner authorities to develop a strategic approach to addressing recreational impacts from new development on the New Forest designated sites. Such an approach should include developer contributions towards the New Forest National Park Authority's Habitat Mitigation Scheme to enable the authority to deliver site specific mitigation measures on behalf of applicants.

Natural England will be happy to provide further advice to the Council on this aspect as the evidence base develops.

- *Air quality*

The Local Plan is supported by an Air Quality Habitats Regulations Assessment (Ricardo, Sept 2020). The conclusions drawn in the Local Plan HRA in regards to air quality impacts are based on those drawn within the Ricardo report. Natural England concurs with the conclusions drawn in the report.

The Ricardo report suggests that the Council regularly reviews the Defra airborne NOx forecast levels. This is welcomed as a way to ensure any changes in forecasting and potential consequential changes to conclusions drawn in the report for this pollutant can be appropriately reviewed and addressed during the local plan period.

- *Water quality – nutrients*

The HRA calculates a nitrogen budget for the local plan of 2536.99 kgTN/yr. Appendix III of the HRA outlines various mitigation schemes that can be utilised or progressed as a means to ensure nutrient neutrality can be delivered by new development.

The HRA states within its Summary of Findings that the sites Chichester and Langstone Harbours SPA/Ramsar, Portsmouth Harbour SPA/Ramsar and Solent and Dorset Coast SPA are screened out of an appropriate assessment in relation to water pollution impacts. Much of development within Fareham borough is served by Peel Common wastewater treatment works (WwTW), which is a coastal WwTW that discharges effluent several kilometres out into the Solent. It is our advice that long-shore outfall pipes are likely to have shifted and widened the distribution of nitrogen loading within the effluent across the Solent SAC and SPAs. It is important to recognise the loading from Peel Common WwTW contributes to a number of estuaries and catchments within the Solent (including Portsmouth Harbour, Langstone Harbour, Chichester Harbour, River Meon, Wootton Creek and the Medina Estuary catchments). It is therefore Natural England's view that, because of this wide distribution of nitrogen loading, all designated sites should be screened in.

- *Other comments on the HRA*

Section 7.7.3 – this paragraph refers to the 'SAC' although it is relating to Portsmouth Harbour SPA and Ramsar.

Comments on the SA

We are broadly satisfied that the objectives and indicators within the Sustainability Appraisal cover our key interests, and welcome the identification of the need to conserve and enhance biodiversity, landscape character, and to reduce pollution. We also welcome the need to address minimise the

effects of climate change, and to minimise impacts on best and most versatile agricultural land. Please see some more specific comments below.

- SA5: To Minimise Carbon Emissions and Promote Adaptation to Climate Change

This SA objective to address the effects of climate change is welcomed. It is suggested a further monitoring parameter(s) is included to monitor the implementation of new GI/habitat that can seek to alleviate the pressures of climate change on species and the ecological network whilst also providing other benefits as described further in our advice above; e.g. percentage of new GI/ extent of priority habitat within the ecological network.

- SA7: To Conserve and Enhance Biodiversity

We advise that this SA objective also seeks to conserve and enhance geodiversity within the Borough, in line with national planning policy.

The SA outlines the Plan 'is predicted to lead to negative impacts to ecological receptors in the short to medium term, but many of these impacts are capable of being mitigated. Long-term effects are likely to be both positive and negative, and highly site-specific'. It is acknowledged these effects can be avoided/mitigated by the implementation of several policies including NE1, NE3, NE4 and NE5. It is advised Local Plan Policy requires relevant development to carry out site-level Habitats Regulations Assessments in order to ensure impacts on European sites are suitably addressed.

It is also suggested that further monitoring parameters are incorporated to ensure impacts on internationally, nationally and locally designated sites are monitored throughout the Plan period, e.g. via the number, extent and condition of sites designated for nature conservation. We would advise the use of a green infrastructure standard as an indicator, such as Natural England's Accessible Natural Greenspace Standard (ANGSt). Parameters for measuring the implementation of net gain should be introduced, see further above for our advice on net gain monitoring.

We would be very happy to comment further as the plan process progresses. If you have any queries relating to the detail in this letter please contact me on [redacted]

Yours faithfully

Rebecca Aziz
Sustainable Development Senior Advisor
Thames Solent Area Team

Portsmouth CITY COUNCIL

Planning Policy,
Planning and Economic Development

[redacted]

Gayle Wotton,
Planning Strategy Manager
Civic Offices,
Civic Way,
Fareham,
PO16 7AZ

17 December 2020

Dear Gayle,

Re: Fareham Borough Council - Local Plan 2037: Portsmouth City Council response

Thank you for consulting Portsmouth City Council on the emerging Fareham Local Plan. The City Council would like to make the following comments:

Approach to Housing Need

1. While the Fareham Borough Council's (FBC) 'Regulation 19' Publication Plan has been out to consultation the Government has announced a revised standard methodology for assessing local housing need, following the *Changes to the current planning system* consultation published in August 2020. For both Fareham and Portsmouth this results in the previous standard method numbers being retained (514 and 855 per annum respectively[1]) rather than the proposed lower figures put forward for consultation by Government in August (estimated to be 403 and 730 per annum respectively). The development strategy proposed by the Reg 19 verison of the Fareham Borough Council Local Plan 2037 is based on the 420 per annum figure.

2. Portsmouth has a finite capacity to accommodate new development due to its geographical constraints; changes to Portsmouth's housing target are therefore directly reflected in the cities unmet housing need. Paragraph 4.5 of the FBC's Publication Plan references the City Council's formal request for Fareham to accommodate 1,000 dwellings of Portsmouth's unmet need; Fareham's contribution in its housing supply for the plan period of 847 dwellings to the unmet need of all neighbouring authorities' is noted and welcomed. However, under the December 2020 methodology, the City Council has a total unmet need of over 3,000 dwellings. The City Council would therefore wish to maintain the request to FBC to potentially accommodate up to 1000 dwellings as a portion of Portsmouth's unmet need. The City Council is also conducting other Duty to Cooperate discussions on the matter

[1] MHCLG *Indicative local housing need* (December 2020 revised methodology) available from: https://www.gov.uk/government/consultations/changes-to-the-current-planning-system

with neighbouring authorities in the Portsmouth Housing Market Area. Gosport and Havant Borough Councils have both indicated capacity limitations. However, the City Council recognise that the distribution of housing need is broader than the PCC and FBC authority areas, and will require consideration and co-operation at the sub regional scale.

3. In response to FBC's previous Local Plan consultation (Local Plan Supplement, March 2020), the City Council welcomed the proposal for two Strategic Growth areas (North of Downend, and South of Fareham) in Fareham Borough's Local Plan, which were indicated at that time as having the potential to meet unmet development needs from the Borough's neighbouring authorities. The City Council indicated that North of Downend would be particularly suitable for accommodating unmet need from Portsmouth given its closer geographical proximity to the city and transport links via the M27/ A27, Portchester railway station and the proposed Bus Rapid Transit (BRT) line.

4. The Publication Plan has not taken the two Strategic Growth Areas forward, due to the anticipated reduction in FBC's housing target from Government. Given the potential revision in housing need targets (published 16.12.20), this would justify FBC's reconsideration of the inclusion of such sites to help meet FBC's housing need and well as unmet need from other neighbouring authorities in the Portsmouth Housing Market Area, including PCC.

5. PCC and FBC will continue to work collaboratively to address strategic planning matters, both through the Partnership for South Hampshire (PfSH) and, where necessary, on a bilateral basis. The PfSH authorities' are currently undertaking a piece of work (as part of the review of the 2016 Spatial Strategy) to identify sufficient suitable sites to accommodate unmet housing need across the sub region, with specific focus on Housing Market Areas. This will include ensuring there are sufficient sites in the Portsmouth Housing Market Area (which contains both Portsmouth and a large part of Fareham). The City Council welcome the inclusion of land at Down End and development in part of the Stubbington Gap in the PfSH Strategic Development Opportunity Area work as part of the range of strategic site options being considered. The City Council supports the specific reference to the on-going joint work with the PfSH authorities in paragraph 1.3 of the Plan.

Employment

6. In regard to employment, Portsmouth and Fareham's authority areas' form part of a wider market area, with commuters moving between the city and the surrounding towns including Fareham and the M27 corridor. PCC supports the allocations for employment land in Policy E1: Employment Land Provision, particularly the sites at Daedalus which of sub-regional importance to the local market.

7. The City Council would encourage HBC to consider how the Local Plan could help to resist the loss of employment space (e.g. a future Article 4 Direction), as well as the loss of other allocated uses that fall under Use Class E where necessary. If allocated employment land is lost to residential uses this could lead to an increase in unsustainable travel patterns and greater pressure on the wider area. We would welcome further discussion with FBC, and other Councils in Portsmouth Housing Market area and/ or PfSH area, on this matter to establish a common approach.

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Portsdown Hill

8. Portsdown Hill is an important part of the landscape in South East Hampshire, for its open space, landscape and heritage value as well as the views of and from the hill. The City Council supports the identification of Portsdown Hill as an Area of Special Landscape Quality under the FBC Publication Plan Policy DS3, and notes the evidence produced to support the allocation in the *Technical Review of Areas of Special Landscape Quality and Strategic Gaps* (Sept 2020).

9. The City council would welcome any further opportunities for joint working on the strategic approach to Portsdown Hill, together with Winchester District Council and Havant Borough Council, including as a consultee on development proposals.

Environment

10. The City Council welcomes the inclusion of NE1 - Protection of Nature Conservation, Biodiversity and the Local Ecological Network, Policy NE6: Trees, Woodland and Hedgerows, Policy NE9: Green Infrastructure which together help protect key species and habitats and promote green space coverage within south Hampshire.

11. Portsmouth are currently developing a green infrastructure network for the city, including the identification of a number of existing and proposed 'green corridors' to link up open spaces across Portsmouth, encourage active travel, enhance biodiversity and support resilience to climate change. A first draft of the proposed network was published in PCC's Green Infrastructure Background paper in February 2019; it includes the identification of several potential 'green corridors' that would meet the boundary with Fareham's authority area: Portsdown Hill Road and Southampton Road (A27). The City Council would welcome any discussion on how these proposed corridors could be extended beyond the City Council area, and/ or support for these linkages in the FBC Local Plan if possible. The identified ecological network opportunities (shown the map in Appendix C of the Publication Plan) along Portsdown Hill Road and the A27 within the FBC authority area are noted.

12. The City Council is committed to continuing to work with FBC and the other members of the PfSH Water Quality Working Group as necessary on short, medium and long term 'nutrient neutral' mitigation solutions for housing development within the Solent catchment. Current discussions indicate that mitigation solutions are likely include the identification and securing of suitable off-setting land in the Solent catchment, predominately outside the Portsmouth urban area.

13. The City Council is also mindful of the likely forthcoming requirement to provide at least 10% biodiversity net gain on development sites, as part of the anticipated Environment Act. While the City Council is currently undertaking further work to explore how such requirements could be effectively applied within an urban environment and to identify off-site opportunities for biodiversity creation and/ or enhancement within the city, there is the potential for a shortfall in net gain provisions (subject to the final provisions of the Environment Act) within the plan period. Securing land for nitrate mitigation presents one such opportunity to seek multiple environment benefits for the sub region (biodiversity net gains, carbon off-setting, Suitable Alternative Greenspaces (SANGs) for recreational disturbance,

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habitat compensation of coastal defence schemes etc). The City Council are committed to furthering these discussions with Fareham BC and the other PfSH authorities on this matter, and to consider the potential for environmental off-setting on both a sub-regional and a site by site basis as appropriate.

Education

14. The City Council continues to maintain close links with Hampshire County Council as Education Authority due to cross border pupil movement. Development in close proximity to the FBC and PCC authority borders can impact the availability of school places across authorities. The timing and size of development should therefore be closely monitored to ensure the continued availability of school places during the life of both Local Plans.

Transport

15. The City Council welcomes the reference in paragraph 10.3 of support for proposals that promote sustainable transport links through Fareham Borough to Portsmouth and Southampton. The city also supports the reference to the development of the rapid transit networks between the two authorities and linking to others in the sub region in paragraph 10.20.

If you wish to discuss any of the matters raised in our response, please do not hesitate to contact me.

Kind regards,

Rachel Cutler

Acting Planning Policy Manager

[redacted]

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Steve Matthews 18-12-2020

Warsash Inshore Fishermen's Group

RESPONSE TO CONSULTATION ON FAREHAM LOCAL PLAN 2037

Dear Planning Team

I am responding on behalf of the local fishermen here at Warsash and Southampton Estuary to the Fareham Local Plan 2036 (Final version;Publication Plan (fareham.gov.uk)).

We have some serious issues regarding the Plan's ability to deliver sustainable housing development without guarantee of protection (beyond reasonable doubt) of certain marine ecosystems within the Solent European Maritime Site and without guarantee of positively enhancing local commercial fishing businesses.

Although the features and species listed under the Habitats Directive (Special Areas of Conservation and Special Protection Areas) have already been evaluated by both Natural England (NE) and the Environment Agency (EA) in the respective Habitats Regulation Assessments (SCA's/SPA's), there are clearly some significant **Assessment oversights and gaps in the evidence base** which are of direct relevance and concern to the local Fishing Industry and also, we would suggest, to the future viability of the Solent Oyster Regeneration Project (Blue Marine Foundation).

These assessment oversights mean that the Fareham Plan, if implemented as stands, will likely lead to and exacerbate environmental effects within the SEMS . The specific issues we raise regarding the existing overgrowth of red seaweed (also known colloquially as 'The Red Menace') have not been evaluated by NE or the EA or mentioned in the Fareham Plan's evidence base.

The Plan fails to pass the test of soundness, (paragraph 1.5) in that it is discriminatory in that community-generated evidence carries less weight than that provided by the Councils (and developers) statutory consultants. Furthermore, there has been no formal involvement from the Councils statutory advisers with local fishermen with regard to seaweed eutrophication and the effects of wider seaweed overgrowths on their local industry.

The Plan fails under section 9 Natural Environment:

Specifically, NE4 water Quality effects and likely fails under NE1, protection of local ecological network (regarding sandbanks within the SEMS).

Paragraph 9.16 states: '*Paragraph 174b of the NPPF states that the Plan should promote the conservation and enhancement of priority habitats, ecological networks and the protection and recovery of* ***priority species****. Development proposals within the Borough are therefore expected to contribute to achieving this objective*.'

Solent native oyster, *ostrea edulis*, is currently a priority species for regeneration (Blue Marine Solent Oyster regeneration project). Nutrient exacerbated growth of smothering seasonal red seaweed masses leads to a significant negative effect upon the spatfall of the native oyster (ref: Warsash Fishermen SEMS enclosed)

The Plan fails to pass the test of soundness, in that there is a question regarding its long-term effectiveness with respect to Nitrogen-Mitigation. This strategy has not been proven. There is doubt that the Local Planning Advice is applying the Natural England advice lawfully in this respect.

However, as we have outlined above, there is a systemic failure here in that NE have not thus far considered the wider environmental issues we have brought to their recent attention (by email letters) and outlined comprehensively in this letter and attached paper. **These represent the 'evidence gaps' mentioned previously.**

It is the duty of NE and other Statutory Consultees to provide relevant evidence, ***where gaps in the evidence base have become available during the Consultation process, (NE submission to the Council, 2020).***

Para 9.5 of the Plan fails on the test of soundness. It assumes the Mitigation policy will be effective throughout the SEMS. Although the Local Planning Authority (LPA) is aspiring to Nitrate Neutrality, paragraph 9.1 requires designated sites be protected and ENHANCED as well as Strategic Policy NE1. Additionally, Para 9.50 (Policy NE4) confirms: 'Planning permission will be granted where the integrity of the designated sites is maintained, having regard to the effect of nutrients on the designated sites arising from increased wastewater production'. SEMS is a designated site.

The Plan fails to include the likely increase in bacterial contamination of shellfish (within sand-gravel bank seabed features) from increased sewage overspills, not mentioned in the Plan.

Para 9.38 through to 9.43 of the Plan indicates that proposals for development should provide a biodiversity net gain (including enhancements). This cannot be guaranteed.

The Plan fails under Para 9.5, under Policy NE4: '*Planning permission will be granted where the integrity of the designated sites is maintained, having regard to the effect of nutrients on the designated sites arising from increased wastewater production*'. This implies a REDUCTION in eutrophication for <u>designated sites</u> in an unfavourable condition. The LPA's approach therefore

cannot be proven to support the Habitats Directive, because ***the NE solutions are entirely untested, rely entirely on hypothetical modelling and fail to consider wider seaweed overgrowth issues specific to the fishing industry exacerbated by excessive nutrient loadings into Solent waters.***

The SEMS is already in an unfavourable condition with respect to localized seasonal seaweed aggregations and Southampton Water also receives frequent unfavourable shellfish classifications due to direct sewage overspills after heavy rain. Both significantly affect the local fishing fleet. (see enclosed paper, Warsash Fishermen SEMS)

It is inconceivable that additional development could be contemplated in the Western Wards without negatively impacting the SEMS, SAC and RAMSAR sites. This would invalidate the deliverability of these developments.

As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves ***beyond scientific doubt,*** that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been **effectively** mitigated (rather than just compensated for). There is no evidence the N-Mitigation Plan will be effective throughout all areas of the SEMS affected by red-seaweed overgrowths.

We are of the opinion that the Plan fails badly in that respect.

If implemented as stands, the Plan is <u>unlikely to</u>:

1) ensure that red floating seaweed overgrowth within the wider SEMS (which already seriously restricts Commercial Fishing Activity within the SEMS) is not further exacerbated by increasing nutrient loadings in Solent waters, especially with respect to the Solent sewage outfall pipe serving Peel common effluent and its immediate marine environs.

2) ensure that water quality with respect to undesirable bacterial and viral contamination of shellfish beds in Southampton Water and the wider SEMS is not further exacerbated. (by post-rain/ storm waste-water overspills)

3) ensure that intertidal algal matts (seaweed overgrowth /deposition on mudflats) do not increase.

Although the Statutory Consultees for this Consultation (NE and EA) have included Assessments relating to point 3) above (intertidal Eutrophication) in line with their Statutory duties under the Habitats Directive, (SAC's/SPA's) **they have not made any Assessments regarding points 1 and 2. This is a serious oversight and failure of the process.**

If it is not the remit of either NE or EA to evaluate these effects (1 and 2), then we suggest further consultation with any relevant monitoring bodies. NE or CEFAS may be able to provide advice as could the fishery regulator, Southern IFCA.

We have already prepared a paper (enclosed) which comprehensively outlines the negative effect of seaweed overgrowth on the efficiency of commercial fishing businesses operating in the SEMS. As you will see from the report, the Solent is almost unique in this respect, distinct from other inshore commercial fisheries, which makes it imperative that the wider commercial and ecological impacts of increasing nutrient loadings in Solent waters are determined by the relevant Statutory or science-monitoring bodies.

This should be done <u>before</u> the Secretary of State is presented with this Plan for consideration.

Our enclosed paper also raises the issue of wastewater overspills after heavy rain which subsequently lead to shellfish beds becoming contaminated by E-coli and viral agents., not covered by this Plan.

There is no indication in the Fareham Plan that these contamination events will <u>not</u> increase and there is no indication from the EA or Southern Water advice with respect to that point.

In Part 2 of our paper (Warsash Fishermen SEMS, enclosed), we cast serious doubt on the ability of Natural England's Nitrogen Mitigation strategy to deliver a positive impact on seasonal seaweed overgrowths in the SEMS (specifically the red floating weed described in our paper).

The specific failure regarding this involves the assumptions made by the mitigation scheme rationale.

For the record we will expand on that here:

"NE's N-Mitigation strategy assumes that the effluent exiting the Peel Common outfall pipe in the Eastern Solent, homogenously disperses with all Solent Waters. This clearly is highly unlikely. The sewage effluent plume data available from Southern Water reveals that there is already likely to be an unequal dispersion of the effluent due to distinct variations in tidal flow rates/timings throughout the SEMS (which fishermen are highly aware of already).

Furthermore, it is entirely unknown whether offsetting land on the Isle of Wight will positively impact marine sites within the SEMS (already seasonally infested with the red seaweed masses) which are spatially and tidally distinct from the offset watershed. In other words land offset north of Wooton is highly unlikely to reduce sub surface seaweed overgrowths along the Lee-on Solent shore, due to incomplete tidal mixing.

Because of these tidal variations, the area between East Bramble and Meon Shore will still likely receive a critical dose of nitrogen/phosphate and oestrogenic compounds on the westward/north-westward flowing ebb-tide. These compounds must already be having a site-specific impact on already present seaweed overgrowth here and due to shifting, already must be creating negative impacts on the wider SEMS in other bays of the Solent (that fishermen are already aware of). Potentially the Blue Marine oyster regeneration project, will also be negatively impacted, where dense algal deposits can prevent oyster spat-fall in the summer. (see historic reference to this, Warsash Fishermen's SEMS paper)

The local fishermen here have long supposed that the sewage outlet off Browndown must effectively 'feed' the growth of the red-filamentous floating weed throughout the spring and into summer growth season. Because of the behavior of the tidal flows in the Bramble East area, this weed congregates en masse along the contours of the seabed, including the greater Brambles Bank, eventually becoming spread along a wide area. It often persists into the Autumn and makes commercial net fishing with set nets and trawls very difficult. One area usually seriously affected is between the Lee post and Meon bouy (off Chilling Cliffs, but there are numerous weed infested spots throughout the Solent at peak seasonal growth times). It is not clear how much of this is attributable directly to the Peel outfall distinct from other outfalls in the catchment and this would require further Assessment as our paper suggests, but it IS more likely to be directly accelerated by significant localised sourcesof N-loading directly discharged from the Sewer discharge pipe.

Unless there is a significant lowering of nutrient transfer from agricultural land between Warsash and Lee-on Solent into this stretch of the fishery, as part of the Mitigation, then the nutrient loading from the Peel offshore outfall pipe would likely still encourage these overgrowths to occur along that stretch of the seabed and, without effective at- source Nitrogen/Phosphate removal at the Peel Common Waste-Water Treatment Works, would likely increase in proportion with increasing housing development and population density. ''

The Evidence base for the Fareham Plan includes the subsection 4.3.24, *'sandbanks which are slightly covered by seawater at all times.'.* We are advised that this would include the Brambles Bank and subtidal areas of sand/gravel shoals along the stretch between Lee and Chilling, together with other such banks throughout the SEMS which form important fishery locations and features for local fishermen who use a variety of fishing practices from set-netting and trapping, to trawling and shellfish dredging.

Therefore, the Plan fails on the test of soundness in that it fails to supply evidence that these banks have been fully considered in the scoping advice with respect to: seaweed overgrowths and deposition effects on the seabed habitat and associated negative impact on commercial fishing operations. We would include the likely effects on the Solent oyster regeneration project in this.

Therefore, **the Plan also fails under paragraph 6.3 (Employment)** in that it fails to consider likely significant impact to local fishing businesses with regard to *seaweed overgrowth* impacts and potential bacterial/viral *shellfish contamination* from untreated sewage overspills. There will be a likely significant impact with respect to both parameters.

Natural England's latest advice to the Council is that: '.. t*his approach may be refined if greater understanding of the eutrophication issue is gained by thorough new research or updated modelling*.' (section 4.3 and 4.11, ADVICE ON ACHIEVING NUTRIENT NEUTRALITY FOR NEW DEVELOPMENT IN THE SOLENT REGION, version 5, 2020)

We advise Fareham Borough Council to instruct, with immediate effect, its Statutory and non-Statutory Consultees that research should be extended to include:

- -the seasonal floating seaweed overgrowths in the SEMS and related consultation with the local fishing fleet and Blue Marine Native Oyster Regeneration Project.
- -a study of the possible interference effects of seasonal red seaweed depositions on native oyster spatfall in inshore zones of low tidal flows. (seaweed is not dispersed effectively inshore)
- -An enhanced and detailed study of the tidal variations in the Peel sewage outfall environs specific to sewage effluent dispersal.
- -seasonal floating red seaweed deposition in the local inshore zone (SEMS) and biodegradability study.
- -A thorough assessment of the efficacy of land offsetting/N-mitigation in specific areas of the Solent catchment (eg; the Wooton Creek farm) and an evaluation on the extent of mitigation effects (seaweed growth) in areas that are *not within the immediate vicinity* of the designated N-mitigation/offsetting site. (this relates to seawater tidal mixing disparities, and that our contention that offsetting in one area may not impact seaweed overgrowth/ depositions in another part of the SEMS due to tidal flow differences)

We would also request that the issues we have highlighted here be retrospectively applied to the Welborne development.

Finally, in addition to the failure of the Plan regarding the subject of seaweed overgrowth and water quality and effects on local fishermen, the Plan fails the test of soundness on:

Section 4 Housing Need and Supply:

The total new homes proposed for specific sites across the Borough (not including Welborne) is 1327. The allocation for Warsash is 924 dwellings (HA1 Greenaway north and south and including the Warsash Maritime site, HA7). This contributes around 69.6% (or thereabouts) of the entire allocation proposed by the Plan, excluding Welborne. This allocation is a massively unrealistic distribution and will lead to a number of negative impacts locally and therefore unsound.

Prepared on behalf of the Warsash and Southampton Estuary Fishermen

Co-ordinated by and signed:

Stephen P Matthews,

[redacted]

Copies to: Natural England, Environment Agency, Blue Marine Foundation, Chief Fishery Officer Southern IFCA

Councillor Keith Evans (Warsash ward)

Suella Braverman MP and Fishing News.

Communication from Warsash Inshore Fishermen's Group.

November 2020

Subject: The effect of seaweed overgrowth and poor water quality (sewage effluent) on local inshore commercial fishermen in the Solent European Maritime Site (Part 1) and critique of Natural England's provision for nitrate mitigation (Part2).

Overview

The increased presence of nitrates and phosphates entering the Solent European Maritime Site (SEMS) via the watercourses in the riverine catchment area in Hampshire has recently shown to have had a significant adverse effect on the SEMS mudflat habitats locally, due to extensive deposits of putrefying seaweed arising from accelerated overgrowth. This led to a temporary closedown of house-building activity in the Fareham Borough while a 'mitigating solution' was found.

Part 1 of this report will focus on this issue from the perspective of the local fishermen operating from Warsash, Hants and will widen the perspective beyond just what has been reported in the media.

In **Part 2** it will be seen that serious doubt will be cast as to the suggested effectiveness of the nitrate mitigation plan as advised by Natural England and widely being adopted by Councils since hard evidence that the plans will be successful is lacking.

It should be noted that our views regarding the extensive seasonal presence of seaweed (Part 1) generally align with other fishermen within the wider Southampton Water and Solent region together with some of the reported experiences of local sea anglers.

Since we are now highlighting the important extensive seaweed problem and committing our views to paper for the first time in local history, the reader will be able to see the significance of the seaweed issue in relation to the urgent requirement to maintain our various local net fishing practices (severely affected by weed) which are currently under threat by local fishery regulators.

PART 1:

Solent Seaweed: An Historic Local Problem

(*Note the use of the term 'weed' or 'seaweed' refers mainly to invasive, free floating varieties, not species like bladderwrack or kelp which usually are not an extensive problem for fishermen here).

For many years the local fishermen that fish the Solent and estuarine areas nearby have had ongoing issues with seaweed* overgrowth, with different types of weed causing different effects at differing times and interfering with the deployment and function of fishing gear in the district. There is also some anecdotal evidence that the decay of various types weed and deposition onto the seabed may be having some serious implications for seabed sea life and for the current ongoing Solent Oyster Regeneration Project (see below).

There has not been much, if any, serious scientific exploration of the wider seaweed overgrowth problem in the SEMS and no one has sought out the fishermen's views on this matter, until now. We are outlining here how seaweed affects fishing operations, not offering specific statements as to possible causes of seaweed overgrowth (That is covered in **Part 2**).

Local fishermen here know that recent focus by ecologists on the green seaweed overgrowth on the mudflats within the SEMS is only part of the story and obscures the wider unseen problem of floating red-seaweed overgrowth in the less visible areas, away from the general view of the public.

Fishermen here however are widely acquainted with the issue as they are effectively sampling the sea every time they go out fishing. Our intimate knowledge of the Solent seabed and the characteristics of the tidal streams is unparalleled. The next best authority (in our humble opinion) would be professional divers and maritime hydrologists.

Seaweed overgrowth and interaction with fishing practices

Local fishermen at Warsash have used a variety of fishing practices throughout the last fifty-year period. During the height of the Solent oyster fishery, (1970s to 2007), the main seasonal winter fishery was oyster dredging with some clam dredging as well. During spring and summer seasons there have historically been inshore trawling for demersal fish and cuttlefish and later, the extensive use of traps for cuttlefish, together with whelk potting. Set nets, drift nets and baited longlines is also a common practice continuing until today.

All of these methods can be significantly hampered (and some methods often made literally unviable) when floating seaweed begins to grow in late April and into the summer months. This is the main fishing season for Warsash fishermen. Some fishing methods will be affected more than others.

It is said locally that Solent fishermen have to be much more determined than common as they have to contend with the extra burden and challenges of the ever-present seaweed problem, not to mention the challenge of working in a fast tidal area with extensive ship and sailing craft to contend with as well. The fisherman's decision of 'where to fish today?' is often accompanied by a question to another fishermen friend to the effect of: 'what was the weed like in that area?'..

The 'red weed', as we call it, is known by different names and grows rapidly locally (as does the green varieties of lettuce-like and filamentous green weed, often found in the mudflat areas near freshwater/brackish environments and identified by NE as contributing to eutrophication of the SEMS mudflat habitats).

There is a rapid growth of both red and green weed from the end of April into summer. Large tides (Springs) tend to disperse the red weed throughout the water column and it can sometimes be seen near the surface. It is a free floating, filamentous weed and when it stops growing in late summer is deposited in the bays and bank contours throughout the Solent with some areas being affected more than others. It can persist well into the Autumn and can still be present in some areas (Osborne Bay, Stanswood Bay, Inner Hurst, Beaulieu etc) into the winter months, when it will have already been decomposing for a month or two.

It is regularly identified by sea anglers as being the main obstacle to rod fishing, both by shore and by boat. But that is just the tip of the iceberg.

The green weed mentioned in connection with the mudflat habitats with the SEMS also can hamper inshore fishing and angling activities on occasions. These areas are not regularly fished heavily commercially. One fishery in this environment is the historic mullet net fishery. Some of the Warsash Fishermen have inshore mullet fishing permits supplied by the River Hamble Harbour Authority. This allows them to fish seasonally and legally for mullet within the River Hamble in small boats. The fishery is similar to that of Poole Harbour which has been going for decades.

Any significant deposit of either green or red seaweed in these inshore areas will often be the deciding factor for the fisherman as to whether the net is safely deployable or not. We have noticed an increased abundance of the green weeds in the mudflat areas in recent years and the red variety is always present in the wider Solent area and can be more or less abundant depending on environmental factors like temperature, rainfall, tide strength, sunlight etc. Storm events can often move coagulated deposits inshore and dump it onto seabed contours.

The public slipway at Warsash hardway has to be regularly cleaned by the Council when often large masses of mainly green weed are taken away.

Furthermore, we must state that there may be a connection with the increasing tendency for returning mullet shoals to avoid inshore mudflats during the height of the green seaweed overgrowth. This observation has been recently noted by the fishermen locally and we wonder if it connected to the decaying effect and subsequent chemical release onto the mudflats, together with the effect of mudflat 'eutrophication' and water oxygen depletion. That will need further investigation by scientific study.

Netting in the Solent (SEMS) and seaweed overgrowth issues.

Set Nets/Drift/Ring

Throughout the UK the extensive use of **set-nets** (nets secured on the seabed) is a common practice and fishermen are able to have a relatively reliable fishing method for much of the fishing season when the fish target species are abundantly available. This is not the case in the Solent and Southampton Water.

Go to any fishing port west of Swanage or east of Selsey Bill and you will be able to observe the nearly year-round use of set nets, tides permitting, (for sole for example) with little, if any, troubling effect from floating red weed. This is not to say it does not occur sometimes and there are increasing reports we hear from outside the Solent of weed events, so it appears that the issue is increasing across the south, apparently in direct correlation with population density and growth.

In our case, the use of nets can be severely restricted and made impossible by the abundance of mobile seaweed. Nets cannot be left for as long as other fishermen do in other areas. Some years, it is virtually impossible to use

extensive lengths of set nets with any reasonable expectation of making an easy living, especially in the shallower zones, where red weed settles. At other times it may be possible to leave a surface net for a short time and still catch a few fish to make it just about worthwhile. Those nets are nearly always attended by the fishermen.

Fishermen here have to modify their deployment of set nets by either stopping much earlier than many of their UK counterparts (when the weed situation becomes intolerable, usually as early as the beginning of May) and switching fishing methods (traps or bottom set lines for example) or by seeking areas in the Solent and Southampton estuary where the weed may not yet have reached 'critical mass', or by limiting the amount of net and using short soak times. The potential loss of income is considerable compared to weed free areas in the UK.

Later in the year, Autumn, the weed situation can improve markedly in some spots which can allow the resumption of some netting activity, but it can still be a liability.

Seeking out other areas to fish may, in some cases, mean going out into deeper areas off the contours of the channels in order to avoid a negative weed event ('dose of weed' is the usual local term). However, it should be stated that this has a high risk attached as the tidal currents are often greater out deeper and if the fisher gets it wrong, a 'dose of weed' will likely result, with either the loss of the gear or a long period of cleaning out the nets.

Long hours cleaning nets from weed is physically wearing, mentally demotivating and economically counter-productive. Furthermore, the practice of having to deploying nets in deeper waters just to avoid floating sea weed is a risky business due to shipping movements/small craft and is usually restricted to smaller nepe tides only, as nets do not fish well in fast flows.

We have reason to believe that the Marine Management Organization (DEFRA) which regulate quotas and legislate nationally have yet to fully acknowledge and comprehend the difficulties that Solent fishermen face with regard to this seaweed issue, affecting their ability to provide fish for the table and secure a reasonable living. Regulation on the use of nets in the inshore zone throughout the UK and locally <u>always</u> fails to take into account the hampering effect on fishermen due to extensive mobile weed effects.

Furthermore, we should also state for the record that the Warsash Inshore Fishermen's critique of the proposed restriction on netting practices within the estuaries of the Southern Inshore Fisheries and Conservation Authority (SIFCA) and wider district should also be seen in the context of the difficulty of deploying nets locally, due to extensive hampering from the presence of seaweed. Again, this has not yet seriously been a consideration by the Authority and we hope they will take these comments here into consideration during their Consultation.

Fishermen also use a variety of drift net practices throughout the UK. The local fishermen here can fall back onto a drift net fishery to a certain extent, in line with national legislation requirements, when the setting of fixed nets is made impossible by sea-weed overgrowth. Drift nets are highly size selective. Because the net drifts with the tide the worst of the seaweed can often be avoided, but this is not always the case.

The use of drift nets (and also set nets) is severely restricted by the incoming yearly natural growth of a plankton called nocticula, (known locally as 'the fire'**) which is bio-luminescent and lights up the water when disturbed (for example by a moving vessel, boat propellor and also by tidal currents).

**'Fire' appears with the return of the 'May Water' when the 12 degree (celsius) seawater thermocline reaches the local area, usually by mid May, .

Tidal currents moving across either a drift net or a set net will cause the plankton to literally light up the net, sometimes leaving a jelly-like deposit on the mesh. Some species of fish that have good eyesight, will often be able to see the net glowing in the dark (as nets are often deployed after dark) especially in clearer water conditions and this will often highly restrict the catch at times. Other fish species like sole do not seem to be affected by the 'fire'. 'Fire' makes the use of nets for some fish much less effective and therefore reduces the effective netting season by a large degree.

The increased presence of nutrients like nitrates and phosphates in the seawater will likely exacerbate the overgrowth of this plankton and this is an additional concern for us. Further scientific study will be required.

The 'fire' problem is commonly known by fishermen, but again, as with seaweed presence, is underappreciated by local and National commercial fishing authorities who may inadvertently seek to restrict or regulate the

seasonal deployment of nets without duly taking these already significant 'natural' restrictions on net deployment into account.

Another netting method which can be used to overcome the natural restriction of 'fire' and weed is ring netting in daylight hours in a small circle with a short length of net, (effectively a set net). This has already been officially recognised as a method of net fishing by Danish/Dutch authorities and we are seeking a similar classification here liaising through the NFFO with the use of (attended) short lengths of surface net, which also significantly lower the risk of salmonid interception in estuaries. This, if successfully negotiated with the local Authority will be a first for UK inshore fishermen.

This method is also the common method used in the Poole harbour mullet fishery. Because the net is deployed for a short time only, a 'dose of weed' can often be avoided, but not always. Short time net deployments locally are therefore the only real option left for local fishermen at most times of the year.

Longlines

When the red weed has reached maximum growth the use of longlines in certain areas can be rendered much less efficient. May through June is not really much of a problem in the deeper areas. By high summer the longline fishery should be in full swing with line caught fish like bass, skate and ray being a viable fishery.

The best areas to deploy to avoid weed are in the deeper sections of the Solent away from the contours where weed tends to get dumped by the tidal flows. Some areas by late July are usually un-fishable by longlines. These usually include inshore at Osborne Bay, Stanswood bay, Chilling and Hillhead and most of the stretch between Beulieu and Hurst. Some areas of Southampton Water can get bad also; near Calshot and the Thorn Channel are notorious as well for gathering red weed masses in summer, with some years better/worse than others.

Off the 40' contour however, it is usually possible to find a relatively weed free stretch on some tides. However, this year (2020) some fishermen had to cease line fishing late July as most of the best offshore areas were infested with red weed for a few weeks as well. This was the case for at least one Lymington fisherman that we know also, working further west, (personal communication).

By September 2020, most of the weed in the deep had been shifted by tides and wind with fewer areas affected offshore. Some of it had still remained inshore however in the areas which do not benefit from regular tidal flushing (bays) and tidal dead-spots such as Norris near Cowes.

Apart from the obvious interference of weed on the hooks of a longline (reducing fish catches) red weed packs onto the buoy- to- anchor line with the moving tide, taking down the marker buoy and in some cases, it will only reappear later in the slower part of the tide cycle. This means that the fisher has much less time to retrieve gear before the tide turns and begins flowing back in the opposite direction. It can become then a race against the clock. Therefore, the fisher will have a tendency to be less motivated to shoot the number of longline sets they usually would deploy.

Furthermore, retrieval of a weed packed buoy line means that a significant time loss will ensue as the fisherman will have to pull off (by hand) the weed packed onto the buoy line. This is easier said than done. Often the amount of weed is considerable, with historically nine to twelve-foot columns of weed measuring a foot wide packed solid onto the line not uncommon. Again, as with net cleaning, this represents a serious time wasting and physically draining extra operation which would not be the case if there was a lot less or no weed present.

Trawling

There are a few trawlers which regularly fish in the Solent and the skippers tend to be very cautious about where and when they deploy the gear due to the potential for a 'dose of the weed'. As with lining, the deeper areas are often favoured, away from weed strewn areas.

In September 2020 we had a report from a Gosport fisherman who deployed a trawl inshore in the Solent and filled the entire trawl up with the free-floating red weed. Simply put, a trawl just will not fish effectively if there are significant quantities of seaweed on the Solent sea bed. It is very disheartening for trawl skippers as they have a higher fuel cost overhead to pay than some smaller non-towed gear vessels and waisted efforts due to the presence of weed are de-motivating.

Shellfish dredging

Toward the end of the now defunct historic Solent Oyster fishery (2007) the presence of large masses of red weed sitting (and rotting) on the inshore seabed was cited by some fishermen as being a significant detrimental effect to the deposition of juvenile oyster spat. This problem was part of the perfect storm which sealed the fate of the already reducing return spat falls of the Solent Oyster largely triggered by the invasion of the American tingle driller whelk.

Other factors such as a failure to close the fishery earlier were also at play, (which led to over-fishing an already non renewing stock) but it is commonly accepted by local Warsash fishermen that seaweed overgrowth also played a significant role in the last days of the fishery.

The red seaweed overgrowth has also been raised at a recent committee meeting of the Southern IFCA relating to the oyster regeneration project. (September 2020). It is possible that the comment was 'minuted'.

Along Chilling and Hill Head, we have at least one testimony from a member of the Warsash group which describes the required effort to continually hold the same line of dredging for a considerable time in order to 'get through the weed' before any oysters could be reached.

The success of the Solent Oyster Regeneration project instigated by the Blue Marine Foundation will rest mainly upon the successful spatfall of small juvenile oysters onto the seabed. Many variables will be at play, including the presence of oyster pests like starfish, but the presence of large areas of trapped seaweed in the summer to autumn in some local bays not subject to much tidal flushing will severely reduce the success of this project in our opinion; since the numbers of adult oysters being set in cages in the marina environment represent nowhere near the kind of density of oysters that we remember on the seabed during the height of the fishery in the late 1970's and through to the 1990's. Back then, the seabed was literally thick with healthy, thriving oysters. Even the 'smell' of the sea was different, as we remember it.

The fishermen living now, that were involved in that industry, are the last living link to an important part of social history and all that knowledge will disappear with them.

The disappearance of the Solent oyster also has a cumulative knock-on effect, since there is no longer the massive water filtering capacity that was once present (one adult oyster filters up to 200 litres a day). Increasing seasonal,

mobile red weed on the seabed which eventually settles, decays and reduces seawater oxygen content is more likely then, to have a localised negative environmental impact, making the seabed even less hospitable to newly hatched oysters. It is doubtful this has been extensively studied, so more work would be required.

Although we wish the Blue Marine oyster project every success, the local fishermen are not very optimistic and even less so, when we know there is a largely unseen and un-acknowledged seaweed overgrowth problem which has not been factored in as well as the fact that oyster pests have not yet been removed.

Scallops

This year (2020) the newly emerging Solent scallop fishery* was affected by the mass of seaweed in Osbourne bay (mid summer) which stopped effective dredging for scallops there (Warsash Group fisherman's testimony). Sighting data from the Southern IFCA would be able to confirm that point. Only when the weed had cleared on the bed enough did the fishermen return there (mid September into October). At the time of writing (November 2020) the scallop areas in the bay have cleared and are largely weed free.

The efficient functioning of any shellfish dredge will be highly reduced if red-weed and other weed species are in abundance. The only option for the scallopers is to find spots out much deeper, but with the added increase risk associated with dredging in deeper waters (quick capsize after snagging on seabed being an ever-present and potentially lethal threat)

*With the disappearance of many oysters, a relative newcomer has begun to take hold; the scallop. Which is good news for the local fishermen.

Shellfish Beds in the SEMS and Southampton Water

There are many different shellfish types in the area. Oysters, clams, cockles whelks, winkles and scallops. All of these can be fished under fishing license and are very sensitive to water quality, especially the bi-valve varieties like clams and oysters.

The main issue is the detrimental effect of bacterial and viral contamination resulting from inefficient sewage treatment and/or sewage overspills, the latter being a more likely after high rainfall events, like torrential downpours.

The classification of shellfish is carried out regularly and reported in a UK wide Sanitary Survey.

The Southampton Water is regularly tested for E-coli by the Food standards Agency in Southampton and a shellfish will only be designated if the species in question is tested. Once that occurs a designation will result; class A, B or C.

For many years now, mannila clams and pelourdes clams in the upper Southampton Water have regularly received a class C designation or the areas have been closed completely due to high E-coli levels, making the shellfish unfit for human consumption. Therefore, fishing activity is severely affected.

This situation has gone on for many years to the detriment of the local fishing industry. No schemes are in place to compensate fishermen for the yearly loss of potential earnings. Furthermore, the longer the beds remain unfishable, the less the shellfish will benefit from regular turning which can lead to the terminal decline in quality of the beds.

The recent upgrade to the sewage treatment works at Woolston will theoretically lower the E-coli/viral loadings from the effluent which is a positive development. However, with increasing pressure on the sewage system infrastructure due to an expanding population density in Southampton, it is questionable as to whether there will be any change in the shellfish quality as sewage overspills after heavy rain will still likely occur, (our assumption). (The population of Southampton grew by around 18 percent between 2001 and 2011; it is even higher now)

This is further re-inforced by the fact that climate change models predict far more frequent torrential downpours, leading to the increased risk of sewage overspill events (CSO's), allowing raw sewage to make its way into the shellfish production areas.

This is already an increasing problem in the Poole Harbour district, with at least one shellfish cultivation business currently being negatively affected.

As to the wider Solent: The current shellfish classification is taken to be Class B (which means the shellfish must be tanked for a short period with UV filtering in place). Any lowering of the water quality due to increasing sewage overspills and/or increasing sewage effluent discharges (from expanded development) will be a severe negative for the local fishing industry.

Part 2:

Analysis of the Nitrate Mitigation proposal (Natural England)

Author: Steve Matthews, Fishing Vessel, Sandie Ann, Warsash.

Disclaimer: The following analysis is solely that of the author alone and may not necessarily reflect the views of all inshore fishermen throughout the district. The causes of the wider Solent seaweed overgrowth problem outlined in the description above (Part 1), should be investigated by independent scientific assessment.

Pending further scientific study, it is reasonable to assume that the problem of the largely hidden red filamentous seaweed overgrowth issue we have uniquely outlined in Part 1 above is causally linked to the green seaweed inshore deposits, already identified as a significant problem on the SEMS mudflat areas by Natural England and wildlife organizations (Eutrophication).

It is also reasonable to assume that the existence of excess nitrogen compounds/phosphates and their sources (sewage and farm run-off being just two) is also causing the *offshore* red seaweed issue which can seriously interfere with commercial licensed fishing activities and has done so, unacknowledged by Government environmental bodies, for many years.

Our group estimates that for local set netting alone the seasonal fishery potential net worth is reduced by as much as 80% from May to September due to the presence of free-floating red weed restricting the effective use of fishing nets. This is therefore a serious concern.

Other trawler skippers that operated locally would also be able to give similar estimates.

The solution presented by Natural England (NE) of offsetting farmland in the water catchment area (taking out of agricultural production/re-wilding) has been suggested as a solution to the SEMS nitrate problem and looks, on the face of it, to be a reasonable one.

However, it is only a recent methodology, still highly hypothetical (rolled out in Poole, only a few years back) and there is no hard guarantee that the problem will be solved throughout each separate estuarine area and in the wider Solent (SEMS).

Indeed, the introduction of the Poole and Purbeck nitrogen mitigation scheme in 2017 may have had some local effect on the green weed overgrowth (has

that been scientifically demonstrated yet?), but clearly the shellfish cultivators there still have a problem with E-coli.

Therefore, it would appear that Combined Sewage Overspills (CSO's) are still occurring there (mitigation scheme or not and assuming sewage transfer from leisure craft have remained static) and that therefore, nitrogen is still being delivered directly into the aquatic environment from raw sewage sources, leading to ongoing seaweed overgrowth as well as associated E-coli/Norovirus shellfish contamination.

Since that is the case in Poole, serious doubts as to the effectiveness of the Nitrogen mitigation Scheme (Natural England) applied to the Solent water catchment are not unreasonable to raise.

Furthermore, the NE model appears not to factor in the climate change models into the N-mitigation methodology. Higher seawater temperatures will likely further accelerate seaweed growth, quite possibly negating any nitrogen-offsetting effect. The appearance of nocticula ('fire') as described in Part 1 is highly temperature dependant, just one or two degrees, as is the appearance of migrating fish.

Increasing torrential downpours will likely increase run off events and CSO's. Increasing housing development in the Solent catchment will lead to increasing hard-surfacing of the countryside and road building. *Those two causes, downpours and hard-surfacing, working together, will likely lead to an increasing irreversible compounded effect*: ie; a higher delivery rate of water run-off (and therefore nitrate/nitrogen compounds from various sources) to the SEMS. This does not appear to have been taken into account by the NE model.

Also, the nitrogen leaching effects from groundwater exacerbated by increasing run offs into the proposed development pond systems (SUDS) appear <u>not</u> to have been factored in either. Since those ponding systems are supposed to 'return water as quickly as possible', there is an un-quantified factor here also.

Additionally, the 110litre per day water compliance for developments is un-enforceable and therefore the wastewater flow determinations will likely to be higher in many cases.

The Natural England models and calculations *assume complete tidal mixing* of the run-offs and effluents with Solent tidal waters into the SEMS. As stated above, local fishermen's knowledge of the Solent seabed and tidal streams in the Solent is unparalleled and lead the author to conclude that if offsetting is carried out on the Isle of Wight (for example) to allow exclusive continued development of green-field sites on the mainland then the effluent nitrate offset from re-wilding a farm north of Wooton (for example) is highly unlikely to make any difference to seaweed overgrowth at Chilling (for example) due to the way the tidal flows move in Osbourne Bay.

That is a serious oversight by NE.

Note: The Southern Water sewer plume map (made available at time of writing) only shows the eastward flow of the plume from the outfall off Lee on Solent/Browndown. This is only the flood tide representation and not the ebb tide (westward flow). All of the hydrological modelling and mapping of the plume flows would need to be made available by Southern Water in order to be able to draw any further conclusions.

As well as the delivery of nitrogen via the watercourses, the NE calculations for nitrate loading and subsequent guidance for housing developers appear not to take into account sewage overspills (CSO's) after extended heavy rain/torrential downpours and subsequent likely nitrogen, bacterial and viral delivery and contamination of shellfish beds.

Unless developers are building adequate sewage flow infrastructure into the development then Combined Sewage Overspills (CSO's) will still likely increase in proportion to increased development. Food Standards Agency (FSA) limits for shellfish *may still continue to get worse* as they regularly do most years in Southampton Water after FSA monitoring.

In other words, *the viability of our inshore shellfish beds will still likely be at risk and will likely have an even higher risk in proportion to ever increasing development in the SEMS catchment.*

Even with nitrate land 'offsetting' more local to the proposed development this fact will likely not change due to CSO's.

The models used by the NE and the EA have not factored in the future (with increased development) considerable nitrogen loading into Solent catchment resulting from nitrogen loading from increasing car exhaust emissions and industrial development. All the science shows that with increasing development and road use and vehicle numbers, the nitrogen loading will increase significantly.

As with increased chance of CSO's after heavy rain due to more hard-surfacing, their will a similar increase delivery flow rate of dissolved nitrogen compounds to the SEMS; again, a factor not taken into account in the NE model.

The Fareham Borough and Eastleigh Council for example, must already know that the local road systems have been pushed to over-capacity in a very short time within the last few years, evidenced by virtual gridlock on the A27 road (just an example) at peak flow times: their highway modelling has already clearly failed local people who are living daily traffic nightmares in Locks heath, Sarisbury Green, Hamble, Fareham and Southampton. It is not clear whether any scientific assessment has been carried out as to the increased delivery of nitrogen compounds via vehicle exhaust emissions from increasingly free standing/engine idling traffic in gridlock and increased traffic flows in general. All of this extra nitrogen is likely ending up in the Solent and NE has failed to include it in their calculations. Another massive oversight.

And it is not just local. This would also include the entire road infrastructure, including motorway areas in South Hampshire, where exhaust emission nitrogen contaminated road water run-off feeds into SEMS. Increasingly wider gridlock events and increasing traffic in South Hampshire must be supplying significant emission-dissolved nitrogen compounds to the water catchment adjacent to many roads. (This has been widely studied in the USA).

Notwithstanding micro-particulates from tyre rubber and oils, washing into the same catchment systems; the biological effect on water borne fauna (like salmonids and other fish) from these particulates has simply not been scientifically determined.

All of this leads to the reasonable assertion that the calculations for nitrate loadings in the NE models are highly likely to be inaccurate by a significant degree, the expected offsetting effect: doubtful. There will still be a doubt regarding the current 'nitrate'/seaweed problem which is already being exacerbated by overdevelopment in the Hampshire water catchment zone feeding into the Solent (SEMS).

Further development in proportion with an ever-expanding population growth will likely further exacerbate these problems. It is simply the law of cause and effect in action.

The conclusion is that it is <u>highly uncertain</u> that the SEMS water quality with respect to nitrates/phosphates will *practically* change and that it is *highly*

uncertain that all the affected estuarine habitat (SAC's and SPA's) areas relating to seaweed overgrowth on mudflats and the wider SEMS where we fish will improve consistently throughout the district.

Secondly, it is highly unlikely that the water quality with respect to E.coli/norovirus contamination in shellfish will improve since CSO's will still be happening in proportion with increasing development without considerable improvements in the infrastructure/treatment of sewage.

Thirdly: any increasing CSO's will still deliver a loading of nitrogen (other than 'nitrate') in other nitrogen compound forms from raw sewage overspills, along with bacterial and viral contamination into the SEMS and Southampton Water, so there is some reasonable doubt that NE's nitrate offsetting methodology will actually be practically effective in reducing wider free-floating red seaweed overgrowth and improving the microbial quality of shellfish beds in Southampton Water and SEMS.

Regarding shellfish quality: most wider SEMS Food Standards Agency classifications are currently assumed as class B. However, that could easily be reduced to Class C with more frequent testing and an increasing CSO threat resulting from increased development. That must be avoided, the fishermen will not be happy if that happens.

Class C shellfish rating would be a disaster for the local clam shell fishing industry, the emerging Solent scallop fishery and the Solent Oyster Regeneration Project (Blue Marine Foundation). The potential loss of the Solent shell fishing industry would be incalculable. This is already a clear possibility and looming threat for Poole Harbour. Although Poole Harbour does not benefit from tidal flushing in the same way as the Solent, there is still a reasonable degree of doubt for the SEMS, so it would behove NE to take our warnings seriously. This year for example we have already seen an extension south, down the Southampton Water towards Chilling, of an unfavourable Class C rating for one clam species. (see FSA survey 2020).

Currently, in Poole Harbour, shellfish cultivation businesses are significantly being affected due to bacterial sewage contamination. (personal communication/Southern IFCA Committee meeting comment Sept 2020)

Any increase risk of contamination from sewage overspills applied to the local shellfish fishery most likely to prove detrimental to the quality of our local

shellfish beds and fishery will most certainly result in litigation with the water companies. We are watching the situation closely.

It appears that the local Councils together with NE and the Environment Agency have rushed through this nitrate mitigation 'solution' in order to enable the ever-expanding over-development of green field sites by developers within the SEMS water catchment area to continue. This will mean that over-development will continue and that the un-studied negative environmental effects like red seaweed overgrowth will also likely continue.

It is alarming that such on- the- hoof science (without hard, long-term proof that the measures will be successful) can be fast tracked through by Government Agencies who are failing to protect not only our green field areas but the very unique landscape of parts of southern England.

It should be their responsibility to assert that Central Government implement sensible policies which control the drivers of unsustainable housing demand (namely the drivers of population growth and movement of people). In short, sustainable policies for sustainable population growth, which include a revocation of existing legislation that currently enable unbridled green-field development by housing developers.

This would also help ease pressure on offshore marine aggregate dredging (which supports the building industry) which often takes place in environmentally sensitive juvenile fish spawning grounds in the English Channel and elsewhere. These grounds are being dredged back to bedrock in some cases, partly to feed ever-expanding UK housing/population growth.

Therefore, pending those long overdue changes to Central Government policy, and taking into consideration our analysis above, it would be pertinent that all current development in the Solent (SEMS) water catchment cease with immediate effect, until further long-term studies and peer review has been carried out.

Steve Matthews

Warsash Inshore Fishermen's Group

Warsash, Hants.

[redacted] November 2020

Representations | Wendy Ball

2311-221619

Respondent details:

Title:	Mrs
First Name:	Wendy
Last Name:	Ball
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	Rudyard
Postcode:	[redacted]
Telephone Number:	
Email Address:	

1) Policy: DS1 - Development in the Countryside

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

It is indeed very important to protect our countryside from unplanned and large-scale development. Sites of biological or geological value must be conserved and enhanced. This is also true for agricultural land and undeveloped coastlines.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

2) Policy: DS2 - Development in the Strategic Gaps

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Strategic Gap DS2: The Strategic Gaps, as currently defined, preventing the coalescence of urban areas and separating the identities of settlements are essential.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

3) Policy: DS3 – Landscape

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

The eight areas of Special Landscape Quality within the Borough must be protected and enhanced.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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4) Policy: CC1 - Climate Change

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Strategies to mitigate and adapt to climate change must be adopted. Addressing the problem by including measures to minimise the need for travel, to ensure sustainable drainage and to enhance biodiversity are valuable elements in the strategy. Maintaining and improving tree canopy in the Borough is very important.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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5) Policy: NE1 - Protection of Nature Conservation, Biodiversity and the Local Ecological Network

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Also NE6. It is very necessary that sites of nature conservation are protected and enhanced. Geodiversity and biodiversity, including the ecological network, must be conserved. Trees, woodland (especially ancient woodland) and hedgerows provide habitats and biodiversity helping to mitigate climate change and, therefore, must be protected and enhanced. The Stubbington Study Centre is of particular value since, not only does it provide refuge for nature but also provides education for the younger generation.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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6) Policy: TIN1 - Sustainable Transport

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Improvement is indeed needed with respect to local public transport networks, cycling and walking routes. There should be a reduced need to travel by motorised vehicle.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

7) Policy: HE1 - Historic Environment and Heritage Assets

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

HE1-4 The historic environment of Fareham includes a wide-varying and valuable collection of heritage assets (archaeological to 20th century), which it is important to conserve and enhance. It is imperative that the design of any essential development within a historic conservation area should be of high quality compatible with the architecture of the surrounding historic buildings in terms of height, layout, design detailing and material.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

8) Policy: D1 - High Quality Design and Placemaking

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

All developments of dwellings or employment must be of high-quality and in keeping with the character of the site. Such developments should be accessible by public transport, cycling and walking routes. High-quality in architecture, scale, proportion, material and detailing is important. Spacing should be such as to allow landscaping for the planting of shrubs and trees between.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Keely, Lauren

From: Clive Whitaker <[redacted]
Sent: 13 November 2020 11:14
To: Consultation
Subject: Fareham Local Plan

Follow Up Flag: Follow up
Flag Status: Flagged

I support the Local Plan in general. However I believe that Romsey Avenue together with the two adjacent fields should be given special protection as part of a Coastal and Habitats policy due to their sensitive position and the fact that it is a Special Protection Area for waders and Brent Geese. This would be in accordance with National policy such as paragraph 177 of NPPF.
As you will know, Fareham used to have a Coastal and Countryside policy which covered these areas and which would have enabled the Council to win the Cranleigh Road appeal.
Sent from my iPhone

Fareham Local Plan 2037 Consultation **December 2020**

Response from the Woodland Trust

The Woodland Trust ("the Trust") is the UK's leading woodland conservation charity, and wants to see a UK that is rich in native woods and trees, for people and wildlife. We aim to achieve this by restoring and improving woodland biodiversity and increasing people's understanding and enjoyment of woods and trees.

We own over 1,275 sites across the UK, covering over 23,580 hectares and we have around 500,000 members and supporters. The Trust is recognised as a national authority on woods and trees and a protector of the benefits and values that they deliver for society.

We welcome the opportunity to comment on the Fareham Local Plan 2037 publication draft.

Contact name:

Bridget Fox
Regional External Affairs Officer - South East
[redacted]

- I am willing for my contact information to be shared.
- The Woodland Trust is willing to give evidence at the Examination in Public.

Please find below the Trust's comments on individual policies.

Policy CC1: Climate Change

We welcome the priority given to tackling climate change. This policy sets strategic policy aims including c) integrating Green and Blue infrastructure, and refers to the intention to improve tree canopy cover. However, it fails to set any specific policy requirements or targets that will deliver this policy and so risks being unsound in practice. In order to be sound, we recommend a more specific and robust policy wording.

This should include policy in support of new tree planting and woodland creation. A rapid increase in the rate of woodland creation has been proposed by the UK's Committee on Climate Change, to provide a key mechanism to lock up carbon in trees and soils, provide an alternative to fossil fuel energy and resource-hungry building material, and importantly to stem the declines in biodiversity. We recommend setting a target for borough-wide tree canopy cover as part of this policy.

We further recommend setting a target for tree canopy cover on individual development sites, ideally of 30 per cent, to be pursued through the retention of important trees, appropriate replacement of trees lost through development, ageing or disease and by new planting to support green infrastructure.

Proposed amendment

Expand c) as follows:
c) Integrating Green and Blue Infrastructure into the design of developments through approaches such as mandatory biodiversity net gain; a minimum of 30% tree canopy cover, which will help to reduce CO2 concentrations and mitigate the urban heat island effect; and the use of Sustainable Drainage Systems which helps reduce the risk of flooding.

Reason

The independent Committee on Climate Change recommends increasing woodland cover in the UK from 13% to a minimum of to 15% by 2035 and 18% by 2050, to ensure the country achieves net zero carbon emissions. Development sites are make an important contribution to this target. By setting a 30% canopy cover target for development sites as part of wider Green Infrastructure and net gain requirements, local authorities can help deliver the necessary overall increase to 18%.

Further information can be found in the Trust's Emergency Tree Plan (2020) [1].

[1] https://www.woodlandtrust.org.uk/media/47692/emergency-tree-plan.pdf

Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

This policy wording is permissive rather than explicitly ruling out development that adversely affects protected sites. We fear that this risks being unsound in failing to afford adequate protection to ancient woodland and veteran trees.

We welcome the explanatory wording in paragraph 9.15 "Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are reasons of overriding public interests and a suitable compensation strategy" and would like to see that incorporated directly into the policy.

Proposed amendment

In order to make the policy sound, we ask that it be strengthened it, based on the on the wording recommended by the Woodland Trust, either by adding this wording to NE1 or alternatively to Policy NE6 Trees, Woodland and Hedgerows.

i. *Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons.*

ii. *As ancient woodland and ancient or veteran trees are irreplaceable, discussions over possible compensation should not form part of the assessment to determine whether the exceptional benefits of the development proposal outweigh the loss.*

iii. *Ancient wood pasture and historic parkland should receive the same consideration as other forms of ancient woodland. The protection of the whole habitat is necessary even though tree cover may be comparatively sparse. Development on open space between trees in an area of ancient wood pasture or historic parkland should not be permitted.*

Reason

The National Planning Policy Framework (NPPF) (paragraph 175c) states: "When determining planning applications, local planning authorities should apply the following principles: …… c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists".

We recognise the intense pressure to identify and bring forward new sites for housing and employment uses. This pressure makes it all the more important that vital protections for ancient woodland and veteran trees are upheld.

Ancient woods are irreplaceable. They are our richest terrestrial wildlife habitats, with complex ecological communities that have developed over centuries, and contain a high proportion of rare and threatened species, many of which are dependent on the particular conditions that this habitat affords. For this reason, ancient woods are reservoirs of biodiversity, but because the resource is limited and highly fragmented, they and their associated wildlife are particularly vulnerable.

Where it is deemed that there is going to be unavoidable residual damage or loss to ancient woodland, the measures taken to compensate for this must be of a scale and quality commensurate with loss of irreplaceable habitat. Where ancient woodland is to be replaced

by new woodland, this should aim to create 30 hectares of new woodland for every hectare lost.

Further information is available in the Trust's *Planners' Manual for ancient woodland (2019)*[2].

[2] https://www.woodlandtrust.org.uk/media/3731/planners-manual-for-ancient-woodland.pdf

Policy NE6 Trees, Woodland and Hedgerows

This policy wording is permissive rather than explicitly ruling out development that adversely affects protected sites. We fear that this risks being unsound in failing to afford adequate protection to ancient woodland and veteran trees.

It is also insufficiently robust in specifying the level of replacement where woodland and trees are removed in order to deliver net gain in line with policy NE2. The explanatory wording in paragraphs 9.84 and 9.85 indicate a welcome presumption against loss of existing trees and woodland, in particular ancient woodland and veteran trees, but are insufficiently robust in our view.

Where it is deemed that there is going to be unavoidable residual damage or loss to ancient woodland, the measures taken to compensate for this must be of a scale and quality commensurate with loss of irreplaceable habitat. Where ancient woodland is to be replaced by new woodland, this should aim to create 30 hectares of new woodland for every hectare lost.

For other trees, we recommend setting a proposed ratio of tree replacement, with a ratio of at least 2:1 for all but the smallest trees and ratios of up to 8:1 for the largest trees. We would further encourage the specification where possible of UK sourced and grown tree stock for new planting, to support biodiversity and resilience.

Proposed amendments

Amendment 1

In order to make the policy sound, we ask that it be strengthened it, based on the on the wording recommended by the Woodland Trust, either by adding this wording to NE6 or alternatively to Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network.

i. *Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons.*
ii. *As ancient woodland and ancient or veteran trees are irreplaceable, discussions over possible compensation should not form part of the assessment to determine whether the exceptional benefits of the development proposal outweigh the loss.*
iii. *Ancient wood pasture and historic parkland should receive the same consideration as other forms of ancient woodland. The protection of the whole habitat is necessary even though tree cover may be comparatively sparse. Development on open space between trees in an area of ancient wood pasture or historic parkland should not be permitted.*

Reason

The National Planning Policy Framework (NPPF) (paragraph 175c) states: “When determining planning applications, local planning authorities should apply the following principles: …… c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists”.

We recognise the intense pressure to identify and bring forward new sites for housing and employment uses. This pressure makes it all the more important that vital protections for ancient woodland and veteran trees are upheld.

Ancient woods are irreplaceable. They are our richest terrestrial wildlife habitats, with complex ecological communities that have developed over centuries, and contain a high proportion of rare and threatened species, many of which are dependent on the particular conditions that this habitat affords. For this reason, ancient woods are reservoirs of biodiversity, but because the resource is limited and highly fragmented, they and their associated wildlife are particularly vulnerable.

Further information is available in the Trust's *Planners' Manual for ancient woodland (2019)*[3].

Amendment 2

We propose amending the final lines of Policy NE6 to read

"The removal of protected trees, groups of trees (including veteran trees), woodland (including ancient woodland) or hedgerows will only be permitted in wholly exceptional circumstances. Where it is deemed that there is going to be unavoidable residual damage or loss to ancient woodland, the measures taken to compensate for this must be of a scale and quality commensurate with loss of irreplaceable habitat. Where ancient woodland is to be replaced by new woodland, this should aim to create 30 hectares of new woodland for every hectare lost. Where protected trees, woodland and hedgerows are subject to removal, a replacement of an appropriate number, species and size in an appropriate location will be required, at a level that will deliver net gain in tree canopy cover."

Reason

The current policy fails to specify adequately the level of replacement required to meet statutory biodiversity obligations including the emerging requirement to deliver biodiversity net gain. In addition, the policy fails to ensure increased tree canopy cover at a time when such increases are a goal of national and local policy.

Further information is available in the Trust's guidance on *Local Authority Tree Strategies* (2016) [4].

[3] https://www.woodlandtrust.org.uk/media/3731/planners-manual-for-ancient-woodland.pdf
[4] https://www.woodlandtrust.org.uk/publications/2016/07/local-authority-tree-strategies/

Policy NE10: Protection and Provision of Open Space

We support the policy that residential development will be required to provide open and play space to meet the needs of new residents. In addition, we recommend including standards for access to natural green space and woodland for existing and new developments.

Proposed amendment

To expand the final lines of policy NE10 as follows:

"Residential development will be required to provide open and play space to meet the needs of new residents, including access to natural green space and woodland in line with the Accessible Natural Greespace and Woodland Access Standards. Where possible, development shall address any additional identified deficiencies in open space highlighted within the most recent Open Space study."

Reason

Without specific standards, the policy risks being ineffective and therefore unsound.

Natural England's Accessible Natural Green Space Standard recommends that all people should have accessible natural green space:

- Of at least two hectares in size, no more than 300m (five minutes' walk) from home.
- At least one accessible 20-hectare site within 2km of home.
- One accessible 100-hectare site within 5km of home.
- One accessible 500-hectare site within 10km of home.
- A minimum of one hectare of statutory local nature reserves per 1,000 people.

The Woodland Trust has developed a Woodland Access Standard to complement the Accessible Natural Green Space Standard. This recommends that:

- That no person should live more than 500m from at least one area of accessible woodland of no less than 2ha in size.
- That there should also be at least one area of accessible woodland of no less than 20ha within 4km (8km round trip) of people's homes.

Further information is available in the Trust's guidance *Residential developments and trees (2019).*[5]

[5] https://www.woodlandtrust.org.uk/media/1688/residential-developments-and-trees.pdf

Policy HA27, Rookery Avenue, Sarisbury.

As the draft policy notes, this site is adjacent to ancient woodland at Gull Coppice. Where development sites are adjacent to ancient woodland, we recommend that as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. A larger buffer may be required for particularly significant engineering operations, or for after-uses that generate significant disturbance.

Proposed amendment

Add the following to *f) … Proposals should seek to enhance the Gull Coppice SINC, while maintaining a 50m protective buffer.*

Reason

In line with the NPPF protection for ancient woodland, buffers shield ancient woodland from damaging edge effects such as encroachment, fragmentation and pollution. If a 50m buffer is not accepted at this location, then we would still recommend specifying a minimum 15m buffer, in line with Natural England's guidance.

Well-planned buffers can offer recreation opportunities as well as contributing to biodiversity net gain. The preferred approach is to create new habitat, including native woodland, around existing ancient woodland. This will help reverse the historic fragmentation of this important habitat. The consequent increase in ecological connectivity between areas of ancient woodland will create the resilient landscapes recommended in *Making Space for Nature* published by Defra (2010).

Further information is available in the Trust's *Planners' Manual for ancient woodland (2019)*[6].

END

[6] https://www.woodlandtrust.org.uk/media/3731/planners-manual-for-ancient-woodland.pdf

Technical Note

Site:	HA2
Client:	Bargate Homes and Miller Homes
Job Number:	A097690-2
File Location:	I:\Projects\Projects 097000 on\A097690-2 Newgate Lane East\REPORTS

Introduction

This Technical Note has been prepared to provide support in relation to Ecology to representations to the Fareham Borough Local Plan for the former strategic housing allocation HA2 Newgate Lane South.

This comprises the following three sites within the Strategic Housing and Employment Land Availability Assessment (SHELAA) prepared by Fareham Borough Council:

- Copps Field, Newgate Lane, Peel Common (3028);
- Land East of Newgate Lane, Peel Common (3057); and
- Land East of Newgate Lane East, Peel Common (3002).

The SHELAA includes comments in relation to Ecology and reasons for discounting the sites. For all three sites, the Ecology comments include the following:

> *"The site is a Brent Geese and Solent Waders 'Low Use' site. All such sites have the potential to support the existing network and provide alternative options and resilience for the future network. Therefore proportionate mitigation, off-setting and/or enhancement measures will be required. Natural England should be consulted."*

For Copps Field, it is also stated that:

> *"The hedgerows on site should be retained and protected by a planted buffer. Due to the presence of suitable habitats on site, it is likely that reptiles, Badgers, Water Voles, amphibians, Dormice and bats are present on site."*

For Land East of Newgate Lane it is stated that there is:

> *"Potential for badger, bat, reptile and green sandpiper."*

All three sites share the same reasons for discounting, one of which relates to Ecology. This states that:

> *"Site is designated as a Brent Geese and Solent Waders Low Use site and there is no evidence of a strategy compliant solution."*

Proposed Sites

Land East of Newgate Lane East, Peel Common (3002)

Land East of Newgate Lane East is currently the subject of an outline planning application P/19/1260/OA. As part of this application, a Wader and Brent Goose Mitigation Strategy has been devised by WYG and submitted to Fareham Borough Council and assessed as part of a Report to Inform Habitats Regulations Assessment Stage 1 and Stage 2 prepared on behalf of the applicants. This involves the creation of a mitigation area at Land West of Old Street, Stubbington and is designed to deliver mitigation for a further two sites currently the subject of appeals (Land at Newgate Lane North and Land at Newgate Lane South).

Although this has not yet been formally assessed by Fareham Borough Council through their Appropriate Assessment for P/19/1260/OA, the strategy has been reviewed by the Council's Ecologist for the two appeal sites and is agreed as part of the relevant Statements of Common Ground. Therefore, it is reasonable to conclude that this represents a 'strategy compliant solution' and as such this should not represent a reason to discount the site.

Copps Field (3028) and Land East of Newgate Lane (3057)

These two sites are not covered by the mitigation strategy discussed above, however; the presence of this strategy demonstrates that there are suitable opportunities to deliver mitigation.

The reasons for discounting refer to a 'strategy compliant solution', this in relation to the Solent Waders and Brent Goose Strategy (SWBGS). Under the SWBGS, mitigation for the loss of Low Use sites (such F15 which is covered by HA2) comprises compensatory funding to be used to maintain and enhance the network. The intention of this approach is for funding to be managed by the Local Authority to support schemes across the network, including within neighbouring authorities. In Fareham Borough, there is no scheme or schemes towards which the authority can direct this funding. Where no strategic approach is available, then it is necessary for a suitable mitigation solution to be provided by the applicant. This is confirmed by Natural England's written statement in respect of the above appeals. According to Policy NE5 of the Fareham Local Plan for Low Use sites:

> *"For development proposals of all kinds, proportionate mitigation, enhancement and/or offsetting will be required. Measures should avoid and/or adequately mitigate the impact of development on site in the first instance. However, where it is demonstrated that this is not practical or feasible, off-site options and / or a financial contribution for mitigation should be considered."*

In the case of each of these sites, on site mitigation is not possible (as any areas of open space retained would be unsuitable for waders and brent geese due to the reduces size and proximity of new development). Therefore, a suitable off-site mitigation solution, such as that proposed for Land East of Newgate Lane East, would be policy compliant. In addition to a scheme such as this, we are also aware of other opportunities for mitigation which are likely to be practical during the new plan period. Following discussions with Hampshire and Isle of Wight Wildlife Trust and Hampshire County Council, both bodies are in the process of identifying suitable sites which could be funded by mitigation payments under Policy NE5. Hampshire County Council already own large areas of suitable land within the wader and brent goose network, and the Wildlife Trust are considering acquiring land in a similar manner to their approach to providing mitigation for nitrogen outputs.

Policy NE5 is taken into account as mitigation within the Fareham Local Plan HRA prepared by Urban Edge Consultants which concludes that there will be no adverse effect on the integrity of the Solent and Southampton Water SPA or Portsmouth Harbour SPA (alone or in combination) as a result of site specific impacts (which includes loss of SWBGS sites). It can therefore be concluded that provided any development of these two sites is compliant with Policy NE5 (which it must be in order to be granted consent) there will be no impact on the integrity of the associated European sites or the wader and brent goose network. Given the presence of this policy, it is unreasonable to dismiss the sites on these grounds, or to require detailed mitigation at the plan stage (when Policy NE5 provides sufficient security).

It should also be noted that two proposed allocations within the Local Plan (employment allocations 3113 Farady Business Park and 3114 Swordfish Business Park) are incorrectly stated to have no constraints within the SHELAA. In fact, both these sites lie within a Low Use site (F13) and would also result in an adverse effect. Neither allocation is supported by a site-specific or detailed mitigation strategy and in the Local Plan HRA it is stated that mitigation for these allocations will be meeting the requirements of Policy NE5. On the grounds of consistency, either these two allocations should also be discounted, or a requirement to comply with Policy NE5 should be acceptable for all sites which affect Low Use sites.

Local Plan Policies

As requested, a review has also been undertaken of the proposed Natural Environment policies within the Local Plan relevant to our area of expertise. This includes Policies NE1 – NE5. These are summarised below along with a brief commentary in relation to the HA2 sites.

Policy	Description	Comments
NE1	Protection of Nature Conservation, Biodiversity and the Local Ecological Network	This policy relates to the protection of designated sites which is included within previous plans. It adds protection of the Ecological Network. The Local Ecological Network Map identifies 3028 as a 'Network Opportunity', which means it has been identified as an area which could be improved or managed to achieve measured biodiversity net gain (see NE2). None of the sites within HA2 comprise statutory or non-statutory designated sites.
NE2	Biodiversity Net Gain	This requires 10% gains in biodiversity for all sites and is in line with forthcoming government requirements. It is likely that this requirement can be achieved for HA2 (it has been demonstrated for 3002 in the submission) as a whole.
NE3	Recreational Disturbance on the Solent Special Protection Areas (SPAs)	This policy requires a financial contribution to mitigate recreational disturbance and is consistent with previous local plan policy.

NE4	Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent.	This requires the production of nutrient budgets and delivery of suitable mitigation to make sure that developments result in a net reduction in nitrogen outputs.
NE5	Solent Wader and Brent Goose Sites	Discussed above, this policy requires mitigation where there will be impacts on the wader and brent goose network. Mitigation is proposed for 3002 and suitable mitigation in compliance with NE5 will be required for 3028 and 3057 at the application stage. In Para 9.74, it states that *'off-site options and / or a financial contribution'* are suitable for mitigation, however it then only goes on to discuss financial contributions. In the absence of clear identification of where contributions will be applied, the policy wording should be make it clearer that bespoke mitigation solutions which do not result in such payments are also acceptable (where they satisfy the requirements of the Habitats Regulations).

[redacted]

David West CEnv MCIEEM

Associate Ecologist

Representations | Lesley Goddard
1812-381727

Respondent details:

Title:	Ms
First Name:	Lesley
Last Name:	Goddard
Job Title: (where relevant)	Teacher
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: 9.11

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

I think this is too weak, and too open to interpretation " if it cannot be avoided" (which it always can by not doing the development) Should this not give examples of when “it cannot be avoided” and when “a last resort” comes into play? otherwise ordinary people without legal representation can't be able to make themselves heard against large developers with paid legal and PR PS this form asks me to judge whether a paragrpah is legally compliant and complies with duty to cooperate - I wanted to leave this blank but I had only the choice of yes or no - but my real choice was "I'm not sure"

What modification(s) is necessary to make the Local Plan legally compliant or sound?

I don't think this is sound as the wording is too weak and doesn't give examples of what "cannot be avoided" and "as a last resort" mean. Therefore, it is an open invitation to saying "this can not be avoided"

How would the modification(s) you propose make the Local Plan legally compliant or sound?

see above

Your suggested revised wording of any policy or text:

see previous answer

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

2) Policy: NE2 - Biodiversity Net Gain

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

It should be readily visible to people where the 10% gain is - so display at both the development and the net gain - and where people can contact the developer. Then e.g. if the cycle and pedestrian space opposite Crofton school remains locked for over a year later, or many of the newly planted trees have died due to lack of care it is clear who to complain to and who to copy in to within the council

What modification(s) is necessary to make the Local Plan legally compliant or sound?

see below

How would the modification(s) you propose make the Local Plan legally compliant or sound?

see below

Your suggested revised wording of any policy or text:

At the development (and mitigation site if different) the developer should display details of the "10% gain" and contact details in case of a problem arising with use. Similarly suitable fines should be written within the contract - and money set aside in case of non-compliance

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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3) Paragraph: 10.3

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

No indication of how these networks will come about - what mechanism will stop ever more private road users have a negative impact on us all when we are pedestrians, cyclists or public transport users

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Give examples of how this will come about

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Give examples of how this will come about

Your suggested revised wording of any policy or text:

Give examples of how this will come about

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

---

4) Paragraph: 10.8

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

"reasonable choice" must include "reasonable expected duration"

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Duration of expected time to travel to key locations needs to be included by all modes of travel - a development need to show it will decrease time to take public transport/cycle/walk relative to car travel as currently needed in nearest neighbour. This would put the onus on developers to fund the modal shift improvements.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

see above

Your suggested revised wording of any policy or text:

see above

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

---

5) Paragraph: 10.1

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

exclude "road junctions" from the options available

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Elsewhere you say that "road junctions" is not enough - so exclude it from this section

How would the modification(s) you propose make the Local Plan legally compliant or sound?

see above

Your suggested revised wording of any policy or text:

Can we not say something stronger e.g. developments which don’t allow car parking / encourage car share and cycle/walking are to be encouraged but those which make journeys by car the most likely outcome are not to be allowed?

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

---

6) Policy: CC1 - Climate Change

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

This is insufficient "supporting energy efficiency" rather than requiring energy efficiency is far too weak. No new development should be allowed which isn't carbon neutral.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

see below

How would the modification(s) you propose make the Local Plan legally compliant or sound?

see below

Your suggested revised wording of any policy or text:

remove "supporting energy efficiency" and replace with "requiring energy efficiency" - and state what this means in terms of heat loss

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

I'm very disappointed at the lack of "teeth" of this policy - it sounds nice but it won't make any difference to what developers do. Passiv houses have been being built since the 1990's that's 30 years of design experience. Developers never introduce extra insulation through being asked nicely - but insist on it, and it becomes industry norm within months.

Representations | Fiona Gray
1812-131047

Respondent details:

Title:	Ms
First Name:	Fiona
Last Name:	Gray
Organisation: (where relevant)	Buckland Development Ltd

Agent details:

Title:	Mr
First Name:	Joseph
Last Name:	Carr
Job Title: (where relevant)	Associate
Organisation: (where relevant)	DAVID LOCK ASSOCIATES
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policy: H1 - Housing Provision

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Welborne, as the single largest site in the Borough, is of strategic importance to Fareham and the wider area as a whole. Buckland are committed to delivering Welborne and the aspirations of the Welborne Plan, as set out in the outline planning application. However, as you will be aware, the draft planning conditions associated with the proposed planning permission include a condition which restricts development at Welborne until funding for the M27 J10 has been secured. The Welborne Outline Planning Application commits £20m of developer funding to the junction improvements. Since the planning committee in October 2019, the funding situation has worsened, with c. £30m of government funding now being reallocated to other schemes in the region. This leaves an estimated funding gap of c.£50m. Therefore, despite planning permission being imminent, development at Welborne cannot occur until this significant hurdle is overcome. Whilst Buckland generally support the Council's position to not revisit the detailed policies of the Welborne Plan, and consider it sound, consideration must be given to methods to unlock delivery at Welborne, especially given Welborne's role in the development plan, and its importance in ensuring the development plan is sound. Given the need to deliver substantial infrastructure to support the community, opportunity to reduce the costs of this infrastructure is low. Reviewing the policies and requirements of the Welborne Plan, the only opportunity which gives flexibility to reinvest further development receipts into M27 J10 is to provide 10% affordable housing in the initial phases of development. However, even at lower affordable housing levels within the parameters of Welborne Plan policy (with a minimum requirement of 10% affordable housing and a viability review process to increase affordable housing later in the development programme), Welborne cannot viably support funding an increased M27 J10 contribution. This is evidenced in the viability work undertaken as part of the outline planning application, as presented to planning committee in October 2019, which states that Welborne can only support 10% affordable housing in the initial phases with £20m of developer funding. Should the developer funding increase, the amount of affordable housing which Welborne could viably support will reduce accordingly. Whilst discussions are ongoing with FBC on methods to overcome these obstacles to Welborne's delivery, consideration must be given to methods to increase flexibility to enable Welborne to be able to deliver homes. This could be through edits to the Welborne Plan requirements, or through the removal of the condition which restricts development at Welborne until funding for the M27 J10 has been secured. This would enable development to start on site, whilst further funding was sought. The need to unlock delivery at Welborne is paramount, as Welborne is critical to achieving the short- and long-term aspirations of this Local Plan, with a large proportion of FBCs housing requirement (and employment floorspace) expected to be delivered at Welborne within the plan period to 2037. Therefore, Welborne's delivery is crucial to enable the development strategy of this plan to be considered justified and effective, which is imperative for the plan as a whole to be considered sound.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

If required by the Inspector, Buckland are available to attend, and contribute to the local plan examination as required, to support the continued allocation at Welborne.

---

2) Policy: DS3 – Landscape

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

We support the designation of the land to the east of Welborne as a special landscape area (under draft Policy DS3), which is reflective of its local importance and, due to the area's topography, prevents the visual encroachment of the urban area to the open countryside to the north of FBCs administrative boundary. We consider this approach to be both legally compliant and sound.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

---

3) Paragraph: 9.3

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

We support the position outlined in paragraph 9.30 of the draft plan, in relation to Biodiversity Net Gain requirements, as Buckland are in the process of agreeing a bespoke biodiversity enhancement strategy with FBC, following the provisions of the Welborne Plan. This Strategy which will reflect commitment to the delivery of significant biodiversity enhancement at Welborne, though its comprehensive network of open space and SANGs. Furthermore, it is important to note that these Biodiversity Net Gain requirements are yet to be legislated at a national level, and thus exact provisions and expectations are yet to be set out by Government. Thus, it could be questioned whether Policy NE2 is in fact premature, although this may be resolved depending on the time this plan is examined, and thus can be reviewed in this context by the Inspector at a later date.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

---

4) Paragraph: 10.27

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

We would wish to support the viability work which has been undertaken by the Council to underpin this Local Plan. We particularly support the recommendation that a zero CIL rate should be applied to Welborne, given the scale of infrastructure contribution to be provided through the Welborne S106 agreement, and the viability discussions which have been undertaken as a part of the Welborne Outline Planning Application

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

DAVID LOCK ASSOCIATES

Gayle Wooton
Fareham Borough Council
Civic Offices
Civic Way
Hampshire
PO16 7AZ

18th December 2020

BDL010 / JGC

Dear Gayle

FAREHAM DRAFT LOCAL PLAN 2037 – PUBLICATION VERSION

Response on behalf of Buckland Development Limited

We are pleased to respond to the above consultation on behalf of our clients, Buckland Development Ltd (Buckland). As you are aware, Buckland are the promoters and development managers of Welborne. The Outline Planning Application for Welborne was submitted in March 2017 and is expected to be determined imminently, with reserved matters applications and construction to follow in the coming years. It is in this context we write to respond to the above consultation. We have also responded to the online questionnaire with answers supporting the points raised below.

Welborne, as the single largest site in the Borough, is of strategic importance to Fareham and the wider area as a whole. Buckland are committed to delivering Welborne and the aspirations of the Welborne Plan, as set out in the outline planning application. However, as you will be aware, the draft planning conditions associated with the proposed planning permission include a condition which restricts development at Welborne until funding for the M27 J10 has been secured. The Welborne Outline Planning Application commits £20m of developer funding to the junction improvements.

Since the planning committee in October 2019, the funding situation has worsened, with c. £30m of government funding now being reallocated to other schemes in the region. This leaves an estimated funding gap of c.£50m. Therefore, despite planning permission being imminent, development at Welborne cannot occur until this significant hurdle is overcome. Whilst Buckland generally support the Council's position to not revisit the detailed policies of the Welborne Plan, and consider it sound, consideration must be given to methods to unlock delivery at Welborne, especially given Welborne's role in the development plan, and its importance in ensuring the development plan is sound.

Given the need to deliver substantial infrastructure to support the community, opportunity to reduce the costs of this infrastructure is low. Reviewing the policies and requirements of the Welborne Plan, the only opportunity which gives flexibility to reinvest further development receipts into M27 J10 is to provide 10% affordable housing in the initial phases of development. However, even at

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DAVID LOCK ASSOCIATES

lower affordable housing levels within the parameters of Welborne Plan policy (with a minimum requirement of 10% affordable housing and a viability review process to increase affordable housing later in the development programme), Welborne cannot viably support funding an increased M27 J10 contribution. This is evidenced in the viability work undertaken as part of the outline planning application, as presented to planning committee in October 2019, which states that Welborne can only support 10% affordable housing in the initial phases with £20m of developer funding. Should the developer funding increase, the amount of affordable housing which Welborne could viably support will reduce accordingly.

Whilst discussions are ongoing with FBC on methods to overcome these obstacles to Welborne's delivery, consideration must be given to methods to increase flexibility to enable Welborne to be able to deliver homes. This could be through edits to the Welborne Plan requirements, or through the removal of the condition which restricts development at Welborne until funding for the M27 J10 has been secured. This would enable development to start on site, whilst further funding was sought.

The need to unlock delivery at Welborne is paramount, as Welborne is critical to achieving the short- and long-term aspirations of this Local Plan, with a large proportion of FBCs housing requirement (and employment floorspace) expected to be delivered at Welborne within the plan period to 2037. Therefore, **Welborne's delivery is crucial to enable the development strategy of this plan to be considered justified and effective, which is imperative for the plan as a whole to be considered sound.**

On more specific matters, we support the designation of the land to the east of Welborne as a special landscape area (under draft Policy DS3), which is reflective of its local importance and, due to the area's topography, prevents the visual encroachment of the urban area to the open countryside to the north of FBCs administrative boundary. We consider this approach to be both legally compliant and sound.

We also support the position outlined in paragraph 9.30 of the draft plan, in relation to Biodiversity Net Gain requirements, as Buckland are in the process of agreeing a bespoke biodiversity enhancement strategy with FBC, following the provisions of the Welborne Plan. This Strategy which will reflect commitment to the delivery of significant biodiversity enhancement at Welborne, though its comprehensive network of open space and SANGs. Furthermore, it is important to note that these Biodiversity Net Gain requirements are yet to be legislated at a national level, and thus exact provisions and expectations are yet to be set out by Government. Thus, it could be questioned whether Policy NE2 is in fact premature, although this may be resolved depending on the time this plan is examined, and thus can be reviewed in this context by the Inspector at a later date.

Finally, we would also wish to support the viability work which has been undertaken by the Council to underpin this Local Plan. We particularly support the recommendation that a zero CIL rate should be applied to Welborne, given the scale of infrastructure contribution to be provided through the Welborne S106 agreement, and the viability discussions which have been undertaken as a part of the Welborne Outline Planning Application.

We look forward to formal confirmation that these comments have been received and processed. We also look forward to the opportunity to comment on the further phases of consultation on this plan, and are available to attend, and contribute to the local plan examination as required. If you have any questions or queries regarding the points raised in this letter, please do not hesitate to be in touch with me at your earliest convenience.

Yours sincerely

JOSEPH CARR
Associate

encs

cc.

Lee Smith	FBC
Rachael Hebden	FBC
Mark Thistlethwayte	BDL
John Beresford	BDL
Fiona Gray	BDL
Paul Willoughby	BDL

The countryside charity
Hampshire

[redacted]

Working locally and nationally for a beautiful
and living countryside

15th December 2020

FAO: planningpolicy@fareham.gov.uk

Fareham Local Plan 2037 Publication
Regulation 19 Consultation

Dear Sirs,

Please find attached comments from CPRE Hampshire regarding the Regulation 19 Fareham Local Plan 2037 consultation.

Firstly, a general point; CPRE Hampshire is extremely pleased to see that Fareham BC have approached their new Local Plan from a landscape-based perspective, a process which we wholly support. Furthermore, we fully endorse Fareham BC's inclusion of a Climate Change policy, which must underpin all other policies and spatial planning.

Furthermore, we are pleased to see that Fareham have adopted housing numbers based on the latest available housing projections from the ONS, the 2018-based projections, which show a considerable reduction in estimated local need.

However, we remain disappointed that there seems to be no mention of a potential new South Hampshire **Green Belt** in the Reg 19 consultation. In an earlier consultation by Fareham BC in July 2019, there were a number of mentions of this option, notably in Section 10c regarding the Meon Valley, where it said "The Council will also be working with PUSH to consider the potential for greenbelt land across local authority areas, and there could be scope for this area to become part of a South Hampshire greenbelt." As CPRE Hampshire has long campaigned for a sub-regional area of restraint in order to encourage urban regeneration and prevent sprawl, this was very much welcomed. Sadly, this does not seem to have been included in the Reg 19 document, and we consider its exclusion to be a significant wasted opportunity, as the NPPF allows local authorities to designate Green Belt as part of the Local Plan process. It has been agreed that the PfSH authorities are to consider a new Green Belt as part of their forthcoming Statement of Common Ground and we would have hoped to see Fareham BC leading the way.

CPRE Hampshire has completed Response forms for individual policies which are attached below this letter, but in summary our headline comments are as follows:

Development Strategy

Strategic Policy DS1 Development in the Countryside: CPRE Hampshire agrees with these principles but notes that a South Hampshire Green Belt could aid considerably in achieving these goals.

Strategic Policy DS2 Strategic Gaps: We note the decision to re-define strategic gaps (the Meon and Fareham-Stubbington gaps) and suggest that a new Green Belt could achieve this. An area could easily be defined to encompass the Meon Valley, which could link to an area of larger Green Belt to the north of the Borough in Winchester District.

Strategic Policy DS3 Areas of Special Landscape Quality: CPRE Hampshire agree with Fareham BC's analysis of the Borough's varied landscapes and supports any intention to define them as Areas of Special Landscape Quality, illustrated in Figure 3.3. However, CPRE Hampshire suggests that some of these could be further protected if they also formed part of a wider South Hampshire Green Belt, in particular the Upper Hamble Valley, the Meon Valley, the Forest of Bere and Portsdown Hill.

Climate Change

Strategic Policy CC1 Climate Change: CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. The aspirations in Policy CC1 are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. We consider that this is a missed opportunity. However, we feel that Criterion a) does not go far enough. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes "Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle." It must be a fundamental tenet of the Fareham Local Plan that NO development should be permitted that relies on the car as its main means of access.

Nothing less than a drastic change to spatial strategy and a move away from South Hampshire's historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture. The adoption of a South Hampshire Green Belt would assist this by encouraging urban redevelopment, and preventing sprawl into the countryside where modal change to walking, cycling and public transport is very much more difficult to achieve.

Housing

Policy H1 Housing: CPRE Hampshire recognises that the current guidance from MHCLG requires the calculation of local housing need (LHN) based on figures from the 2014-based household projections, although a recent MHCLG consultation suggested a new methodology. Whatever the methodology, CPRE Hampshire supports Fareham BC in using the most up-to-date household figures based on the 2018-based projections. We also welcome the removal of Policy HA2 from the Reg 19 Local Plan.

Policy HA1 Warsash: CPRE Hampshire does not believe that the proposed development around Warsash can be consider truly sustainable, reliant as it is on the car as the main means of transport. We are concerned about the lack of a masterplan and believe the proposed framework does not fulfil a place making function.

Policy HP4 Five-Year Housing Land Supply: CPRE Hampshire has significant concerns about the unintended consequences of this policy, specifically its linkage with DS1, and believe that it may lead to site selection looking outside the Urban Area in the first instance.

Policy HP6 Exception Sites: The potentially inadvertent use of the word OR in Criterion c) could allow significantly large exception sites to be allowed, as long as they remain below the threshold of 5% of the size of the adjacent settlement. There should be a fixed upper limit.

Natural Environment

Strategic Policy NE1 Protection of Nature Conservation, Biodiversity and the Local Ecological Network: CPRE Hampshire supports the use of ecological network mapping to conserve nature and protect biodiversity and as a tool for influencing spatial planning.

Policy NE2 Biodiversity Net Gain: CPRE Hampshire supports the requirements for 10% biodiversity net gain on all development.

Policy NE4 Water Quality effects on the SPAs, SACs and Ramsar sites of the Solent: CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse the proposed policy until the legal issues have been resolved.

Policy NE6 Trees, Woodlands and Hedgerows: CPRE Hampshire agrees with any policy that supports the preservation or enhancement of trees, woodlands and hedgerows.

Policy NE8 Air Quality: CPRE Hampshire supports the requirements for air quality improvement but considers more could be achieved if development were only to be permitted in locations around mass public transport hubs, rather than being car dependent.

Policy NE9 Green Infrastructure: CPRE Hampshire agrees that green infrastructure is important to the wider ecological network and to the health and wellbeing of residents but suggests that it would be better protected in perpetuity were it to be formalised as part of a new Green Belt.

Transport and Other Infrastructure

Strategic Policy TIN1 Sustainable Transport: CPRE Hampshire recognises that Fareham BC aspire to have 'good growth' with existing and proposed transport corridors influencing choice of development, but we feel the policy does not go far enough. The Council should feel empowered to reject development which is not already located around, or can provide, public mass transit hubs, in particular the rail network.

The principles of development and transport as set out in the Transport for New Homes checklist should be followed - https://www.transportfornewhomes.org.uk/the-project/checklist-for-new-housing-developments/.

Design

Strategic Policy D1 High Quality Design and Placemaking: The design quality of future developments starts with overall masterplanning and landscape context as well as specific building details. Fareham has seen a proliferation of poorly designed car dependant nondescript developments over recent years, and it is critical that major improvements are made for the future.

Yours faithfully,

Caroline Dibden

Vice-President
CPRE Hampshire

The countryside charity
Hampshire

A1 Is an Agent appointed:

No, an agent is not appointed

A2 Please provide your details below:

Title:	**Mrs**
First Name:	**Caroline**
Last Name:	**Dibden**
Job Title:	**Vice-President**
Organisation:	**CPRE Hampshire, the countryside charity**
Address:	[redacted]
Telephone:	[redacted]
Email Address:	[redacted]

POLICY DS1: Development in the Countryside

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.29 – 3.36

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS1: Development in the Countryside

B1c Which part of the Policies Map?

Areas of Special Landscape Quality and Strategic Gaps

a) East of Welborne,
b) the Strategic Gap along the Meon, and
c) to the north-west of the borough.

2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire STRONGLY SUPPORTS the overall approach taken by Fareham BC in the Fareham Local Plan 2037 for a spatial strategy based on countryside, which is justified as it is in accordance with the aspirations as set out in the NPPF for development to be brownfield first, and for countryside to be protected for its intrinsic value and beauty, and for protection of Best and Most Versatile agricultural land. It is also supported by the Government's 25-year Environment Plan and for the recommendations as set out by the Climate Change Committee.

Furthermore, CPRE Hampshire SUPPORTS the Vision for the Fareham Local Plan 2037 which states that Fareham BC seek to retain its identity, and the identity of individual settlements within the Borough, through measures that seek to retain the valued landscapes and settlement definition.

We also SUPPORT Strategic Priority 2 which seeks to maximise development in the urban area and away from the wider countryside, valued landscapes and those of special quality and spaces that contribute to settlement definition.

CPRE Hampshire believes that the Vision and Strategic Priority 2 would both be better achieved if a new Green Belt was designated, due to its permanence and effectiveness. We submitted to Fareham BC and to PfSH a report by NEF Consulting on the potential socio-economic and environmental benefits of a Green Belt: https://www.cprehampshire.org.uk/our-campaigns/south-hampshire-green-belt/. This demonstrates the considerable financial benefits as well as to health and wellbeing, climate change and natural capital of protecting the green space near to population centres, in perpetuity, something that only Green Belt is designed to achieve.

Looking at the specific policy wording, CPRE Hampshire believes that criterion (e) of **Policy DS1** is unsound, specifically in the way it permits development in the countryside that is compliant with Policies **HP4, HP5 and HP6**. Permissions that might be compliant with these polices appear to be in direct contradiction with the other criteria in **Policy DS1**, and the policy is therefore internally inconsistent.

HP4 relates to the Five Year Housing Supply (5YHLS) and allows residential development outside the urban area boundary where the Council is unable to demonstrate a 5YHLS. It is believed that the Government intends to remove 5YHLS test in the planning reforms, so this policy may be redundant and should be reworded to future proof its deletion. However, that notwithstanding, the main problem is that the wording of Policy HP4 and its linkage with **DS1** could unintentionally lead to countryside locations taking priority over alternative, more sustainable, urban or brownfield locations.

HP5 relates to the provision of affordable housing on sites of 10 or more, and its linkage to **DS1** could unintentionally suggest that Fareham BC accepts in principle the development of ANY affordable housing site outside the urban area boundary. The risk is that the linkage could potentially enable large scale housing development in the countryside as long as it could be demonstrated that 40% affordable housing would be achieved.

HP6 relates to small rural affordable housing exception sites, and whilst CPRE Hampshire supports the provision of rural affordable housing, the concern is that the linkage with **DS1** could inadvertently lead to a series of separate applications which in combination amount to significant levels of development in the countryside. The cumulative impact on the separation of settlements resulting from a number of sites each individually sub- 1 hectare or <5% of the adjacent settlement must be considered, but at the moment the policy has no mechanism for dealing with this potential eventuality. See separate comments on **Policy HP6** as regards the use of the word *OR*.

CPRE Hampshire SUPPORTS criteria i) to v) of **Policy DS1** and believe they provide a sound underpinning of the principles aspired to by Fareham BC.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Fareham BC should look at the areal extent of a possible South Hampshire Green Belt as part of this Local Plan, as it has been confirmed by Leader Cllr Woodward that they wish to see such a designation to protect the countryside and gaps.

Remove the linkage of **Policies HP4, HP5 and HP6** with **Policy DS1**.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Including a proposed South Hampshire Green Belt would be in accordance with the aspirations as set out by the Council in council meetings, PfSH meetings and in press releases.

Removing the linkage of **Policies HP4, HP5 and HP6** with **Policy DS1** would remove the internal inconsistency by removing the possibility of inadvertent development in the countryside.

B4c Your suggested revised wording of any policy or text:

Remove the linkage of **Policies HP4, HP5 and HP6** from Policy **S1 (e).**

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for Local Plans to take the countryside into account when devising spatial development strategy, and we would like to appear at the Hearings to support Fareham BC in choosing this approach. Our expertise lies in spatial strategy and reconciling development requirements with the environmental constraints of countryside, and its uses and purposes.

POLICY DS2: Development in Strategic Gaps

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.43 to 3.46, Para 3.10

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS2: Development in Strategic Gaps

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC to designate strategic gaps between Fareham / Stubbington and the Western Wards (Meon Gap) and between Fareham / Bridgemary and Stubbington / Lee-on-the-Solent (Fareham- Stubbington Strategic Gap). However, a study carried out on behalf of CPRE Hampshire in January 2019, by consultants West Waddy, showed that historically strategic gaps in South Hampshire have failed to adequately prevent coalescence of settlements. This report was shared with Fareham BC as a member of the Partnership for South Hampshire, and can be submitted as part of our evidence on this matter to the examination hearings.

"An Assessment of the Effectiveness of Settlement Gap Policies in South Hampshire in preventing Urban Sprawl & the Coalescence of Settlements" – January 2019, West Waddy.

The conclusions show that through appeals and permissions the gaps designated in South Hampshire (including Fareham) have been significantly reduced over time, and are thus an ineffective policy and thus unsound. Para 3.10 confirms that this has been the case in Fareham.

The findings of this report show that "In the national context, South Hampshire is fairly unique among the large urban areas in England in having no designated Green Belt, with reliance instead being placed upon Gaps designated in Local Plans to prevent the coalescence of settlements."

Furthermore "given the major urban extensions currently being proposed and the past history of erosion of Gaps through subsequent permissions being granted, a strong argument can be made that the current Gap policies across the sub-region are failing in their remit to prevent coalescence and sprawl, which is ultimately likely to lead to currently separate settlements forming one large South Hampshire conurbation and expanding out into the adjoining areas of countryside. The exceptional circumstances therefore exist to demonstrate that a new stronger policy backed by explicit Government advice is needed to prevent this happening and the tool for this is a Green Belt, which is already in use around most large urban areas in England. South Hampshire is the exception in having no such designation."

CPRE Hampshire has submitted to Fareham BC and to PfSH a report by NEF Consulting on the potential socio-economic and environmental benefits of a Green Belt: https://www.cprehampshire.org.uk/our-campaigns/south-hampshire-green-belt/

Notwithstanding the above comments regarding a new Green Belt, CPRE Hampshire SUPPORTS the removal of the earlier proposed Strategic Growth Area SGA, previously entitled HA2 (in the Reg 18 consultation version) from the now proposed Fareham-Stubbington Strategic Gap. The previous inclusion of the SGA was clearly subject to objections by neighbouring Gosport BC, which would have undermined any Duty to Co-operate and thus soundness. It was also objected to by many CPRE members and is therefore of concern to us.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Fareham BC should look at the areal extent of a possible South Hampshire Green Belt as part of this Local Plan, as it has been confirmed by Leader Cllr Woodward that they wish to see such a designation to protect the gaps between settlements.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Including a proposed South Hampshire Green Belt would be in accordance with the aspirations as set out by the Council in council meetings, PfSH meetings and in press releases, and would lead to a much more rigorous policy to prevent coalescence which is Fareham BC's stated aim.

A need for a South Hampshire Green Belt was confirmed by Cllr Woodward in the Fareham BC Executive Committee at 6pm on Monday 7th December 2020. Its omission from the Reg 19 Local Plan consultation is thus not in accordance from the council's own publicly announced policy.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for a new South Hampshire Green Belt, and we would like to appear at the Hearings to further explain our justification and why Fareham merits the exceptional circumstances required to designate a new Green Belt. We have a petition which has been signed by nearly 15,000 people asking Fareham BC (alongside Eastleigh BC, Winchester CC and Test Valley BC) to designate a Green Belt as part of its Local Plan process.

POLICY DS3: Landscape

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.48 to 3.58

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS3: Landscape

B1c Which part of the Policies Map?

All Areas of Special Landscape Quality

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE fully SUPPORTS the approach taken by Fareham BC in respect of analysing and including Areas of Special Landscape Quality as part of its development strategy and as Strategic Policy S3. This is in accordance with the aspirations outlined in the NPPF to value landscape for its intrinsic character and beauty of the countryside, as outlined in NPPF Para 170 a) and b).

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for Local Plans to take landscape into account when devising spatial development strategy, and we would like to appear at the Hearings to support Fareham BC in choosing this approach. Our expertise lies in spatial strategy and reconciling development requirements with the environmental constraints of, and impacts upon, the wider landscape.

POLICY H1: Housing Provision

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 4.1 to 4.20

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy H1: Housing Provision

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

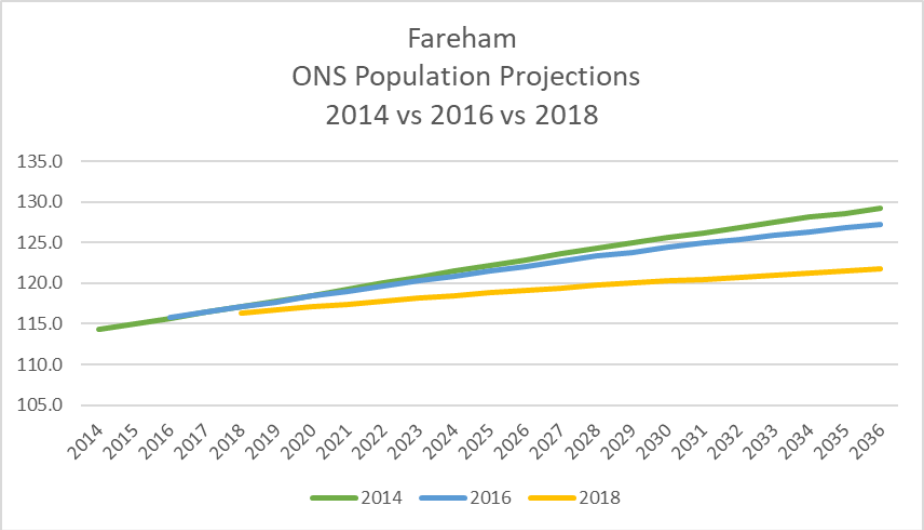
B3 Please provide details you have to support your answers above

The approach taken by Fareham BC to calculating housing need for this Reg 19 version is based upon the MHCLG consultation on a new standard method in August 2020, which showed Fareham's housing need to be lower (403 dpa) than using the previous standard method (514 dpa). CPRE Hampshire SUPPORTS the use of the latest base data on household projections (the 2018-based projections from the ONS) as it conforms with Para 31 of the NPPF "The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals."

As can be seen from the graph below, the most up-to-date population projections (in 000's) for Fareham evidences the trend towards a lower requirement, and this would translate into a lower household projection. The impact of Covid-19, and corresponding economic fallout, on migration patterns will remain unclear for some time, and it is therefore sensible to use a cautious approach to planning and development.

However, for Fareham to agree to take unmet need from Portsmouth is premature, predating as it does the revised statement of common ground from PfSH, and therefore Policy H1 is unsound.

It is also clear that there remains a significant reliance on delivery of housing at Welborne, which is subject to a separate plan. Delays to infrastructure finding at Welborne could have an impact on Fareham's overall strategy for delivery of its housing needs in the plan period.



B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Remove the requirement to take housing from Portsmouth CC.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a recognised authoritative voice on Hampshire's housing numbers, the standard methodology and has been involved in this aspect of Fareham's Local Plans since the time of the South East Plan in 2005, and the formation of PfSH (Partnership for South Hampshire).

CPRE Hampshire is part of an expert group in the National CPRE network on housing numbers, and would like to appear at the hearing sessions to SUPPORT the use of the most up-to-date household projections.

POLICY HA1: North and South of Greenaway Lane, Warsash

B1 Which part of the Local Plan is this representation about?

	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA1 North and South of Greenaway Lane, Warsash

B1c Which part of the Policies Map?

Figure 4.1

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire has significant concerns about the piecemeal development already seen, and proposed, in the Warsash area. Population growth in the 10 years 2009-2019 has reached 9% in Warsash and the western wards, while Fareham itself has only grown by 4%. As Warsash has no access to the rail network, this pattern of development could not be considered sustainable. It therefore fails the soundness tests.

An indicative framework as shown in Figure 4.1, but this does not meet the requirements for a masterplan, and it is not adequate for long-term planning to integrate the various separate sites and applications by a series of different developers. Policy HA1 will fail to meet any government aspirations for placemaking as set out in the NPPF Chapter 12, Paras 124 to 130, and is therefore unsound.

Para 124 of the NPPF states “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

Para 125 of the NPPF states "Design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics." It is apparent from discussion with CPRE Hampshire members that there has not, to date, been any meaningful involvement of local communities.

It is clear that the settlement policy boundaries have been moved to accommodate the applications pending for Warsash. This is not consistent with a plan-led approach but is simply reactive to a developer-led situation, and takes no account of the area's defining features.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

More analysis of the sustainability criteria for the overall development strategy, such as access to public transport is required before sites such as HA1 are confirmed. Has every opportunity for brownfield development around rail networks been ruled out?

Much more consultation with the local community is required before the proposed HA1 framework meets NPPF prerequisites.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has worked for some years with local campaign group Save Warsash and the Western Wards, and a number of our members will be affected by the proposals for such a large allocation of housing to one small settlement. We would like to take part in the hearing sessions to represent their concerns for initial choice of an unsustainable site, loss of countryside and open space in Warsash, and poor design due to lack of a masterplan.

POLICY HP4: Five-year housing land supply

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 5.22 to 5.28

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy HP4: Five-year housing land supply

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

Policy HP4 states "If the Council cannot demonstrate a five-year supply of land for housing against the housing requirement set out in Policy H1, additional housing sites, outside the Urban Area boundary, may be permitted where they meet all of the following criteria….." The problem with this policy is that inadvertently it encourages the first choice of sites to be "outside the Urban Area". CPRE Hampshire is sure that this is not what Fareham BC intends, and in any event it would not be in accordance with the councils own aspirations for a brownfield first approach, nor in accordance with the NPPF Para 137, and is therefore unsound. A sequential approach should be used, even in the event of a lack of a five-year housing land supply.

The problem is exacerbated by the linkage of **Policy HP4** with **Policy DS1**, particularly **DS1 Criterion (e)** as discussed above**.**

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HP4 should be rewritten to include a sequential approach, which "makes as much use as possible of suitable brownfield sites and underutilised land" as per Para 137 (a) of the NPPF.

The linkage of **Policy DS1 (e)** and **Policy HP4** should be removed.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be in accordance with the NPPF.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is part of an expert group in the National CPRE network on housing numbers, and the five-year housing land supply, and would like to appear at the hearing sessions to discuss its impact on the Fareham Reg 19 Local Plan.

POLICY HP6: Exception Sites

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 5.43 to 5.51

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy HP6: Exception sites

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The second part of **Policy HP6, Criterion (c)**, would allow exception sites with a limit of 1 hectare *OR* a proviso that the scheme does not exceed 5% of the size of the adjacent settlement. The problem is the word OR, as this could lead to large sites adjacent to large settlements being permitted as they would still be beneath the 5% cut-off. For example, Fareham town is a large settlement, of some 20,000 households, and so an exception site of up to 5% could itself number 1,000 dwellings. CPRE Hampshire is sure that this is not what was intended by Fareham BC as the aspiration is for small sites on urban boundaries.

The problem is exacerbated by the linkage of **Policy HP6, Criterion (c)**, with **Policy DS1**, particularly **DS1 Criterion (e)** as discussed above**.**

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HP6 should be rewritten to include a sequential approach, which "makes as much use as possible of suitable brownfield sites and underutilised land" as per Para 137 (a) of the NPPF.

Criterion c) should be reworded to remove the reference to *OR* 5% of the size of the adjacent settlement and have a fixed upper limit of what is meant by 'small sites' as identified in the justification text (Para 5.46).

The linkage of **Policy DS1 (e)** and **Policy HP6** should be removed.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Any ambiguity on what a "small site" means would be removed giving clarity for applicants and for FBC.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of affordable housing, such that it is located and designed appropriately, and would like to appear at the hearing sessions to discuss the impact of Policy HP6 on the Fareham Reg 19 Local Plan.

STRATEGIC POLICY CC1: Climate Change

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 8.1 to 8.10

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy CC1: Climate change

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		**NO**
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire generally SUPPORTS the approach taken by Fareham BC to Climate Change. But we believe that **Policy CC1, Criterion (a)** does not go far enough to encourage/enforce a truly sustainable pattern of development and is unlikely to lead to a meaningful reduction of emissions from private car use.

Section 19(1A) of the Planning and Compulsory Purchase Act 2004 requires that a local authority's development plan documents must: (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.

The NPPF Para 148 further includes the requirement that "the planning system should support the transition to a low carbon future in a changing climate", should "shape places in ways that contribute to radical reductions in greenhouse gas emissions" and Footnote 48 "in line with the objectives and provisions of the Climate Change Act 2008."

CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. The aspirations in **Policy CC1** are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. We consider that this is a missed opportunity. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes "Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle." It must be a fundamental tenet of the Fareham Local Plan that NO development should be permitted that relies on the car as its main means of access.

Nothing less than a drastic change to spatial strategy and a move away from South Hampshire's historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture.

Policy CC1 is therefore not legally complaint unless the large part of Fareham's spatial strategy is geared to development around mass public transport hubs and avoiding sites which are car-dependant. It is clear that sites such as Policy HA1 would fail to meet this condition.

CPRE Hampshire recommends the checklist provided by Transport for New Homes, which sets out an objective approach to planning new housing areas without dependence on cars: https://www.transportfornewhomes.org.uk/wp-content/uploads/2019/10/checklist.pdf

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

CPRE Hampshire recommends strengthening **Policy CC1, Criterion (a)** to enable a spatial strategy more likely to meet the requirements set out in Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and the NPPF, by including a requirement for mass public transport hubs to be the first approach for development, and to enable Fareham to refuse car-dependent applications.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be in accordance with Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and the NPPF Para 148.

B4c Your suggested revised wording of any policy or text:

(a) A development strategy that minimises the need to travel by allocating sites and generally directing development to locations **near to mass public transport hubs**, with better services and facilities, or where they are capable of being improved.

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning housing, such that it is located and designed appropriately around public transport hubs to minimise emissions and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy CC1** in this regard.

POLICY NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.5 to 9.27

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

B1c Which part of the Policies Map?

The Local Ecological Network map in Appendix C

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The approach taken by Fareham BC is sound, and CPRE Hampshire SUPPORTS the requirement for nature to be conserved and ecological networks to be protected as per the forthcoming Environment Act.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning development, such that it is located and designed appropriately to conserve and enhance the biodiversity of the area and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE1** in this regard.

POLICY NE2: Biodiversity net gain

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.28 to 9.44

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE2: Biodiversity net gain

B1c Which part of the Policies Map?

The Local Ecological Network map in Appendix C

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The approach taken by Fareham BC is sound, and CPRE Hampshire SUPPORTS the requirement for biodiversity net gain as per the forthcoming Environment Act.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning development, such that it is located and designed appropriately to see a net gain in biodiversity of the area, and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE2** in this regard.

POLICY NE4: Water quality effects on the SPAs, SACs and Ramsar sites of the Solent

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.50 to 9.54

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE4: Water quality effects on the SPAs, SACs and Ramsar sites of the Solent

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		**NO**
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse the proposed policy until the legal issues have been resolved.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire's remit covers protection and enhancement of both land and seascape, including Hampshire's iconic chalk streams and rivers, and the Solent. In the absence of an outcome on the legal matters, the hearing session may be the first opportunity to evaluate the effectiveness and legality of the proposed policy.

POLICY NE6: Trees, woodland and hedgerows

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.79 to 9.89

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE6: Trees, woodland and hedgerows

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE6** is sound. The Climate Change Committee has called for a 40% increase in the extent of hedgerows by 2050 to help tackle the climate emergency, and we would thus like to see more hedgerows planted and restored in Fareham BC.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

NO Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

POLICY NE8: Air quality

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.98 to 9.118

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE8: Air quality

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE8** is sound.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

NO Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

POLICY NE9: Green infrastructure

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.119 to9.125

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE9: Green infrastructure

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE9** is sound. However, we believe that a link with **Policy HE1** should be included within **Policy HE9** itself, rather than just within the supporting text in **Para 9.122**. CPRE Hampshire further believes that much better Green Infrastructure provision could be safeguarded over the long term if it were to be incorporated within a South Hampshire Green Belt.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of green infrastructure alongside planning development, such that it is located and designed appropriately, in order to benefit biodiversity, natural capital, but also residents' health and wellbeing. We would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE9** in this regard, and to discuss whether a South Hampshire Green Belt could ensure green infrastructure is protected in perpetuity.

POLICY TIN1: Sustainable transport

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 10.1 to 10.11

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy TIN1: Sustainable transport

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy TIN1** to be a good starting point. CPRE Hampshire recognises that Fareham BC aspire to have 'good growth' with existing and proposed transport corridors influencing choice of development, however we feel **Policy TIN1** does not go far enough. The Council should feel empowered to reject development which is not already located around, or can provide, public mass transit hubs, in particular the rail network. The policy as it stands does not give Fareham BC a sufficiently robust mechanism for achieving this. It is therefore unlikely to comply with the aspirations to meet climate change objectives as set out in **Policy CC1** or for air quality in **Policy NE8**.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

The principles of development and transport as set out in the Transport for New Homes checklist should be followed - https://www.transportfornewhomes.org.uk/the-project/checklist-for-new-housing-developments/.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

The policy would then comply with climate change and air quality objectives.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning housing, such that it is located and designed appropriately around public transport hubs to minimise emissions and impacts on climate change. We would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy TIN1** in this regard.

POLICY D1: High quality design and place making

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 11.1 to 11.36

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY D1: High quality design and place making

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire welcomes the approach taken by Fareham BC towards high quality design in **Policy D1** but would like to see the inclusion of the words countryside and landscape into **Criterion (i)**. The omission of these words makes it inconsistent with **Strategic Policies DS1 and DS3** and therefore unsound.

The design quality of future developments starts with overall masterplanning and landscape context as well as specific building details. Fareham has seen a proliferation of poorly designed car dependant nondescript developments over recent years, and it is critical that major improvements are made for the future.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include the words countryside and landscape into **Criterion (i).**

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

This would then be in accordance with **Strategic Policies DS1 and DS3**.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire has many members in Fareham who are keenly interested in the design of future developments and would like to see major improvements over previous failures in design quality, which has historically resulted in large spawling estates of car-dependant nondescript housing.

DAVID LOCK ASSOCIATES

Gayle Wooton
Fareham Borough Council
Civic Offices
Civic Way
Hampshire
PO16 7AZ

18th December 2020

BDL010 / JGC

Dear Gayle

FAREHAM DRAFT LOCAL PLAN 2037 – PUBLICATION VERSION

Response on behalf of Buckland Development Limited

We are pleased to respond to the above consultation on behalf of our clients, Buckland Development Ltd (Buckland). As you are aware, Buckland are the promoters and development managers of Welborne. The Outline Planning Application for Welborne was submitted in March 2017 and is expected to be determined imminently, with reserved matters applications and construction to follow in the coming years. It is in this context we write to respond to the above consultation. We have also responded to the online questionnaire with answers supporting the points raised below.

Welborne, as the single largest site in the Borough, is of strategic importance to Fareham and the wider area as a whole. Buckland are committed to delivering Welborne and the aspirations of the Welborne Plan, as set out in the outline planning application. However, as you will be aware, the draft planning conditions associated with the proposed planning permission include a condition which restricts development at Welborne until funding for the M27 J10 has been secured. The Welborne Outline Planning Application commits £20m of developer funding to the junction improvements.

Since the planning committee in October 2019, the funding situation has worsened, with c. £30m of government funding now being reallocated to other schemes in the region. This leaves an estimated funding gap of c.£50m. Therefore, despite planning permission being imminent, development at Welborne cannot occur until this significant hurdle is overcome. Whilst Buckland generally support the Council's position to not revisit the detailed policies of the Welborne Plan, and consider it sound, consideration must be given to methods to unlock delivery at Welborne, especially given Welborne's role in the development plan, and its importance in ensuring the development plan is sound.

Given the need to deliver substantial infrastructure to support the community, opportunity to reduce the costs of this infrastructure is low. Reviewing the policies and requirements of the Welborne Plan, the only opportunity which gives flexibility to reinvest further development receipts into M27 J10 is to provide 10% affordable housing in the initial phases of development. However, even at

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DAVID LOCK ASSOCIATES

lower affordable housing levels within the parameters of Welborne Plan policy (with a minimum requirement of 10% affordable housing and a viability review process to increase affordable housing later in the development programme), Welborne cannot viably support funding an increased M27 J10 contribution. This is evidenced in the viability work undertaken as part of the outline planning application, as presented to planning committee in October 2019, which states that Welborne can only support 10% affordable housing in the initial phases with £20m of developer funding. Should the developer funding increase, the amount of affordable housing which Welborne could viably support will reduce accordingly.

Whilst discussions are ongoing with FBC on methods to overcome these obstacles to Welborne's delivery, consideration must be given to methods to increase flexibility to enable Welborne to be able to deliver homes. This could be through edits to the Welborne Plan requirements, or through the removal of the condition which restricts development at Welborne until funding for the M27 J10 has been secured. This would enable development to start on site, whilst further funding was sought.

The need to unlock delivery at Welborne is paramount, as Welborne is critical to achieving the short- and long-term aspirations of this Local Plan, with a large proportion of FBCs housing requirement (and employment floorspace) expected to be delivered at Welborne within the plan period to 2037. Therefore, **Welborne's delivery is crucial to enable the development strategy of this plan to be considered justified and effective, which is imperative for the plan as a whole to be considered sound.**

On more specific matters, we support the designation of the land to the east of Welborne as a special landscape area (under draft Policy DS3), which is reflective of its local importance and, due to the area's topography, prevents the visual encroachment of the urban area to the open countryside to the north of FBCs administrative boundary. We consider this approach to be both legally compliant and sound.

We also support the position outlined in paragraph 9.30 of the draft plan, in relation to Biodiversity Net Gain requirements, as Buckland are in the process of agreeing a bespoke biodiversity enhancement strategy with FBC, following the provisions of the Welborne Plan. This Strategy which will reflect commitment to the delivery of significant biodiversity enhancement at Welborne, though its comprehensive network of open space and SANGs. Furthermore, it is important to note that these Biodiversity Net Gain requirements are yet to be legislated at a national level, and thus exact provisions and expectations are yet to be set out by Government. Thus, it could be questioned whether Policy NE2 is in fact premature, although this may be resolved depending on the time this plan is examined, and thus can be reviewed in this context by the Inspector at a later date.

Finally, we would also wish to support the viability work which has been undertaken by the Council to underpin this Local Plan. We particularly support the recommendation that a zero CIL rate should be applied to Welborne, given the scale of infrastructure contribution to be provided through the Welborne S106 agreement, and the viability discussions which have been undertaken as a part of the Welborne Outline Planning Application.

We look forward to formal confirmation that these comments have been received and processed. We also look forward to the opportunity to comment on the further phases of consultation on this plan, and are available to attend, and contribute to the local plan examination as required. If you have any questions or queries regarding the points raised in this letter, please do not hesitate to be in touch with me at your earliest convenience.

Yours sincerely

JOSEPH CARR
Associate

encs

cc.

Lee Smith	FBC
Rachael Hebden	FBC
Mark Thistlethwayte	BDL
John Beresford	BDL
Fiona Gray	BDL
Paul Willoughby	BDL

Sent by email to: consultation@fareham.gov.uk

15th December 2020

Dear Sir/Madam,

Response to the consultation on the Fareham Borough Local Plan 2037

Foreman Homes would like to thank Fareham Borough Council for giving us the opportunity to comment on the emerging Local Plan. We would welcome, in due course, participating in hearings of the Examination in Public.

The following comments are related to:

- Policy H1: Housing Provision
- Policy HP2: New Small-Scale Development outside the Urban Areas
- Policy HP4: Five-year Housing Land Supply
- Policy HP5: Provision of Affordable Housing
- Policy HP9: Self and Custom Build Houses
- Policy NE2: Biodiversity Net Gain
- Policy HA1: North and South of Greenaway Lane
- Policy HA15: Beacon Bottom West, Park Gate
- Policy HA27: Land off Rookery Avenue
- Policy HA34: Sovereign Crescent

Policy H1: Housing Provision

The policy is not sound as it is not consistent with national policy.

Housing Requirement

Paragraph 4.2

The paragraph sets out how the housing need is determined through the use of the standard methodology set out in National Planning Practice Guidance (PPG). Under this method the housing need for Fareham currently stands at a minimum 514 dwellings per annum (dpa), the Council have

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not however, adopted this method in calculating the housing need. As it is rightly said, in August 2020 the Government released a consultation on a new standard methodology and this is how the housing requirement has been calculated. This methodology is, however, yet to be adopted and therefore the resultant identified housing requirement figure set out in the policy falls way below what is currently required to accommodate the growing need in the Borough (as per the current standard methodology). Due to this shortfall, the policy is contrary to paragraph 60 of the National Planning Policy Framework which states that the strategic policies should be informed by a local housing need assessment, conducted using the standard method in the NPPG, and therefore the Council's approach to calculating housing need is incorrect and considered unsound.

Housing Supply

Paragraph 4.8

The paragraph sets out that in order to meet the requirement, the Council have taken into account existing commitments including applications that have 'resolution to grant' which equate to 4,858 (including Welbourne). The latest Five Year Housing Land Supply Position (June 2020) sets out that Planning Inspectors found that applications with a 'resolution to grant planning permission' are not considered deliverable in terms of the definition set out in Annex 2 of the NPPF. The sites with resolution to grant, except for those that relate to allocated housing sites within the Council's adopted Local Plan, should not be included in the five year housing land supply calculations. A number of sites are dependent on nutrient neutrality solutions, and although these are now starting to come forward there is no guarantee these sites will be deliverable. It is not clear as to whether these figures have been removed from the projected land supply calculation in the Local Plan 2037, but if they haven't these numbers need to be adjusted to reflect the projected housing land supply.

Housing Provision

Paragraph 4.19

The paragraph sets out a number of previous housing allocations that have been removed as they are considered to be no longer available or suitable. Not all sites have been have been examined as part of these comments, however, the removal of allocations HA16 (Military Road) and HA20 (North Wallington and Standard Way) is considered unjustified (Appendix 1). These sites are available and are also suitable for development in the short term, these sites were identified in the SHELAA as being suitable, available and achievable (Appendix 2). There has been no change in circumstances since

these sites were allocated in the previous iteration of the plan, therefore they should not be removed. There are live applications for both sites (ref: P/19/0130/OA and P/19/0894/OA). The allocation site HA16 would contribute 26 self-build dwellings and HA20 would provide 29 dwellings towards the housing numbers. These sites are important in bringing forward housing numbers to meet Fareham's land supply. The de-allocation of the self-build site is contrary to policy 61 of the NPPF which states that "housing need for different groups (including those wishing to commission or build their own homes) should be assessed and reflected in planning policies". The removal is also contrary to the self and custom build requirement that the Council promotes in Policy HP9 which identifies a need for these dwellings in the Borough. The proposed developments include the provision of both market and affordable units the removal of the allocation is again contrary to paragraph 61 of the NPPF. The removal of these sites is unjustified and will result in the loss of much needed housing, including affordable and self-build, the policy is therefore considered unsound.

Conclusions on Policy H1

The Policy is not sound as considered on the basis that:

- It uses a standard method for assessing housing need that is still out to consultation and potentially subject to change.
- It is not clear as to whether the calculated land supply includes applications which have resolutions to grant, if sites have been incorporated numbers should be adjusted to remove these permissions in accordance with the definition of "deliverable" as set out in the NPPF.
- The removal of allocated sites HA16 and H20 is unjustified as they were previously considered by the Council to be suitable and deliverable and there have been no changes in circumstances.

Policy HA1: North and South of Greenaway Lane

The policy is sound as it is consistent with national policy

The allocation allows for 824 dwellings which make a significant contribution towards the five year housing land supply. The policy is consistent with Paragraph 61 which states the housing needed for different groups in the community should be assessed and reflected in the planning policies, the strategic development will allow for the provision of a different size, type and tenure of houses which will accommodate different groups. The policy is also compliant with paragraph 67 of the NPPF which states *"Planning policies should identify a supply of a) specific, deliverable sites for years one to five*

of the plan period and b) specific, developable sites or broad locations for growth for 6-10 and where possible for years 11-15 of the plan." The site specific policies are positively prepared and effective in accordance with paragraph 35 of the NPPF. The allocation sets out housing numbers which have been incorporated into the five year housing land supply calculations and it is therefore considered essential in bringing forward housing numbers over the plan period.

Foreman Homes have submitted two outline applications on two parcels of land on the northern side of Greenaway Lane. An outline application for the land to the east of Brook Lane (ref: P/17/0845/OA) for the development of up to 180 dwellings with access off Brook Lane has a resolution to grant planning permission. The second application was submitted in 2018 and for residential development of up to 80 dwellings on the site known as land to the west of Lockswood Road (ref: P/18/0590/OA). Both sites are developable and available in the short term and can be built out within years one to five of the plan period once planning permission is granted.

Policy HA15: Beacon Bottom West, Park Gate

<u>The policy is sound as it is consistent with national policy</u>

The allocation allows for 29 dwellings which make a significant contribution towards the five year housing land supply. The policy is consistent with Paragraph 61 which states the housing needed for different groups in the community should be assessed and reflected in the planning policies, the development will allow for the provision of a different size, type and tenure of houses which will accommodate different groups. The policy is also compliant with paragraph 67 of the NPPF (as set out above). The site specific policies are positively prepared and effective in accordance with paragraph 35 of the NPPF. The allocation sets out housing numbers which have been incorporated into the five year housing land supply calculations and it is therefore considered essential in bringing forward housing numbers over the plan period.

There is a current planning application for 29 dwellings (P/18/1258/FP) which meets the policy requirement and is supported by the Council. The site is developable and available in the short term and can be built out within years one to five of the plan period once planning permission is granted.

Policy HA27: Land off Rookery Avenue

The policy is sound as it is consistent with national policy

The allocation allows for 32 dwellings which make a significant contribution towards the five year housing land supply. The policy is consistent with Paragraph 61 which states the housing needed for different groups in the community should be assessed and reflected in the planning policies, the development will allow for the provision of a different size, type and tenure of houses which will accommodate different groups. The policy is also compliant with paragraph 67 of the NPPF (as set out above). The site specific policies are positively prepared and effective in accordance with paragraph 35 of the NPPF. The allocation sets out housing numbers which have been incorporated into the five year housing land supply calculations and it is therefore considered essential in bringing forward housing numbers over the plan period.

There is a current planning application for 32 dwellings (P/19/0870/FP) which meets the policy requirement and is supported by the Council. The site is developable and available in the short term and can be built out within years one to five of the plan period once planning permission is granted. The site is defined as brownfield land, therefore development would make effective use of the land and policy is supported by the NPPF Paragraph 117-119.

Policy HA34: Sovereign Crescent

The policy is sound as it is consistent with national policy

The allocation allows for 38 dwellings which make a significant contribution towards the five year housing land supply. The policy is consistent with Paragraph 61 which states the housing needed for different groups in the community should be assessed and reflected in the planning policies, the development will allow for the provision of a different size, type and tenure of houses which will accommodate different groups. The policy is also compliant with paragraph 67 of the NPPF (as set out above). The site specific policies are positively prepared and effective in accordance with paragraph 35 of the NPPF. The allocation sets out housing numbers which have been incorporated into the five year housing land supply calculations and it is therefore considered essential in bringing forward housing numbers over the plan period.

There is a resolution to grant an application for 38 dwellings (P/18/0484/FP) which meets the policy requirement and is supported by the Council. The site is developable and available in the short term and can be built out within years one to five of the plan period once planning permission is granted.

Policy HP2: New Small-scale Development

The policy is not sound as it is not consistent with national policy.

The overarching principle of this policy is supported, however, the policy as it is currently written is not consistent with national policy. Paragraph 122 and 123 of the NPPF set out that planning policies should support development that makes efficient use of land in order to meet as much of the identified need for housing within the area. The restriction of 4 dwellings on sites on the edge of urban areas may not be constructive to making efficient use of the land as some sites may be able to accommodate more. It is suggested that the threshold be increased to 10 units which would reflect the definition of a minor development as set out in Annex 2 of the NPPF.

Paragraph 5.16

Paragraph 5.16 supports Policy HP2 (New Small-Scale Development Outside the Urban Area) and sets out what is considered to be sustainable in relation to walking distances from the site to nearby facilities. These criteria are based only on walking and not cycling distances, which should be considered as it is another form of transport that the Council is promoting. The distances set out in the criteria should be based on the Manual for Streets which sets out what is considered to be sustainable:

- 800m is a comfortable walking distance.
- 2km is a reasonable walking distance.
- Cycle distance has a range up to 5 miles.

Recommendations

The threshold of not more than 4 dwellings should be amended to a threshold of not more than 10 dwellings.

Walking distances set out in the policy should be changed to be in line with the Manual for Streets. Cycling distances should also be considered as cycling is promoted as a sustainable alternative to the

use of a car. If the distances are set to those currently suggested in the draft plan, a number of sustainable sites will be discounted and the policy would not make sufficient use of land

Conclusions on Policy HP2

Although the Policy is generally supported, as it is written it is currently considered to be unsound:

- The limit of 4 dwellings is not constructive to making the most efficient use of land as set out in paragraphs 122 and 123 of the NPPF
- Sustainable distances only consider walking distances and not cycling or multi modal trips.

Policy HP4: Five-year Housing Land Supply

The policy is sound as it is consistent with national policy

Policy is positively prepared and justified and is consistent with paragraph 35 of the NPPF. The policy reflects the existing policy DSP40 of the Local Plan Part 2 which has allowed for the delivery of dwellings towards the housing land supply of the borough. The continuation of this approach to providing housing land supply is considered appropriate and pro-active. This will allow for a contingency plan if the developments set out in Policy HP1 do not come forward within the plan period and the 5 year housing land supply falls short.

Policy HP9: Self and Custom Build Houses

The policy is unsound as it has not been justified

Although it is agreed that provisions should be made for self and custom build dwellings and applications should be supported in principle, the requirement for sites over 40 to set aside 10% of dwellings is unjustified and inconsistent with national policy.

The requirement would place burdens on house builders which may not be justified. The Self and Custom Build Background Paper suggests that a significant proportion of sites were met through windfall sites and this is likely to continue. Evidence therefore suggests that the Council, through normal development management processes, is supporting sufficient plots to come forward without imposing a requirement on major developments. In addition, Policy H2 will support the delivery of additional sites that will be more attractive to both self and custom build housing. If the demand is being met by smaller sites, as it currently is, there is no requirement or justification to rely on major housing developments, which are likely to be less attractive. The requirement for a developer to wait

12 months before selling a dwelling as it is not required as a self-build is unjustified and reduces the amount of housing available on the open market and as a result reduce housing figures.

Conclusion of Policy HP9

The policy is unjustified and is not positively prepared in accordance with paragraph 35 of the NPPF. The policy is not required there should be deleted.

Strategic Policy E1: Employment Land Provision

The policy is unsound as it is not in accordance with national policy

The policy sets out there is a requirement of 104,000m^2 of new employment floor space required over the plan period and this will be provided over three sites. It is suggested that there is a need for a contingency plan in case these sites do not come forward to meet the required space. A number of employment allocations, which were allocated in the previous iteration of the draft local plan, have been removed which is considered to be unjustified as they were considered sustainable and deliverable and key to bringing forward much needed employment space. It is argued that further sites should be allocated to ensure there is no shortfall if the allocated sites do not come forward or are not suitable for the needs of future employers.

The employment allocation E5 (Standard Way, Appendix 3) included in the previous edition of the emerging Local Plan 2037 was identified as a site that could provide 2000m^2 of flexible employment floor space. This site was identified in the SHELAA as being suitable, available and achievable (Appendix 4). There has been no change in circumstances since these sites were allocated in the previous iteration of the plan, therefore they should not be removed. The site is still available and developable which is evident through the live application on site – P/19/0196/OA.

Conclusion of Policy E1

The reliance on three allocations does not allow for flexibility if these sites do not come forward. The floorspace required over the plan period does not take into consideration fluctuation in the employment market, therefore, further allocations should be included in the policy.

Policy NE2: Biodiversity Net Gain

The policy is unsound as it is not in accordance with national policy

Policy reflects the Government's suggestion that new development should improve the biodiversity on their site to show a 10% net gain over the pre-development baseline. Whilst it is recognised that this is the Government's current favoured position, it is likely that there will be transition period to allow the development industry to adapt to the proposed changes. As such, it is suggested that the policy remains consistent with paragraph 170 of national policy to seek net gains in biodiversity and not include the requirement to show a 10% net gain. A policy without a specific percentage requirement would be consistent with current policy and should the relevant legislation be enacted, as currently proposed, such a policy would be sufficiently flexible to support a 10% requirement and any transition period.

Conclusion of Policy NE2

Although policy reflects the Government's current favoured position a percentage requirement should not be set as it is contrary to paragraph 170 which does not set out a specific percentage.

Conclusion

At present it is not considered that the plan is sound, as measured against the tests of soundness set out in paragraph 35 of the NPPF, for the following reasons:

- Housing needs have not been assessed in accordance with standard methodology as set out in the PPG;
- It is not clear as to whether the calculated land supply includes applications which have resolutions to grant, if sites have been incorporated, numbers should be adjusted to remove these permissions in accordance with the definition of "deliverable" as set out in the NPPF.
- The removal of allocated sites is unjustified
- Policy H2 is inconsistent with national policy with regard to making the most effective use of land;
- Requirement for 10% of plots on sites over 40 units be allocated for self-builders is unjustified;

A number of policies are considered sound in accordance with paragraph 35 of the NPPF in that they are positively prepared, justified and effective. These include:

- Policy HA1: North and South of Greenaway Lane

- Policy HA15: Beacon Bottom West, Park Gate
- Policy HA27: Land off Rookery Avenue
- Policy HA34: Sovereign Crescent
- Policy HP4: Five-year Housing Land Supply

We hope these representations are of assistance in taking the plan forward to the next stage of plan preparation and examination. Should you require any further clarification on the issues raised in this representation please contact me.

Yours faithfully,

Katherine Richards BSc MSc MRTPI

[redacted]

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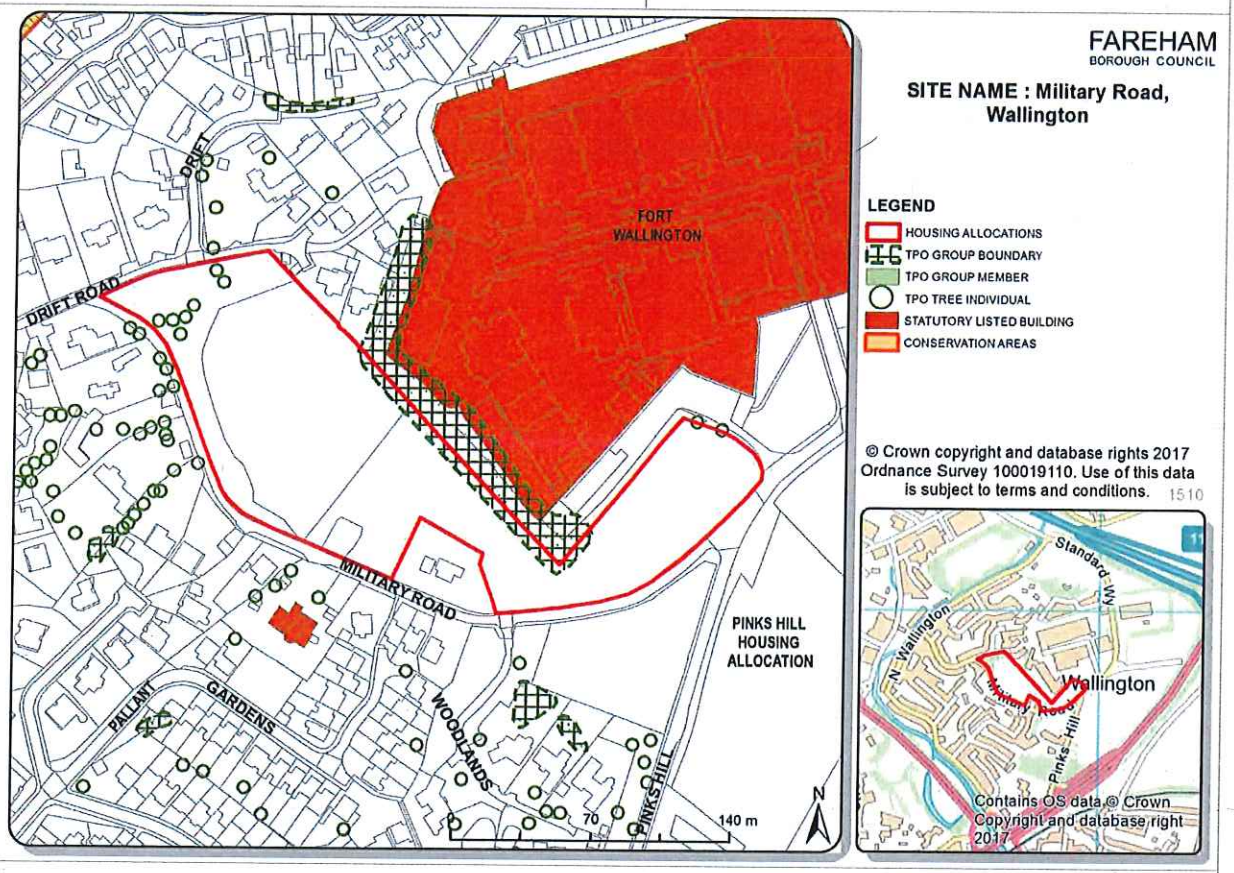
Appendix 1: Allocations HA16 and H20 removed from the Local Plan

Housing Site: HA16	**SHLAA Reference:** 27
Name: Military Road	**Proposed Use:** Self and Custom Build
Location: Wallington	**Capacity:** 26 dwellings
Size: 2.2 ha	**Planning Status:** None



Planning permission will be granted provided that detailed proposals accord with the policies in the Local Plan and meet the following site specific requirements:

a) The provision of land for self and custom build housing, to include the provision of serviced plots; and

b) Provision of an illustrative masterplan to identify the layout of individual plots;

c) The quantum of housing proposed is broadly consistent with the indicative site capacity; and

d) Primary highway access shall be focused from Military Road; and

e) Building heights shall be limited to a maximum of 2 storeys; and

f) Safe pedestrian and cycle access and crossing points from the site to Pallant Gardens, Drift Road and Pinks Hill housing allocation (HA8); and

g) Existing trees subject to a Tree Preservation Order should be retained and incorporated within the design and layout of proposals in a manner that does not impact on living

conditions or prevent damage to any nearby dwellings, roads, footpaths or other infrastructure; and

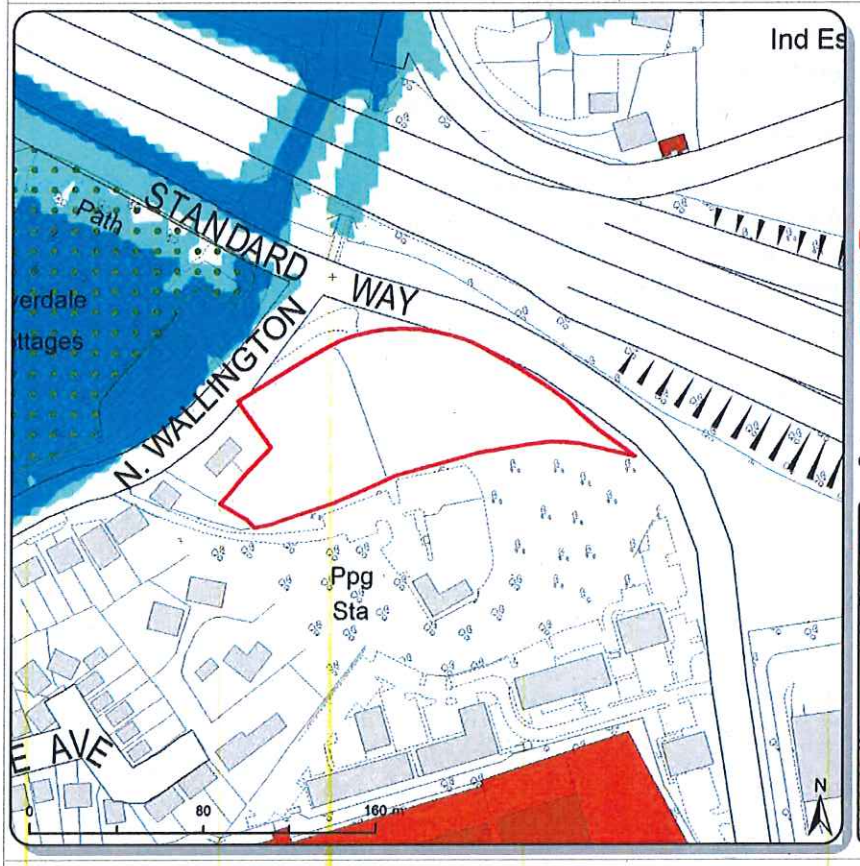
h) A Heritage Statement shall accompany any application to provide details on the potential impact of proposals on the conservation and setting of the Fort Wallington façade; and

i) Proposals shall demonstrate that the development will have no adverse impacts upon groundwater in respect of its location in Zone 1; and

l) Proposals shall either provide directly, or provide a financial contribution towards the delivery (and maintenance where deemed necessary) of the following infrastructure, in line with the Council's Planning Obligations SPD:

- Off-site highway improvement and mitigations works; and
- Local schools and early-years childcare infrastructure (as identified by the Local Education Authority); and
- On-site open space which shall be provided on the eastern part of the site in order to provide an appropriate setting to the Fort Wallington façade.

Housing Site: HA20	**SHLAA Reference:** 324
Name: North Wallington and Standard Way	**Proposed Use:** Residential
Location: Wallington	**Indicative Capacity:** 21 dwellings
Size: 0.87 ha	**Planning Status:** None



FAREHAM
BOROUGH COUNCIL

SITE NAME : North Wallington Rd and Standard Way, Wallington

LEGEND

- HOUSING ALLOCATIONS
- SINCs**
- STATUTORY LISTED BUILDING
- EA FLOOD ZONE 3
- EA FLOOD ZONE 2

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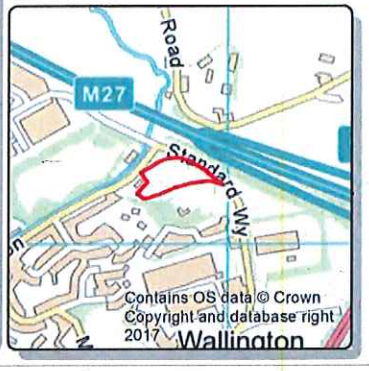


Planning permission will be granted provided that detailed proposals accord with the policies in the Local Plan and meet the following site specific requirements:

a) The quantum of housing proposed is broadly consistent with the indicative site capacity; and

b) Primary highway access shall be focused from North Wallington; and

c) The height of buildings shall be limited to a maximum of 2 storeys; and

d) The design and layout of proposals shall retain and strengthen the existing tree boundary located along the southern perimeter of the site. The existing trees and hedgerows shall also be retained along North Wallington and Standard Way frontage except where access points may be required; and

e) Proposals will need to minimise any impact upon the amenity of the adjacent pump house residences; and

f) Proposals shall include a safe pedestrian and cycle crossing point of North Wallington

to/from the site with Standard Way; and

g) A noise assessment shall accompany an application for residential development to assess the level of noise from the M27. The design and layout of proposals must take account of any noise mitigation measures that are identified by the assessment; and

h) Provision of an air quality assessment to identify appropriate on-site measures to mitigate NO_2 emissions arising from the M27 (in accordance with Policy INF2); and

i) Proposals shall demonstrate that the development will have no adverse impacts upon groundwater in respect of its location in Zone 1; and

j) Proposals shall either provide directly, or provide a financial contribution towards the delivery (and maintenance where deemed necessary) of the following infrastructure, in line with the Council's Planning Obligations SPD:

- Off-site highway improvement and mitigations works; and
- Local schools and early-years childcare infrastructure (as identified by the Local Education Authority); and
- Enhancements to existing off-site open space.

Appendix 2: SHELAA Site 27 (Military Road) and Site 324 (North Wallington and Standard Way)

5. Developable Housing Site Assessments

SITE DETAILS	Developable Housing Site	Fareham East

ID:	27	Site Name:	Military Road, Wallington
Current Land Use:	Paddock		
Surrounding Land Use:	Residential to north and along south boundary. Employment (Fort Wallington) to northeast (Grade II Listed Building)		
Gross Site Area (ha):	2.17	Housing Yield (estimate):	26
Employment Yield (estimate):	0	Gypsy and Traveller Pitches (estimate):	0

SUITABILITY

Constraints:	Public ROW, Agricultural Land Grade 2, Minerals and Waste 2016 Brick Clay and Superficial sand/gravel, Within 500m of SPA, Within 500m of Ramsar, Within 500m of SSSI, TPOs, Ground Water Protection Zone, Countryside
Highways/ Pedestrian Access:	Access via Drift Road would be unsuitable. Improvements to the Military Road/ Pinks Hill junction would be required but is considered feasible. Pinks Hill would require improvement to the A27 slip road. Pedestrian and cycle connections would be required to link the site to local services.
Conservation Comments:	Fort Wallington is a grade II listed building. One of a series of forts built in the 19th century for the defence of Portsmouth Harbour. The south facing curtain wall survives, development of the eastern area would harm the setting of the listed building. The existing northern boundary marks the line of the fort perimeter, retaining a break to define the outline of the former fort would be preferable.
Noise/Air Quality Assessment:	A noise assessment would be required given the sites proximity to Fort Wallington Industrial Estate but otherwise unlikely to be any issues in this regard.
Archaeology:	Site not within identified area of archaeological potential.
Ecology Comment:	Site provides good habitat for notable invertebrate and supports dormice and reptiles. Bat flight line connectivity between wooded habitats and flight line/grazing/roosting habitat for intertidal grazing birds. Woodland should be maintained and any introduced gaps should minimise loss of connectivity. Lighting strategy should leave edges dark.
Accessible Facility Types: 7/10	Within 1600m of a Secondary School, within 800m of a Convenience Store or Supermarket, within 1200m of a GP Surgery, within 1600m of a Major Employment Areas, within 800m of a Accessible Green or Play Space, within 1600m of a Town/District or Local Centre, within 800m of a Community/Leisure Facility
Suitability Comment:	Suitable highways improvements required. Development must have regard to TPOs, Listed Building and ecological potential. Proximity of Fort Wallington Industrial Estate with regards to noise impact should be considered.

Is the site suitable? **Yes** Is the site available? **Yes** Is the site considered achievable? **Yes**

SITE DETAILS	Developable Housing Site	Fareham East

ID: 324 Site Name: North Wallington Rd and Standard Way, Wallington

Current Land Use: Agricultural Land

Surrounding Land Use: SINC to the west, residential and commercial to the south. M27 to the north and road frontage to the east.

Gross Site Area (ha): 0.87 Housing Yield (estimate): 21

Employment Yield (estimate): 0 Gypsy and Traveller Pitches (estimate): 0

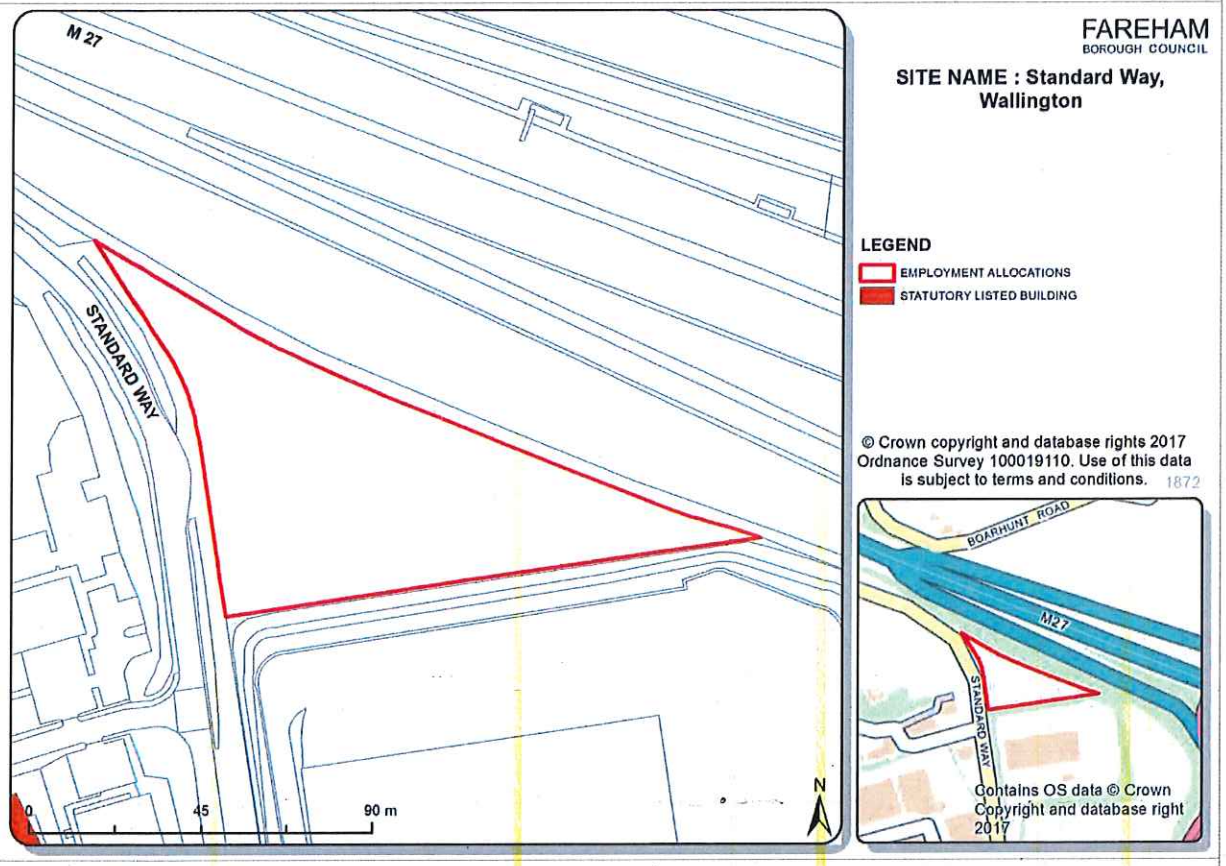
SUITABILITY

Constraints:	Public ROW, Agricultural Land Grade 2, Minerals and Waste 2016 Brick Clay, Superficial sand/gravel and Safeguarded Site, Ground Water Protection Zone, Countryside, Within 50m of potentially infilled and gassing ground, groundwater source protection zone.
Highways/ Pedestrian Access:	It is considered that a suitable access can be created onto Standard Way or North Wallington Road. An assessment of the capacity of North Wallington Road to accommodate additional traffic should be undertaken.
Conservation Comments:	No known constraints
Noise/Air Quality Assessment:	Site is in close proximity to the motorway and therefore noise issues would need to be addressed. Noise and air quality assessments required.
Archaeology:	Site not within identified area of archaeological potential
Ecology Comment:	Development should buffer woodland margins and scrub. Scrub at margins likely to support reptiles and invertebrates, possible notable plants.
Accessible Facility Types: 5/10	Within 800m of a Convenience Store or Supermarket, within 1600m of a Major Employment Areas, within 800m of a Accessible Green or Play Space, within 1600m of a Town/District or Local Centre, within 800m of a Community/Leisure Facility
Suitability Comment:	Site suitable for residential development subject to appropriate mitigation measures to address noise issues.

Is the site suitable? **Yes** Is the site available? **Yes** Is the site considered achievable? **Yes**

Appendix 3: Allocation E5 removed from the Local Plan

Employment Site: E5	**SELAA Reference:** 20
Name: Standard Way	**Proposed Use:** Employment (B1, B2 or B8)
Location: Standard Way, Wallington	**Capacity:** 2,000 sq. metres
Size: 0.6 ha	**Planning Status**: None



Planning permission will be granted provided that detailed proposals accord with the policies in the Local Plan and meet the following site specific requirements:

a) The quantum of employment floorspace shall be broadly consistent with the indicative site capacity; and

b) Primary vehicular access shall be obtained from Standard Way; and

c) Provision of safe pedestrian and cycle connections from the site and along Standard Way up to the junction with North Wallington; and

d) Provision of a noise assessment that identifies appropriate mitigation to address noise from the A27, M27 and neighbouring industrial area; and

e) Provision of an air quality assessment to identify appropriate measures to mitigate NO_2 emissions arising from the development in accordance with Policy INF2; and

f) Boundary vegetation and trees should be retained, apart from where removal is necessary for highways safety reasons; and

g) Proposals shall either provide directly, or provide a financial contribution towards the delivery (and maintenance where deemed necessary) of the following infrastructure:

- Off-site highway improvement and mitigations works.

Appendix 4: SHELAA Site 20 (Standard Way)

7. Developable Employment Site Assessments

SITE DETAILS | **Developable Employment Site** | **Fareham East**

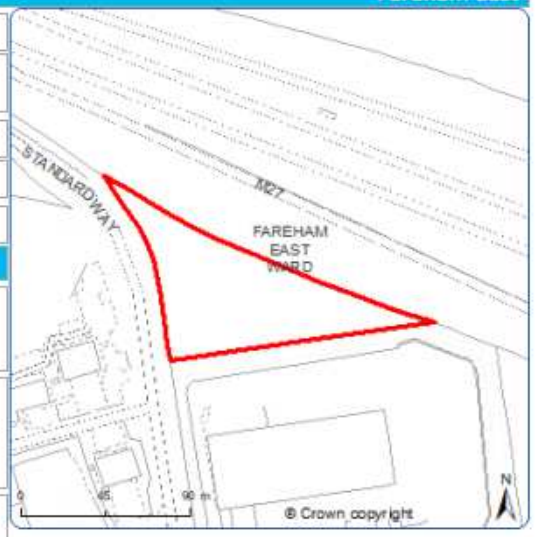
ID: 20 Site Name: Standard Way, Wallington

Current Land Use: Vacant. Small paddock area located to the north of Standard Way and to the north of Fareham Heights office park. Lined with trees with access off of Standard Way and M27 to north.

Surrounding Land Use: Adjoining motorway M27 to northeast; Frontage to Standard Way to west; adjoining WTS to south.

Gross Site Area (ha): 0.59 Housing Yield (estimate): 0

Employment Yield (estimate): 2,000sqm Gypsy and Traveller Pitches (estimate): 0



SUITABILITY

Constraints: Public ROW, Agricultural Land Grade 2, Minerals and Waste 2016 Brick Clay, Superficial sand/gravel and Safeguarded Site, Ground Water Protection Zone, Countryside, Within 50m of potentially infilled and gassing ground, groundwater source protection zone.

Highways/ Pedestrian Access: This site would appear to have the potential for access created from Standard Way. The junction location would need to be towards the southern end of the frontage for visibility purposes. Measures would also need to be put in place to limit additional commercial vehicle activity on Pinks Hill or to make width improvements along its length.

Conservation Comments: No known constraints

Noise/Air Quality Assessment: No known issues.

Archaeology: There are no archaeological sites currently recorded at this location although Fort Wallington sits within the immediate vicinity. It is in an area that might be regarded as within the field of fire (setting) of the fort, but the fort and the views from t

Ecology Comment: The site comprises Priority Habitat Coastal and Floodplain Grazing Marsh with woodland boundaries. Buffers to be retained with significant margins. Appears suitable for bats, badger and may support territory of barn owl.

Accessible Facility Types: 4/10 Within 1600m of a Major Employment Areas, within 800m of a Accessible Green or Play Space, within 1600m of a Town/District or Local Centre, within 800m of a Community/Leisure Facility

Suitability Comment: The site falls within an area that has an overriding 'urban fringe' character, due to the urban character of the adjoining industrial estate and waste transfer. The site lies within a field to the north of the waste transfer station, which is mostly hidden by vegetation, with only occasional glimpses through gateways along Standard Way. Visibility of the site is therefore relatively limited, and visual sensitivity is quite low, whilst strong vegetation cover significantly reduces intrusion from the motorway, and creates an enclosed and attractive parcel of land of lower quality landscape value. Site is suited for either B2 or B8 employment uses.

Is the site suitable? **Yes** Is the site available? **Yes** Is the site considered achievable? **Yes**

Fareham Local Plan

Publication version

GLADMAN

December 2020

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1 INTRODUCTION

1.1 Introduction

1.1.1 These representations are submitted by Gladman in response to the current consultation held by Fareham Borough Council (FBC) on the proposed submission draft Fareham Local Plan (FLP). Gladman specialise in the promotion of strategic land for residential development and associated community infrastructure and has considerable experience in the development industry across a number of sectors, including residential and employment development. From that experience, we understand the need for the planning system to provide local communities with the homes and jobs that are needed to ensure residents have access to decent homes and employment opportunities.

1.1.2 Gladman has a wealth of experience in contributing to the Development Plan preparation process, having made representations on numerous local planning documents throughout the UK and having participated in many Local Plan public examinations. It is on the basis of this experience that the comments are made in this representation.

1.1.3 Prior to this consultation the Government published the Planning for the Future White Paper setting out proposals for how the Government wants to 'radically reform' the planning system. Central to the Government's proposals will be a simpler, more streamlined Local Plan making process. Consultation on the proposals ended on 29th October 2020. Subject to the outcomes of this process the Government has signalled its intent to make rapid progress toward this new planning system through the swift introduction of new legislation to implement the changes.

1.1.4 As the White Paper is only currently under consultation and there is currently uncertainty around timescales for moving towards a new Local Plan making process, this representation has been prepared against the backdrop of the current system. In progressing the FLP under the current system, the Council will need to carefully consider some of its policy choices and ensure that its evidence base is up-to-date and robust in light of changing circumstances and the changes brought about by the revised National Planning Policy Framework (2019).

2 NATIONAL PLANNING POLICY

2.1 National Planning Policy Framework

2.1.1 On 24th July 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published the Revised National Planning Policy Framework which was subsequently updated in February 2019. These publications form the first revisions of the Framework since 2012 and implement changes that have been informed through the Housing White Paper, The Planning for the Right Homes in the Right Places consultation and the draft Revised Framework consultation.

2.1.2 The Framework (2019) introduces a number of major changes to national policy and provides further clarification to national planning policy as well as new measures on a range of matters. Crucially, the changes to national policy reaffirms the Government's commitment to ensuring up-to-date plans are in place which provide a positive vision for the areas which they are responsible for to address the housing, economic, social and environmental priorities to help shape future local communities for future generations. Paragraph 16 of the Framework (2019) states that Plans should:

a) Be prepared with the objective of contributing to the achievement of sustainable development;

b) Be prepared positively, in a way that is aspirational but deliverable;

c) Be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;

d) Contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;

e) Be accessible through the use of digital tools to assist public involvement and policy presentation; and

f) Serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).

2.1.3 To support the Government's continued objective of significantly boosting the supply of homes, it is important that the Local Plan provides a sufficient amount and variety of land that can come forward where it is needed, that the needs of groups with specific housing

requirements are addressed and that land with permission is developed without unnecessary delay[1].

2.1.4 To be considered sound at Examination the emerging Local Plan will need to meet all four of the soundness tests set out in paragraph 35 of the Framework (2019).

2.2 Planning Practice Guidance

2.2.1 The Government published updates to its Planning Practice Guidance (PPG) on 13th September 2018. The updated PPG provides further clarity on how specific elements of the revised Framework should be interpreted when preparing Local Plans.

2.3 Planning for the Future White Paper

2.3.1 On the 6th August, Government published the Planning for the Future White Paper setting out proposals for how it is seeking to 'radically reform' the planning system. The proposals are seeking to streamline and modernise the planning process.

2.3.2 Consultation recently closed on these proposals and it will be important that the Council keeps up to date with the implementation of these changes and the implications this will in turn have on the preparation of any subsequent Local Plan review. Timescales remain uncertain however subject to the outcomes of this process the Government has signalled its intent to make rapid progress toward this new planning system through the swift introduction of new legislation to implement the changes.

2.3.3 More importantly alongside this consultation, a consultation on immediate changes to the current planning system was also held, closing on the 1st October. Of significant note is a proposed revised standard method for calculating local housing need, which when implemented will be used as the basis for plans created prior to any changes outlined in the White Paper. Introduction of the revised methodology, which proposes to incorporate a percentage of existing stock as the baseline of the calculation, identifies an indicative housing figure of 403dpa for Fareham.

[1] NPPF – Paragraph 60

3 LEGAL REQUIREMENTS

3.1 Duty to Cooperate

3.1.1 The Duty to Cooperate (DtC) is a legal requirement established through section 33(A) of the Planning and Compulsory Purchase Act 2004, as amended by Section 110 of the Localism Act. The DtC requires local planning authorities to engage constructively, actively and on an ongoing basis with neighbouring authorities on cross-boundary strategic issues through the process of ongoing engagement and collaboration.[2]

3.1.1 As demonstrated through the outcome of the Coventry, Mid Sussex, Castle Point and St Albans examinations, if a Council fails to satisfactorily discharge its DtC a Planning Inspector must recommend non-adoption of the Plan. This cannot be rectified through modifications.

3.1.2 The NPPF(2019) has introduced a number of significant changes to how local planning authorities are expected to cooperate including the preparation of Statement(s) of Common Ground (SOCG) which are required to demonstrate that a plan is based on effective cooperation and has been based on agreements made by neighbouring authorities where cross boundary strategic issues are likely to exist. The NPPF(2019) sets out that local planning authorities should produce, maintain, and update one or more Statement(s) of Common Ground (SOCG), throughout the plan making process[3]. The SOCG(s) should provide a written record of the progress made by the strategic planning authorities during the process of planning for strategic cross-boundary matters and will need to demonstrate the measures local authorities have taken to ensure cross boundary matters have been considered and what actions are required to ensure issues are proactively dealt with e.g. unmet housing needs.

3.1.3 This issue is particularly crucial for the FLP given the work currently being undertaken through the Partnership for South Hampshire (PfSH) which is seeking to identify Strategic Development Opportunities to meet identified unmet needs across the sub-region.

3.1.4 The PfSH is currently working on a new SOCG between all constituent authorities and will effectively supersede the Spatial Position Statement (2016). Paragraph 3.17 of the submission Local Plan confirms that bilateral conversations with neighbouring authorities have been undertaken and the Council is aware of unmet needs arising across the region due to neighbouring borough's capacity to address any unmet need. The Council acknowledges at

[2] PPG Reference ID: 61-021-20180913

[3] PPG Reference ID: 61-001-20180913

paragraph 4.4 that there is a significant likelihood of a substantial level of unmet housing needs in the sub-region with figures released in September 2020 suggesting unmet need in the sub-region of circa 10,750 dwellings. This figure is derived from 11 councils who are all at varying stages of plan preparation and based on the current standard methodology.

3.1.5 At the time of writing, it is noted that Portsmouth City Council (PCC) have written to the Council requesting a contribution of 1,000 dwellings to assist in meeting their unmet housing needs. Gosport Borough Council (GBC) is also likely to have an issue with unmet housing need, currently estimated to be in the region of 2,500 dwellings.

3.1.6 In principle, Gladman support the Council's decision to increase the housing target by 847 dwellings to contribute toward the unmet housing needs issue of the wider area. However, Gladman are concerned that without a signed SOCG between constituent authorities, it is difficult to consider whether this level of housing is sufficient to meet the wider needs of the area. Gladman recommend that a further consultation which considers the outcome of the work of the PfSH will be required so that the Local Plan can reflect the outcome of that process prior to the submission of the Local Plan to the Secretary of State for examination.

3.1.7 Since effective cooperation is an ongoing issue, Gladman reserve the right to provide further comments in relation to this matter once further evidence and signed statements become available.

3.2 Sustainability Appraisal

3.2.1 In accordance with Section 19 of the Planning and Compulsory Purchase Act 2004, policies set out in Local Plans must be subject to a Sustainability Appraisal (SA), and also incorporate the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (the SEA Regulations).

3.2.2 The SA/SEA is a systematic process that should be undertaken at each stage of the Plan's preparation, assessing the effects of the FLP proposals on sustainable development when judged against all reasonable alternatives. The Council must ensure that the future results of the SA clearly justify its policy choices. In meeting development needs of the area, it should be clear from the results of the assessment why some policy options have been progressed and others have been rejected. This must be undertaken through a comparative and equal assessment of all reasonable alternatives, in the same level of detail for both chosen and rejected alternatives. The Council's decision making, and scoring should be robust, justified and transparent.

4 FAREHAM LOCAL PLAN

4.1 Vision and Objectives

4.1.1 In principle, Gladman support the Council's vision and objectives. In particular, we support the Plan's commitment to accommodating development to address the need for new homes and employment space in Fareham Borough and the commitment to ensuring a strong and diverse economy is delivered.

4.1.2 Notwithstanding this, it is considered the Plan could go further in its aims to support housing and economic growth of the wider sub-region with reference to assisting neighbouring authorities with any unmet housing needs. This is particularly important due to the ongoing work of the PfSH and outstanding evidence relating to unmet housing needs and how this will be redistributed across the PfSH area.

4.2 Strategic Policy DS1: Development in the Countryside

4.2.1 Strategic Policy DS1 states proposals for development in the countryside, which is defined as land outside the Urban Area boundary, will only be supported in a narrow set of circumstances.

4.2.2 Gladman are opposed to the use of settlement boundaries, as these are often used as an arbitrary tool to prevent otherwise sustainable proposals from going forward. The policy wording as currently drafted only allows for development in a narrow set of circumstances (i.e. replacement dwelling, previously developed land etc.) and does not allow for sufficient flexibility to respond to changes of circumstance such as a shortfall in housing supply. Gladman believe that this policy should be modified to a criteria-based policy which will provide a more appropriate mechanism for assessing the merits of individual development proposed, based on their specific circumstances and ability to deliver sustainable development rather than being discounted simply due to a sites location beyond an artificial boundary.

4.2.3 To achieve this; a criteria based approach would allow the plan to protect itself against unsustainable development whilst at the same time offering a flexible solution to the consideration of development opportunities outside these boundaries that are able to come forward to meet identified needs should the Council's housing land supply start to fail. Gladman refer to the submission version of the Harborough Local Plan, Policy GD2, which states:

"in addition to sites allocated by this Local Plan and neighbourhood plans, development within or contiguous with the existing or committed built up area of the Market Harborough, Key Centres, the Leicestershire Principal Urban Area (PUA), Rural Centres and Selected Rural Villages will be permitted where…"

A series of criteria follows.

4.2.4 Clearly the policy here would need to reflect the local circumstances of Fareham but it does provide an example of a local authority taking a proactive approach to guiding development and ensuring that it can meet its housing target as well as plan for approaches if and when problems arise over the course of a plan period with regard to the delivery of allocated sites. Accordingly, Gladman recommend the use of a criteria-based policy should be included within the FLP to ensure housing needs are met in full.

4.2.5 In addition, the second element of the policy requires proposals to demonstrate that if they require a location outside of the urban area, do not significantly affect the integrity of a Strategic Gap and are not located on Best and Most Versatile (BMV) agricultural land. Gladman are unclear with the necessity of including this additional criteria as these matters are dealt with elsewhere within the FLP and therefore their inclusion in Policy DS1 leads to unnecessary duplication and not in accordance with the NPPF2019. As such, this element of the policy should be deleted as the finer details of each of these issues are dealt with elsewhere within the draft Local Plan.

4.3 Strategic Policy DS2: Development in Strategic Gaps

4.3.1 The above policy identifies two Strategic Gaps whereby development proposals would not be permitted where they significantly affect the integrity of the gap and the physical and visual separation of settlements or the distinctive nature of settlement characters.

4.3.2 Gladman consider that new development can often be located in countryside gaps without leading to the physical or visual merging of settlements, eroding the sense of separation between them or resulting in the loss of openness and character. It is important that such designations are supported by robust evidence and that the policy wording allows for sites to be considered on their individual merits. In this regard, the policy is currently worded in a negative stance which may affect the consideration of development proposals. Gladman consider that the policy should be reconsidered in a positive manner and modified to allow for a balancing exercise to be undertaken which assesses any harm to the visual or functional

separation of settlements against the benefits of the proposal rather than seeking to apply a blanket restriction on development in these areas.

4.4 Strategic Policy H1: Housing Provision

Housing Need

4.4.1 Strategic Policy H1 makes provision for at least 8,389 net additional dwellings across the borough during the period 2021 – 2037. Whilst Gladman acknowledge that the housing requirement is set as a minimum, Policy H1 is not considered positively prepared as it does not provide a strategy which meets housing needs in full.

4.4.2 The level of housing required by the standard methodology as set in NPPF2019 requires provision for a minimum of 514dpa. It should be remembered that the housing need figure calculated using the Standard Method should be considered as a starting point as it does not take into account other factors which affect demographic behaviours (e.g. affordability, economic adjustments etc).

4.4.3 The Council has instead decided to use the Government's proposed housing methodology as announced in the Planning for the Future White Paper which allows LPAs to use either a percentage of the Borough's existing housing stock as the calculation's starting point or the most up-to-date household projections, whichever is the highest before an affordability uplift is applied. The Council has decided it is appropriate to plan for a scale of growth based on the proposed methodology which reduces the housing need figure to 403dpa.

4.4.4 The proposed approach is not appropriate nor justified as it will not deliver the minimum housing required by national policy using the standard method. The Council must remember that the implementation of the White Paper is still subject to the outcome of consultation and may be subject to change. In addition, it is not appropriate to delay the progress of the Local Plan until the measures announced within the White Paper come into force.

4.4.5 Accordingly, the Council should amend the housing requirement back to 514dpa and allocate sufficient sites across a number of locations to meet housing needs in full.

Phasing

4.4.6 Policy H1 outlines the Council's intention to phase the delivery of the housing requirement over the plan period. The housing requirement is phased as follows:

- Approximately 2,250 dwellings (450dpa) between 2021/22 and 2025/26

- Approximately 2,400 dwellings (480dpa) between 2026/27 and 2030/31
- Approximately 3,750 dwellings (625dpa) between 2031/32 and 2036/2037

4.4.7 The result of this element of the policy acts to artificially supress the delivery of development in the early years of the plan due to strategic site issues given the majority of housing supply comprises of the Welborne Garden Village. Indeed, the Council has not achieved annual delivery figures in excess of 450 dwellings since 2007-08 so it is unclear how the Council expects to achieve these delivery rates especially towards the back end of the plan period without a sufficient supply and mix of housing sites.

4.4.8 The Framework is clear in its intention to boost significantly the supply of housing. This strategy is further underlined by the buffers applied by national policy and the PPG's approach that requires local authorities to meet housing shortfall within a five year period.

4.4.9 Gladman consider that the backloading of land supply will likely threaten the overall deliverability of the Plan. Should the Council fail to deliver these higher rates towards the end of the plan period, there is little flexibility or opportunity provided to ensure the housing requirement can be met in full. The phasing approach is therefore unsound and should be deleted and replaced with a flat annual requirement of 514dpa.

Buffer

4.4.10 In principle, Gladman support the inclusion of a 15% buffer to allow for contingency for under delivery associated with the reliance on large strategic sites within the housing supply. However, the buffer does not provide any sort of contingency due to the Council's decision to reduce housing requirement to 403dpa. In reality, it merely provides a level of housing comparable to the amount of housing needed to meet the annual requirement as identified under the Standard Method. Gladman reiterate that the housing requirement should be increased to 514dpa and a buffer applied to this figure.

4.4.11 Notwithstanding the above, Gladman would suggest that given the uncertainty surrounding both the delivery of strategic scale sites and the potential for unmet need within the wider sub-region, that this contingency should be increased to 20% above the Standard Method figure to ensure housing needs are met in full. This will also reflect HBF's advice following Central Government research on this issue.

Housing Provision

4.4.12 Strategic Policy H1 makes provision for at least 8,389 net dwellings across the borough during the period 2021 – 2037 and is comprised of:

- An estimated 552 homes that already have planning permission;
- An estimated 4,858 on sites with resolutions to grant permission as of 1st July 2020, including at Welborne Garden Village;
- Approximately 1,327 homes on sites allocated in the Publication Plan;
- Approximately 428 homes on brownfield sites/regeneration areas; and
- An estimated 1,224 homes delivered through windfall development.

4.4.13 To ensure the soundness of the Plan, Gladman submit that additional housing land is needed to ensure that the Council is able to demonstrate a robust supply of housing land should any of the sites within the Council's supply slip away. This is particularly important due to the reliance on sites with resolutions to grant planning permission and the vast majority of the Council's supply comprising of the Welborne Garden Village.

4.4.14 Whilst Gladman does not wish to comment on the suitability of sites selected, the Council will need to be able to demonstrate that sites will come forward as anticipated and take account of site specific issues and/or reflects the requirements and timescales of key infrastructure to be provided by sites selected. It is imperative that these assumptions are made in collaboration with landowners/land promoters to ensure these details are up-to-date at the point of submission. In this regard, it is difficult to assess the Council's consideration of sites as the Housing Trajectory at Appendix B only provides a cursory overview of expected delivery rates over the plan period and does not provide an individual break down of anticipated delivery rates on individual sites. As such, Gladman reserves the right to provide further detailed comments at the examination should further information be made available.

4.4.15 To ensure the effectiveness of the Plan in ensuring a supply of specific deliverable sites sufficient to maintain a five year housing requirement over the course of the plan period, additional allocations are considered necessary. Indeed, the planning committee has resolved to grant outline planning permission for Welborne Garden City in October 2019 to provide up to 6,000 dwellings over the plan period and beyond. There are a number of key factors that can affect the delivery of Garden Villages, Strategic Sites and smaller scale development opportunities such as the signing of s106 agreements, reserve matters applications and improvements to infrastructure prior to development commencing, discharge of planning conditions, marketing of development and so on, all of which can affect the delivery of homes. The Council will need to avoid a continued reliance associated with the Garden Village and large scale strategic allocations over the plan period and instead allocate additional housing land to ensure a competitive and responsive supply of housing is available to support housing delivery of the Council's large strategic allocations.

4.5 Policy HP1: New Residential Development

4.5.1 Policy HP1 states residential development within the urban area boundary will be supported in principle. Residential development in locations outside of the urban area boundary will only be permitted if it involves the conversion of an existing non-residential building or it is for a replacement dwelling which is of an appropriate character to the location.

4.5.2 Gladman do not consider the above policy to be positively prepared as it is restrictive and goes against the ethos of the Framework to significantly boost the supply of housing. The policy should be amended to be flexible in accordance with the approach outlined in section 4.2 of these representations.

4.6 Policy HP2: New Small-Scale Development Outside the Urban Areas

4.6.1 The above policy states new small-scale development outside the urban area boundary, as shown on the policies map, will be permitted where a site is located within or adjacent to existing areas of housing; or well related to settlement boundary and is within reasonable proximity to high frequency public transportation.

4.6.2 In principle, Gladman support the inclusion of this policy which allows for small scale development beyond the urban area. However, we would question the decision to limit development to no more than 4 units as this is contrary to the ethos of the Framework which seeks to significantly boost housing supply. Gladman consider such a policy should be included within the draft Local Plan without any limitations on size of development to ensure the Council are able to demonstrate a strong and robust housing land supply should sites identified slip away.

4.6.3 In addition, Gladman query how a decision maker is expected to apply this policy consistently and with ease as it contradicts the approach taken in Policy HP1 and reinforces the need for Policy HP1 to be deleted and the criteria listed to be amalgamated into Policy H2.

4.7 Policy HP4: Five-Year Housing Land Supply

4.7.1 Policy HP4 outlines the Council's approach to circumstances where it cannot demonstrate a five year housing land supply, a criteria then follows. In principle, Gladman support this approach but would suggest that the policy is modified to '~~may be~~ <u>will be</u> permitted where they meet the following criteria' as opposed to the current use of wording.

4.7.2 Criterion (a) of the proposed policy suggests that a site needs to be relative in scale to the demonstrated shortfall in the housing land supply. A proposal which comes forward which is

considered to be sustainable and in conformity with other policies of the Local Plan should be considered to be acceptable in planning terms regardless of whether it is relative to the scale and size of the housing land supply shortfall. Gladman consider that the reference to scale should be removed in order to allow for additional flexibility in the supply of housing as it will assist the Council in ensuring that a 5 year housing land supply can be maintained going forward.

4.7.3 In addition, Criterion (b) states that a site should be adjacent to the existing urban settlement boundaries to be considered sustainable. This criterion is too onerous as sites which are well related to, but not directly adjacent to existing settlements could, be considered to be sustainable when assessed against policies contained in the Local Plan as a whole. Again, Criterion (b) should be amended to reflect this.

4.8 Policy HP7: Adaptable and Accessible Dwellings

4.8.1 Policy HP7 requires at least 15% of all new dwellings to be built to optional building regulation M4(2) and on all schemes over 100 dwellings, at least 2% of private housing and 5% of affordable housing shall be provided as wheelchair accessible category M4(3) standard.

4.8.2 In this regard, Gladman refer to the PPG which provides additional guidance on the use of these optional standards. The Council need to ensure that this policy is in line with the guidance and that the justification and specific detail of the policy take account of the various factors which the PPG refers to:

> *"Based on their housing needs assessment and other available datasets it will be for the local planning authorities to set out how they intend to approach the need for Requirement M4(2) (accessible and adaptable dwellings), and / or M4(3) (wheelchair user dwellings), of the Building Regulations. There is a wide range of published official statistics and factors which local planning authorities can consider and take into account, including:*
>
> - *The likely future need for older and disabled people (including wheelchair user dwellings).*
> - *Size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes, or care homes).*
> - *The accessibility and adaptability of existing stock.*
> - *How needs vary across different tenures.*

- *The overall impact of viability."*[4]

4.8.3 Gladman note that these technical standards have deliberately been set as optional standards which, if to be included as a policy in the FLP, would need to be justified by robust evidence.

4.8.4 When considering this policy, the Council need to be aware of the impact that these requirements, particularly M4(3) have on scheme viability (due in part to size requirements) and the knock-on effects that this could have on the delivery of much needed housing. In order to be able to include such requirements in the Local Plan, the Council will need to be able to robustly justify the inclusion and demonstrate that consideration has been given to this requirement within the viability study. The provision of M4(3) wheelchair user dwellings, is far more onerous in terms of size requirements; therefore, it is crucial that the implications of the proposed policy requirement have been properly tested.

4.8.5 In addition to this, with regard to M4(3) Gladman refer to the PPG which states:

> *"Part M of the Building Regulations sets a distinction between wheelchair accessible (a home readily useable by a wheelchair user at the point of completion) and wheelchair adaptable (a home that can be easily adapted to meet the needs of a household including wheelchair users) dwellings.*
>
> *Local plan policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling."*[5]

4.8.6 This clearly demonstrates that M4(3) should only be applied to affordable homes within the Council's control and therefore Policy HP7 should be updated to reflect this and reference to private homes deleted.

4.8.7 Gladman submit that the Council must be able to demonstrate through robust evidence the justification for these policy requirements within the Local Plan in order for them to be found sound at examination. The NPPF footnote 46 states:

> *"Planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties…"*

[4] PPG ID: 56-007-20150327

[5] PPG ID: 56-009-20150327

4.8.8 Gladman do not consider that a general reference to an ageing population to be sufficient justification for the inclusion of these policy requirements. In this regard, Gladman refer to the Inspector's report for the Derby Local Plan (December 2016), which at paragraph 117 states

> *"Although there is general evidence of an ageing population in the SHMA, having regard to the PPG this does not amount to the justification required for the LP to include the optional standards and the specific proportion of Part M4(2) dwellings…"*

4.9 Policy HP9: Self and Custom Build Homes

4.9.1 Whilst Gladman support the inclusion of a policy in relation to self-build and custom build units, as this is in line with Government aims and objectives, we raise concerns regarding the detail within this policy.

4.9.2 It is expected that on sites of 40 dwellings or more (gross), 10% of the overall dwellings shall be provided through the provision of plots for self and custom build homes. Gladman welcome the flexibility provided by this policy which recognises that plots which do not sell within 12 months of initial promotion, are able to be developed for housing other than self-build homes.

4.9.3 However, Gladman query the evidential justification for 40 dwellings (gross) being the trigger for the provision of self-build and custom build housing. The Council's Self Build Register only identifies 180 residents which does not translate to demand for this form of housing. Gladman consider that this policy would benefit from re-wording to state that, rather than being required on all schemes of 40 or more dwellings, that if up-to-date evidence indicates that there is a demand in the particular location then schemes are encouraged to make provision. Such a modification would help ensure that market housing is not unnecessarily delayed for a period of 12 months if there is no interest in self-build housing on individual sites.

4.10 Policy NE2: Biodiversity Net Gain

4.10.1 Policy NE2 requires development of one more or more dwelling or new commercial/leisure buildings to provide at least 10% net gain for biodiversity for the lifetime of the development. Gladman do not consider this policy to be positively prepared as it goes above and beyond that which is required by the NPP2019. Gladman submit that the percentage requirement should be deleted and reference to 'biodiversity net gains' included in the policy wording to ensure compliance with national policy.

4.11 Policy D5: Internal Space Standards

4.11.1 Policy D5 requires all new dwellings, including subdivisions and conversions to meet the nationally described space standards (NDSS) or future equivalent as a minimum.

4.11.2 In this regard Gladman refer to the Written Ministerial Statement (WMS) dated 25th March 2015 which confirms that:

> *"The optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the NPPG"*.

4.11.3 Furthermore with particular reference to the NDSS the PPG[6] confirms:

"where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies".

4.11.4 If the Council wishes to adopt this standard it should be justified by meeting the criteria set out in the PPG, including need, viability and impact on affordability.

4.11.5 The Council will need to provide robust evidence to justify the inclusion of the space standards within a policy in the Local Plan. Similarly to the accessibility standards, if it had been the Government's intention that all properties were built to these standards then these standards would have been made mandatory rather than optional.

4.11.6 Gladman's concerns regarding the optional national space standards relates to the additional cost and the implications for affordability. Where, for example, a housebuilder would normally build a standard 2-bedroom unit at 72sqm, the national space standards would require the dwellings to have certain dimensions which would mean they could only be built at a minimum of 79sqm, which could add significantly to the cost of the property and in turn increase the cost of an entry level 2-bedroom house, further exacerbating the affordability issues in the area.

4.11.7 The Council need to take these factors into account and will need robust evidence on both need and viability to support the proposed policy requirements outlined in Policy D5.

[6] ID: 56-020-20150327.

5 OVERALL CONCLUSIONS

5.1.1 These representations have been drafted with reference to the revised NPPF(2019) and the updated PPG. To be found sound at examination the FLP would need to meet the tests set out in paragraph 35 of the NPPF(2019):

- **"Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework."

5.1.2 Having considered the FLP in this context, Gladman are concerned that a number of policies contained within this plan do not accord with national policy and require modification to ensure soundness with the tests set out above.

5.1.3 Gladman believe that further flexibility and contingency is required through the FLP and that, consequently, additional non-strategic housing allocations should be included in the plan.

5.1.4 Gladman welcome this opportunity to comment on the publication draft plan and would like to be kept updated on progress moving forwards with the FLP. Gladman request to participate at the relevant hearing sessions through the examination of the FLP to discuss the matters raised in this submission further.

Sent by email to: planningpolicy@fareham.gov.uk

17/12/2020

Dear Sir/ Madam

Response by the Home Builders Federation to the consultation on the Fareham Local Plan

1. Thank you for consulting the Home Builders Federation (HBF) on the Fareham Local Plan. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year.

We would like to submit the following representations on the Local Plan, and we would welcome, in due course, participating in hearings of the Examination in Public.

Duty to Co-operate

2. We note that the Council is part of the Partnership for South Hampshire and has worked closely with these authorities in determining housing needs and examining opportunities as to how these needs could be addressed. The Local Plan outlines at paragraph 4.4 that there are likely to be significant unmet needs arising in Portsmouth and in response to this the Council has identified a further 847 homes to meet needs. Whilst this increase is welcomed, we are concerned that it does not seem to reflect the scale of the unmet needs identified by the Partnership for South Hampshire (PfSH) of over 10,000 homes. So, whilst the Council appears to have co-operated with its neighbours on the issue of housing needs, we are concerned that its contribution is insufficient when considered against the scale of the issue at hand. It would is also the case that this contribution has been made solely as a result of the Council using the standard method as proposed in the most recent Government consultation, and which to date has not been adopted, that significantly reduces the minimum number of homes to be planned for in Fareham. So whilst it would appear that the Council has co-operated with its neighbours in relation to the legal requirements set out in the Localism Act, the outcomes of that co-operation are insufficient to address the cross boundary issue that has been identified – an issue we will come to in relation to policy H1.

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Policy H1 - Housing Provision

This policy is unsound as it is inconsistent with national policy

Housing needs

3. The Council are clearly aware that the housing requirement within the policy H1 is inconsistent with national policy as it is based on a standard method that has not been adopted by the Government. Whilst we recognise the Government were out to consultation on an alternative approach it was by no means certain that it would be adopted. The uncertainty as to the standard method has now been addressed with the Government publishing its latest Planning Practice Guidance which states at 2a-004 that the Government has retained the 2014-based household projections as the baseline estimates for household growth within the standard method.

4. The application of the standard method as set out in the most up to date guidance would require the Council to deliver 514 new homes each year. As such the 403 dwellings per annum local housing needs assessment is not consistent with planning policy as it currently stands. We hope a similar degree of haste will be taken in adopting this figure as was taken in moving forward with the lower assessment of needs in Fareham. In addition to this issue, we have three further concerns with regard to policy H1, which are:
    - The policy does not include the Council minimum required level of housing delivery;
    - The degree to which unmet needs in neighbouring areas has been taken into account;
    - Whether economic growth aspiration for the south Hampshire area will be supported to proposed levels of housing delivery; and
    - Plan period and past under delivery.

The housing requirement

5. Policy H1 does not set out the minimum number of homes the Council is required to deliver. Rather it sets out the number of homes that are expected to be delivered by the local plan. It is important that the Council sets out in H1 the minimum number of homes it is required to deliver in order to monitor its performance in meeting this requirement with regard to both the five year housing land supply and the housing delivery test. As set out in table 4.1 of the local plan this figure should be the local housing need figure plus any unmet needs within a neighbouring area that the Council has agreed to take.

Unmet needs

6. Paragraph 60 of the NPPF states that "*any needs that cannot be met within neighbouring areas should also be taken into account when establishing the amount of housing to be planned for*". As we note above the Council has, to some

extent, taken account of unmet needs across the south Hampshire sub-region and in response has stated that it will provide a further 847 homes. However, this is a very modest contribution to what is a very high level of unmet needs in the south of Hampshire. The Council state in paragraph 4.4 of the local plan that, based on the current standard method, unmet needs across the sub region of South Hampshire are in the region of 10,750 dwellings. Whilst we recognise that this will change with regard to the amended standard method and as new plans come forward it is unlikely to reduce substantially given that Boroughs such as Portsmouth, Havant, Gosport and Southampton have tight boundaries which will limit any scope for significant increases in provision. Considering the scale of the unmet needs Fareham's decision to contribute just 847 homes to the current shortfall is insufficient.

7. What is evident from the consultation on the Local Plan 2036 supplement was that the Council clearly considered it possible to deliver well above what is being proposed in the published Local Plan 2037. For example, paragraph 3.5 of the supplement to the Local Plan 2036 outlines an annual housing requirement for the Borough of between 572 and 598 homes per annum between 2020 and 2036. This annual rate of delivery would deliver between 9,000 and 9,500 homes over 16 years. It goes on to identify potential sites that could be allocated to support this higher level of delivery.

8. However, the Council has not considered as part of the preparation of the published Local Plan 2037 whether more could have been done to address unmet needs of other areas. In particular we would have expected a higher level of delivery beyond what is proposed in the published local plan to have been considered within the Sustainability Appraisal. However, this issue of unmet needs and increased delivery beyond what is being proposed in policy H1 is not mentioned in the SA published in November 2020 as part of this consultation. As such the Council cannot say whether or not a higher level of housing delivery, which would have done more to address unmet needs across the sub region was a more sustainable approach compared to the chosen strategy. This is not only a concern regarding the soundness of the Council's approach to unmet needs but also the efficacy of the SA that has been prepared to support this local plan.

Growth strategies

9. Paragraph 2a-010 of Planning Practice Guidance (PPG) outlines that there will be circumstances where it is appropriate to plan for a higher housing figure than that identified through the standard method. One of these is where an authority has agreed to take on the unmet needs of another area as discussed above however other situations are identified where housing need may exceed past trends. These include:
    - Deliverable growth strategies
    - Strategic infrastructure improvements likely to drive an increase in homes

10. The Council is clearly committed to economic growth as stated at paragraph 6.1 of the publication local plan but notes at paragraph 6.7 of the Local Plan 2037 that whilst PfSH is committed to reviewing employment requirements published to support the spatial position statement this will not be intime to support this local plan. Due to the absence of this sub regional assessment of employment growth the Council have undertaken its own assessment of the likely increase in jobs over the plan period. The Business Needs, Site Assessment and Employment Land Study (BNSAELS) states at paragraph 6.23 that between 2018 and 2036 it is estimated that a further 4,600 jobs will be created in Fareham. This equates to annual growth in employment from the current baseline of 48,000 jobs of about 0.5% per annum (pa) which is lower than the 0.8% pa jobs growth forecast in the PfSH SHMA update published 2016[1]. This higher level of growth would see the number of jobs in the Borough grow by around 6,900 over the same period as that assessed in BNSAELS. However, no detail has been provided by the Council as to whether the level of housing delivery within Fareham will meet these employment growth expectations let alone whether the wider jobs growth expectations of the sub region will be met.

11. The Strategic Housing Market Assessment published by PfSH in 2016 indicated that between 2011 and 2030 that 4,630 homes were needed each year between 2011 and 2030 to support the expectation that there would be 86,300 additional jobs across South Hampshire. However, housing delivery during this period as set out in Table H1 of the Spatial Position Statement indicates growth of around 4,536. Whilst the shortfall is relatively small across the whole sub region, given that the Council have noted at paragraph 4.5 that both Portsmouth and Gosport will struggle to meet their needs going forward it will be important, prior to submission, for the Council to consider with its partners in the PfSH whether sufficient housing will be provided to support these sub regional growth expectations, or whether further allocations are needed in relatively less constrained areas such as Fareham.

12. If insufficient housing is provided in sub-region, we are also concerned that higher levels of in-commuting will be required in order to support the expected levels of employment growth. This would be inconsistent with paragraphs 102 and 103 of the NPPF which require Council's to consider how they can deliver patterns of growth that seek to limit the need to travel. This is an issue that will also need to be considered by the Council and its neighbours prior to submission of the local plan.

Plan period and past under supply

13. There are also other impacts from the application of the standard method that have not been taken into account by the Council. In particular the Council have not grappled with the issue of under supply from the point at which the standard method was introduced in 2018. Planning Practice Guidance states in relation to

[1] Page 56 of the 2016 SHMA

this:

"*Strategic policy-making authorities will need to calculate their local housing need figure at the start of the plan-making process. This number should be kept under review and revised where appropriate*".

14. As the Council commenced preparation of this local plan in 2017 it is important that and the Council consider housing completions from the introduction of the standard method compared with the level of local housing need from that point. We recognise that the Standard Method takes account of backlog but only in so far as the affordability ratio will have worsened in the years prior to the calculation and does not take account of under provision since then. In these terms, the shortfall between the assessed level of housing need by reference to the Standard Method and actual completions has to be taken into account going forward.

Year	Number of completions/ projected completions	Local housing need	Shortfall
2018/2019	290	520	230
2019/2020	263[2]	520	257
2020/2021	132[3]	520	388

15. The table above indicates in the three years since the Standard Method was first published, the cumulative shortfall in housing completions is expected to be 875. No consideration is given to these unmet needs in the published plan and even if the lower figure of 403 was taken as the level of local housing need, the shortfall would be in excess of 500 new homes.

16. As housing delivery in the Borough has been below both its requirement in the Core Strategy and the measure of local housing need derived from the Standard Method the Council are wrong to have selected a plan period and housing strategy that takes no account of this. It is the antithesis of positive planning and as such we would suggest that the plan period be revised to start from 2019/20 which is the base date from which the affordability evidence is taken.

Housing land supply

17. The HBF would not wish to comment on the merits or otherwise of individual sites selected for allocation but it is critical that the Council's assumptions on lapse rates, non-implementation allowances, lead in times and delivery rates contained within its overall housing land supply, five-year housing land supply and housing trajectory are correct and realistic. These assumptions should be supported by parties responsible for the delivery of housing and sense checked by the Council using historical empirical data and local knowledge. We note that the Council has

[2] Fareham BC Authority Monitoring Report 2018/19 (February 2020)
[3] Fareham BC Five-year housing land supply position report (June 2020)

included a housing trajectory at appendix B of the local plan as required by the NPPF. However, for the purposes of transparency and effective scrutiny of this trajectory it is necessary for the Council to set out in its evidence base trajectories for each of the sites that make up supply across the plan period. We could not find this evidence, and in our experience, it is both helpful to the inspector examining the plan as well as those making representations.

18. We note and welcome the contingency between the Council's requirement and the number of homes it expects to be delivered over the plan period. It is important that there is a significant contingency to take account of any delays in the delivery of key sites or overestimates in the amount of windfall expected in any plan to ensure that development needs are meet in full. As such should the eventual standard method adopted by the Government see housing needs increase in Fareham, we would expect to see this level of contingency within the Council's land supply maintained. Similarly, the Council would probably need to allocate further sites of one hectare or less to ensure it meets the requirement set out in paragraph 64 of the NPPF.

Conclusions on H1

19. The policy is not sound as considered on the basis that:
    - It uses a standard method for assessing housing need that is still out to consultation and potentially subject to change. However, we recognise that the situation is in a state of flux at present and as such recommend the plan is not submitted until the Government have finalised any changes to the standard method;
    - It fails to take sufficient account of the scale of the unmet needs identified within neighbouring areas as required by paragraph 60 of the NPPF;
    - Does not consider whether housing growth will be sufficient to support its economic growth expectations and the impact this would have on in commuting and the need to promote sustainable patterns of growth as required by paragraph 103 of the NPPF.

HP2: New Small-Scale Development outside the Urban Areas

The policy is not sound as it is not consistent with national policy.

20. The HBF's preference would be for the Council to identify appropriate sites and allocate them within the local plan. This would provide the certainty that small developers seek with regard to bringing such sites forward. However, in lieu of allocation the overarching principle of this policy and its aim to support small and medium sized housebuilders and those seeking self-build plots is supported.

21. But we would suggest that at present the policy is not consistent with national policy as it could lead to sites not making the most efficient use of land as required by paragraph 122 of the NPPF. There will be situations where such sites on the edge of urban areas could be developed for more than 4 units without any adverse

impacts. We would therefore suggest that the threshold be increased to 10 units in order to reflect the definition of minor development as well as being consistent with the Government's approach to affordable housing contributions on small sites as set out in paragraph 63 of the NPPF.

Recommendation

22. Part 5a of policy HP2 be amended as set out below:
    a. Of not more than 4 10 units; and

Policy HP4: Five-year housing land supply

Part d of this policy is inconsistent with the NPPF

23. The HBF supports this policy, however we would suggest that the phase "*in the short term"* in part d is unnecessary as the meaning of deliverable with regard to local plans is clearly defined in the glossary of the NPPF. The inclusion of the phrase short term could cause unnecessary confusion for applicants and decision makers.

Recommendation

That the phrase "*in the short term"* is deleted from part d of policy HP4.

HP5 – Provision of affordable housing

The policy is unsound in its consideration of the percentage requrment for affordable home ownership and with regard to its treatment of older peoples housing which is unjustified

24. Firstly, the policy requirement regarding affordable home ownership is inconsistent with paragraph 64 of the NPPF which expects 10% of all homes on major development involving housing provision to be available for affordable home ownership. Footnote 29 then confirms that these homes are then included as part of the affordable housing contribution. For example, on a site of 100 homes paragraph 64 of the NPPF would requires at least 10 homes to be available for affordable home ownership, equating to 25% of the affordable housing delivery on a greenfield site. The Council's policy at present only requires 10% of all affordable housing to be available for affordable home ownership. The Council's policy would require such development to deliver 4 homes for affordable home ownership – just 4% of total delivery on that site. This inconsistency with national policy should be amended.

25. Secondly, whilst we welcome the decision to vary rates within the Borough to reflect viability, we are concerned that despite the evidence the Council will still, seemingly, require specialist development for older people to support the delivery of affordable homes. In section 6.6 of the Viability Study it is clear that both

sheltered housing and extra care housing for older people are not viable at any level of affordable housing. It is therefore surprising that the policy has not removed the requirement for such accommodation to contribute towards the provision of affordable housing.

Recommendation

26. That policy HP5 to be amended as follows:
    - To reflect paragraph 64 of the NPPF
    - To state that specialist residential accommodation for older people be exempt from providing affordable housing.

HP9 – Self and Custom Build Homes

The policy is unsound as it has not been justified

27. Whilst the HBF support the encouragement of self-build housing through the local plan, we do not consider the requirement for sites of over 40 to set aside 10% dwellings to be delivered through serviced plots for self and custom house building to be justified or consistent with national policy.

28. Firstly, the evidence with regard to the demand for, and supply of self-build plots would suggest that a significant proportion of demand for self-build in Fareham will be met through windfall sites. As the Council note in paragraph 5.8 of the Self and Custom Build Background Paper the demand for self-build plots arising within the first base period of the self-build register was addressed through windfall and it would seem that a similar result will occur within the second base period. Therefore, to suggest that 10% of all development over 40 units are required as self-build is not justified as it would seem that the Council through normal development management process is supporting sufficient plots to come forward without recourse to the impositions being proposed in policy H9. In addition, policy HP2 will also support the delivery of additional sites that will clearly be attractive to both self and custom build housing. Whilst the Council may not want to be dependent on windfall development if this approach is meeting identified demand then there is no need to require such plots to be provided on other sites.

29. Secondly, we welcome the Council's review of the self-build register. From this review it is clear that of the 79 people on the register only 56 people are actively pursuing the possibility of building their own home. In addition, only 40 of those said they would consider a plot on a larger self-build development. Even then it is not clear from these answers whether they would be looking for a plot on major housing building site or would prefer a site solely devoted to self-build plots. As such we are concerned that there is not a significant demand for plots on larger housing being developed by housebuilders and that the 10% requirement in HP9 is unjustified.

30. Finally, it is also important to recognise that paragraphs 57-024 and 57-025 of the PPG sets out a variety of approaches that need to be considered – including the use of the Council's own land. This is reiterated in para 57-14 of the PPG which sets out the need for Council's to consider how they can support the delivery of self-build plots through their housing strategy, land disposal and regeneration functions. We would suggest that rather than place additional burdens on house builders for the provision of self-build plots it should utilise its own land or seek to engage with landowners to identify suitable sites on which to deliver serviced self-build plots. Indeed, it would appear from paragraph 5.14 of the Self and Custom Build Background Paper that such an approach has worked in Fareham.

Recommendation

31. That policy HP9 is deleted.

Policy NE2: Biodiversity Net Gain

32. The Council have included the Government's suggestion that new development should improve the biodiversity on their site to show a 10% net gain over the pre-development baseline within this policy. Whilst we recognise that this is the Government's current position favoured position it is likely that there will be transition period to allow the development industry to adapt to the proposed changes. As such we would suggest that the Council remains consistent with paragraph 170 of national policy to seek net gains in biodiversity and not include the requirement to show a 10% net gain. A policy without a specific percentage requirement would be consistent with current policy and should the relevant legislation be enacted as currently proposed such a policy would be sufficiently flexible to support a 10% requirement and any transition period.

Recommendation

33. That the 10% requirement be deleted.

Policy NE8: Air Quality

The policy is unsound as it is not justified

34. The HBF is supportive of encouragement for the use of electric and hybrid vehicles via a national standardised approach implemented through the Building Regulations to ensure a consistent approach to future proofing the housing stock. It is the industry's preference for a national approach to the provision of charging points rather than local authorities setting their own standards. We consider this is necessary to allow research and development and supply chains to focus upon responding to agreed national targets, and for training providers to plan their programmes to equip the labour force to meet these new requirements. It is fundamentally inefficient to create a plurality of standards.

35. The Government has recognised in recent consultations the possible impact of any requirement to provide electric vehicle charging points on housing supply, where the requirements are not technically feasible. The Government's recent consultation proposed introducing exemptions for such developments. The costs of installing the cables and the charge point hardware will vary considerably based on site-specific conditions in relation to the local grid. The introduction of EVCPs in new buildings will impact on the electricity demand from these buildings especially for multi-dwelling buildings. A requirement for large numbers of EVCPs will require a larger connection to the development and will introduce a power supply requirement, which may otherwise not be needed. The level of upgrade needed is dependent on the capacity available in the local network resulting in additional costs in relation to charge point instalment.

36. Where such costs are high the Government are proposing that any potential negative impact on housing supply should be mitigated with an appropriate exemption from the charge point installation requirement based on the grid connection cost. The consultation proposes that the threshold for the exemption is set at £3,600. In the instances the additional costs are likely to make developments unviable, it is the Government's view that the EVCP requirements should not apply and only the minimum Energy Performance of Buildings Directive requirements should be applied.

37. As such we would suggest that the requirement for EVCPs should be deleted because the Government's proposed changes to Building Regulations will provide a more effective framework for the delivery of charging points for electric vehicles.

Recommendation

38. Part A of the third paragraph within policy NE8 is deleted.

D4: Water Quality and resources

The policy is unsound as it is not consistent with national policy.

39. The final sentence of policy D4 is inconsistent with paragraph 16 of the NPPF which requires policies to be unambiguous and evident as to how the decision maker should react. The policy as written could lead to applications being refused by decision makers on the basis that a development does not achieve a standard that is higher than the maximum requirement that can be applied through the adoption of the optional technical standards.

Recommendation

40. The final sentence of this policy is deleted.

D5: Internal Space standards

The policy is unsound as it has not been justified

41. Policy D5 requires development to meet national spaces standards as a minimum. Whilst the HBF share the Council desire good quality homes delivered within Fareham we also consider that space standards can, in some instances, have a negative impact upon affordability issues and reduce customer choice. In terms of choice, for example, some developers will provide entry level two, three and four-bedroom properties which may not meet the optional nationally described space standards but which would allow on lower incomes can afford a property which has their required number of bedrooms.

42. Given the poor affordability of property in the area and the tight constraints on development it is therefore important that the Council can provide, in line with PPG, robust evidence that there is a need to introduce the optional space standards – that these standards are a must have rather than a nice to have policy. However, as the Council note in paragraph 11.59 of the publication local plan most new homes in Fareham are built to a size that is consistent with the nationally described space standards. The only inconsistency they note is that the smallest bedroom often fails to meet the space standards. This evidence does not suggest that there is a pressing need for the introduction of space standard within Fareham but does indicate that requiring larger bedrooms could reduce the number of smaller homes with three or four bedrooms.

43. The HBF is not aware of any evidence that market dwellings in Fareham that do not meet the NDSS remaining unsold or that those living in these dwellings consider that their housing needs are not met. There is no evidence that the size of houses built are considered inappropriate by purchasers or dwellings that do not meet the NDSS are selling less well in comparison with other dwellings. The HBF in partnership with National House Building Council (NHBC) undertake an annual independently verified National New Homes Customer Satisfaction Survey. The 2019 Survey demonstrates that 91% of new home buyers would purchase a new build home again and 89% would recommend their housebuilder to a friend. The results also conclude that 93% of respondents were happy with the internal design of their new home, which does not suggest that significant numbers of new home buyers are looking for different layouts or house sizes to that currently built.

44. Given that there is little to suggest that development below space standards is an endemic concern within Fareham we would suggest that policy D5 is deleted from the plan. This would give the Council greater flexibility to maximise the number of sites that are developable as well as extending consumer choice to more households.

Conclusion

45. At present we do not consider the plan to be sound, as measured against the tests of soundness set out in paragraph 35 of the NPPF, for the following reasons:

- Failure to give sufficient consideration to the housing needs of neighbouring areas and the consequences on the delivery of sustainable development across south Hampshire;
- Housing needs have not been assessed in accordance with standard methodology as set out in PPG;
- Policy H2 inconsistent with national policy with regard to making the most effective use of land;
- Policy HP5 fails to include exemption for older people's housing in line with the Council's viability evidence;
- Requirement for 10% of plots on sites over 40 units be allocated for self-builders is unjustified;
- The adoption of the nationally described space standards in policy D5 has not been adequately justified.

We hope these representations are of assistance in taking the plan forward to the next stage of plan preparation and examination. Should you require any further clarification on the issues raised in this representation please contact me.

Yours faithfully

[redacted]

Mark Behrendt MRTPI
Planning Manager – Local Plans
[redacted]

Representations | Lesley Goddard

1812-381727

Respondent details:

Title:	Ms
First Name:	Lesley
Last Name:	Goddard
Job Title: (where relevant)	Teacher
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: 9.11

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

I think this is too weak, and too open to interpretation " if it cannot be avoided" (which it always can by not doing the development) Should this not give examples of when “it cannot be avoided” and when “a last resort” comes into play? otherwise ordinary people without legal representation can't be able to make themselves heard against large developers with paid legal and PR PS this form asks me to judge whether a paragrpah is legally compliant and complies with duty to cooperate - I wanted to leave this blank but I had only the choice of yes or no - but my real choice was "I'm not sure"

What modification(s) is necessary to make the Local Plan legally compliant or sound?

I don't think this is sound as the wording is too weak and doesn't give examples of what "cannot be avoided" and "as a last resort" mean. Therefore, it is an open invitation to saying "this can not be avoided"

How would the modification(s) you propose make the Local Plan legally compliant or sound?

see above

Your suggested revised wording of any policy or text:

see previous answer

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

2) Policy: NE2 - Biodiversity Net Gain

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

It should be readily visible to people where the 10% gain is - so display at both the development and the net gain - and where people can contact the developer. Then e.g. if the cycle and pedestrian space opposite Crofton school remains locked for over a year later, or many of the newly planted trees have died due to lack of care it is clear who to complain to and who to copy in to within the council

What modification(s) is necessary to make the Local Plan legally compliant or sound?

see below

How would the modification(s) you propose make the Local Plan legally compliant or sound?

see below

Your suggested revised wording of any policy or text:

At the development (and mitigation site if different) the developer should display details of the "10% gain" and contact details in case of a problem arising with use. Similarly suitable fines should be written within the contract - and money set aside in case of non-compliance

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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3) Paragraph: 10.3

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

No indication of how these networks will come about - what mechanism will stop ever more private road users have a negative impact on us all when we are pedestrians, cyclists or public transport users

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Give examples of how this will come about

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Give examples of how this will come about

Your suggested revised wording of any policy or text:

Give examples of how this will come about

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

---

4) Paragraph: 10.8

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

"reasonable choice" must include "reasonable expected duration"

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Duration of expected time to travel to key locations needs to be included by all modes of travel - a development need to show it will decrease time to take public transport/cycle/walk relative to car travel as currently needed in nearest neighbour. This would put the onus on developers to fund the modal shift improvements.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

see above

Your suggested revised wording of any policy or text:

see above

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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5) Paragraph: 10.1

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

exclude "road junctions" from the options available

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Elsewhere you say that "road junctions" is not enough - so exclude it from this section

How would the modification(s) you propose make the Local Plan legally compliant or sound?

see above

Your suggested revised wording of any policy or text:

Can we not say something stronger e.g. developments which don’t allow car parking / encourage car share and cycle/walking are to be encouraged but those which make journeys by car the most likely outcome are not to be allowed?

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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6) Policy: CC1 - Climate Change

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

This is insufficient "supporting energy efficiency" rather than requiring energy efficiency is far too weak. No new development should be allowed which isn't carbon neutral.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

see below

How would the modification(s) you propose make the Local Plan legally compliant or sound?

see below

Your suggested revised wording of any policy or text:

remove "supporting energy efficiency" and replace with "requiring energy efficiency" - and state what this means in terms of heat loss

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

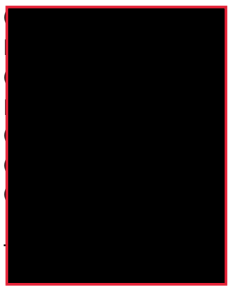
Please outline in the box below why you consider it necessary to take part in the hearing session(s):

I'm very disappointed at the lack of "teeth" of this policy - it sounds nice but it won't make any difference to what developers do. Passiv houses have been being built since the 1990's that's 30 years of design experience. Developers never introduce extra insulation through being asked nicely - but insist on it, and it becomes industry norm within months.

Date: 18 December 2020
Our ref: 333521
Your ref: N/A

Planning Strategy Team
Fareham Borough Council

BY EMAIL ONLY



Dear Sir/Madam,

Regulation 19 Local Plan Consultation (6th November – 18th December 2020)

Thank you for your consultation dated 06 November 2020 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the Council's approach to achieving sustainable development through its Local Plan, particularly through its suite of Natural Environment policies that include protection of internationally, nationally and locally designated sites, the enhancement of the local ecological network and the requirement for biodiversity net gain.

Our comments on the Regulation 19 Local Plan and supporting Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA) are made below.

Strategic Policy DS1: Development in the Countryside
It is recommended this Policy also requires proposals to ensure compliance with Natural Environment policies, in particular Strategic Policy NE1 and Policy NE2, to ensure impacts on nature conservation interests are properly considered and addressed, and biodiversity net gain is achieved (for applicable development).

With regards to soils, the local plan outlines that 'the benefits of protecting the Best and Most Versatile (BMV) agricultural land are considered against the need for development'. This Policy requires development proposals to demonstrate they 'Conserve and enhance landscapes, sites of biodiversity or geological value and soils'.

The National Planning Policy Framework sets out that:

> 'Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework[1]; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.'
>
> *1 Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.*

It is recommended that this Policy is amended to give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpin our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver. The plan should safeguard the long term capability of BMV agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future.

Where site allocations are sited on BMV land, the Plan should outline a requirement for the protection of soils during construction where possible, referencing the 'Defra Code of practice for the sustainable use of soils on construction sites'.

Strategic Policy DS3: Landscape
Natural England welcomes the proposed designation of eight Areas of Special Landscape Quality within the Borough, and the requirement for development in these areas to meet stringent criteria that seek to protect and enhance landscape.

Strategic Policy CC1: Climate Change
Natural England advise all Local Plans consider climate change adaption and recognise the role of the natural environment to deliver measures to reduce the effects of climate change, for example tree planting to moderate heat island effects. In addition factors which may lead to exacerbate climate change (through more greenhouse gases) should be avoided (e.g. pollution, habitat fragmentation, loss of biodiversity) and the natural environment's resilience to change should be protected. Green Infrastructure and resilient ecological networks play an important role in aiding climate change adaptation.

Natural England welcomes Strategic Policy CC1: Climate Change that promotes mitigation and adaptation to climate change through various methods including the integration of green and blue infrastructure into the design of developments, adopting higher water efficiency standards, the integration of energy efficiency, renewable and low carbon technologies into all development, and reducing reliance on car travel.

Natural England supports the embedding of policy that will deliver measures to increase sustainability of development over the Plan period. This should also include reducing consumption of raw natural resources, sourcing more renewable or 'green' energy, and reducing waste. Consideration should be given to the collection of financial contributions from development to offset residual carbon emissions elsewhere in the Borough. Consideration can also be given to the retrofitting of existing development with technology that improves energy and water efficiency.

It is recommended that Local Plan policy also seeks measures that help natural habitats across the Borough adapt to the effects of climate change. We would encourage you to refer to the Natural England and RSPB Climate Change Adaptation Manual and look at the step by step approach to identifying the climate resilience of habitats that occur in the Borough. Consideration should be given to addressing issues on habitats and protected sites that will be exacerbated by climate change, such as flooding, drought, reduction of water resources etc.- the Manual can also help identify these.

Consideration can be given to delivering specific projects within the Borough. For example, to maximise climate change adaptation and mitigation through the establishment of a Nature Recovery Network (NRN), and the Local Nature Recovery Strategy in which the NRN would sit, to ensure climate change resilience at their core. Such projects could potentially benefit from carbon offsetting contributions from development over the local plan period.

Such an approach could link into other aspects of the Plan such as water and air quality, nutrient mitigation for Solent European designated sites, delivery of biodiversity net gain, natural flood management, and green infrastructure implementation among others. Natural England would be happy to advise further on this aspect.

Policy CC2: Managing Flood Risk and Sustainable Drainage Systems
Natural England welcome this Policy that requires development ensures flood and surface drainage are properly addressed, and that Sustainable Drainage Systems (SuDS) are designed in accordance with CIRIA C753 SuDs Manual, to be as 'natural' as possible.

It is advised that the policy makes clear that where a development drains to a protected site(s), an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection may be required to ensure water quality impacts are avoided.

Where SuDS are proposed serving as mitigation for protected sites, development should ensure that appropriate resources are put in place to ensure their long-term (in perpetuity) monitoring, maintenance/replacement, and funding.

Policy CC3: Coastal Change Management Areas (CCMAs)
Sea level rise and coastal change are inevitable and bring both challenges and opportunities for people and nature. Sustainable coastal management needs to embrace long-term change and achieve positive outcomes for both.

Policy CC3 identifies that the North Solent Shoreline Management Plan (SMP) policy for the majority of Fareham Borough's coastline is 'Hold the Line', and identifies two CCMAs between Hook spit and Meon Shore, with an identified coastal management policy of 'No Active Intervention'. The Policy will ensure that development in these areas will appropriately consider coastal change. It also will ensure replacement coastal defence schemes 'are consistent with the relevant Shoreline Management Plan and that there will be no severe adverse impact on the environment, the English Coast Path, and the rights of way network'.

We would advise that the Local Plan should also help facilitate the relocation of valued environmental assets away from areas of risk.

Strategic Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network
Natural England welcomes this policy that sets out clearly the hierarchy of nature conservation and the requirement for development to 'demonstrate clearly that the mitigation hierarchy has been followed' in terms of avoiding, mitigating or compensating (as a last resort) impacts on biodiversity. Natural England welcomes the Local Ecological Network (LEN) approach that has been included in the local plan.

It is helpful that the LEN and the Council's Green Infrastructure Strategy have been suggested as tools to provide opportunity for enhancements across the Borough. Please read our comments below in relation to Policy NE2 that regards the choosing of suitable opportunities for biodiversity enhancement.

Policy NE2: Biodiversity Net Gain
Natural England is fully supportive of the inclusion in the local plan of a Policy for biodiversity net gain. It is welcomed that the policy refers to the benefits to Borough residents from the ecosystem services that being close to nature provides, and outlines an expectation that offsite net gain must be sought as close to the development as possible. However in some instances this may be difficult, and Natural England recommends that consideration is given to developing a suite of projects across the LEN that development within the Borough can contribute to thereby ensuring the biodiversity within the Borough is protected and enhanced. For example, partners that manage Local Nature Reserves and Sites of Importance for Natural Conservation in the Borough could submit projects to the local planning authority to enhance the ecological value of these sites. These projects could be funded by development that requires offsite compensation or additional enhancements to achieve biodiversity net gain. This approach can also be used by development with limited opportunities for biodiversity net gain on-site.

The Policy outlines that the Council may prepare and adopt a Supplementary Planning Document (SPD) for Biodiversity Net Gain. Due to the need to ensure net gain is delivered in a suitably

strategic way, and having regard to the timescales of the legislative requirement for net gain and further national guidance, Natural England would support the development of such an SPD and would encourage Policy NE2 to outline this as a clear intention of the Council, in order to provide further guidance and support to aid sustainable development across the borough. Natural England will be happy to advise further to aid the development of such an SPD.

- *Calculating net gain*

Please note that Biodiversity Metric 3.0 is due to be published early 2021, which will supersede Biodiversity Metric 2.0. We advise that the Policy is updated accordingly and that this metric is used to measure gains and losses to biodiversity resulting from development, and implement development plan policies on biodiversity net gain.

Please note that although the Policy includes 'nesting and roosting features' as suggestions for achieving net gain, it is our advice that features such as bird and bat boxes, swift bricks, bee hotels etc should be classed as general biodiversity enhancements that should be included as part of a wider biodiversity enhancement and mitigation plan. Net gain specifically should derive strictly from habitat enhancement and creation, required as calculated using the metric.

- *Wider environmental gains*

The reference to seeking wider environmental gains, for example to address water/air quality, flooding, climate change etc. is welcomed. Opportunities for environmental gains, including nature based solutions to help adapt to climate chance, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g. by sowing wild flower strips, changing cutting regime of open spaces and road verges*) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g. a hedgerow or stone wall or clearing away an eyesore)
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats

*Please see this paper regarding cost-effective and low-maintenance management for species-rich grassland on road verges and the value it can contribute to biodiversity and ecosystem services.

Please note that Natural England and Defra are developing an Environmental Net Gain/metric for Natural Capital Net Gain that can be used in conjunction with the Biodiversity Metric (but not instead of). Further information will be available in 2021.

- *Monitoring of net gain*

Your plan should include requirements to monitor biodiversity net gain. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

LPAs should work with local partners, including the Local Environmental Record Centre and wildlife trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations and providing as much up front information on monitoring will help to streamline the project stage.

Policy NE3: Recreational Disturbance on the Solent Special Protection Areas (SPAs)

Natural England welcome this policy that will require new residential development to address in-combination effects on the Solent SPAs via recreational disturbance. It is recommended the Policy also outlines that other types of development (such as new hotels, student accommodation, care homes etc.) may also need to address recreational disturbance impacts, both alone and in-combination. Such development should be assessed on a case by case basis.

Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
Natural England welcome this policy that will require new development that propose a net increase in overnight accommodation to address in-combination effects on the Solent designated sites via eutrophication from nutrients in wastewater.

Policy NE5: Solent Wader and Brent Goose Sites
Natural England welcome this policy that will require development to address effects on sites identified by the Solent Wader and Brent Goose Strategy (SWBGS) which serve as functionally linked land to the Solent SPAs.

It is recommended that the following wording within the Policy "*Sites which are used by Solent Waders and/or Brent Geese (as shown on the Policies map)*" is amended to read "*Sites which are used by Solent Waders and/or Brent Geese (as identified within the most up to date version of the Solent Wader and Brent Goose Strategy)*" to take account of any changes to sites and their distribution across the Borough, as these updates can be implemented at irregular times. Any further references to the Policies map should be similarly amended to refer to the SWBGS mapping.

Core Areas – due to their essential function within the SWBG network, it is advised these sites are identified for protection by the Policy. Any development that would result in impacts to a Core Area will need to be carefully assessed on a case-by-case basis. There are limited options where the function of a Core site can be fully replicated elsewhere in terms of its suitability and appropriate locality; where such land is available, an assessment of replicability will need to be undertaken through discussions with Natural England and the Local Planning Authority.

Financial contributions – it is welcomed that the Policy outlines that financial contributions proposed as mitigation will be used for the management and enhancement of an 'agreed suitable identified site for Solent Waders and Brent Geese'. Such proposals should demonstrate how such funds will be used to enhance, manage and monitor sites within the wider Solent Waders and Brent Geese network, in perpetuity. It is suggested that the Council works with relevant partners/stakeholders, including cross-boundary partnerships, to develop a strategic project(s), such as a bird reserve, and/or list of projects to enhance, manage and monitor the wider Solent wader and brent goose ecological network, to which contributions can be directed.

Policy NE6: Trees, Woodland and Hedgerows
Natural England welcomes this Policy that seeks to protect and enhance trees, woodland and hedgerows within the Borough. It is recommended that this Policy requires development proposals that affect ancient woodland, ancient trees and veteran trees, to ensure they are in line with standing advice published by Natural England and the Forestry Commission.

Policy NE8: Air Quality
It is welcomed that the Policy recognises that 'poor levels of air quality can also lead to environmental issues'. The Policy includes a need for planning applications to consider if they will have a 'potential adverse effect on biodiversity, especially where it would affect sites designated for their biodiversity value'.

The Policy outlines that the Local Plan HRA concludes the Plan 'would not have a likely significant effect on the internationally important habitats and species present in the area'. As this issue has

been considered within the HRA appropriate assessment, the wording here should be amended to use the correct terminology under the Habitats Regulations, i.e. the HRA concludes the Plan will not result in an 'adverse effect on integrity' (the term 'likely significant effect' is used at the screening stage of the HRA). See further comments on air quality below in regards to the Local Plan HRA.

Policy NE9: Green Infrastructure
Natural England welcomes this Policy that seeks to fully integrate green infrastructure (GI) into development and maximise opportunities to connect to the wider environment. The provision of enhanced green infrastructure and sites of nature conservation value can not only help address some of the mental and physical health problems that are experienced in the Borough's population, but can also benefit society in other ways including improvements to local air and water quality, reducing the risk of flooding, alleviating noise levels and aiding climate change adaptation.

Policy NE10: Protection and Provision of Open Space
This Policy references protection of public rights of way. Natural England advises that the Policy should also seek to secure enhancement of public rights of way and National Trails, as outlined in paragraph 98 of the NPPF. Recognition should be given to the value of rights of way and access to the natural environment in relation to health and wellbeing and links to the wider green infrastructure network. It is welcomed the plan seeks new access opportunities; it should seek to link existing rights of way where possible. The plan should avoid building on open space of public value as outlined in paragraph 97 of the NPPF.

It is welcomed that the Policy makes provision for appropriate quantity and quality of green space to meet identified local needs (as outlined in paragraph 96 of the NPPF) based on Natural England's work on Accessible Natural Greenspace Standard (ANGSt) in assessing the level of accessible natural greenspace; it is also welcomed that it recognises development may be required to 'provide more open space above what is required by the standards to make the development more acceptable'.

Policy D1: High Quality Design and Place Making
Natural England welcomes this Policy that requires the design of developments to integrate existing and new habitats and biodiversity within a coherent and well managed, connected structure. It is advised that landscaping of developments and open spaces seeks to use appropriate native and locally sourced species as far as possible to cater for local wildlife.

Policy D4: Water Quality and Resources
Natural England welcome this policy that seeks to conserve water and improve its quality.

Southern Water's Water Resources Management Plan (WRMP) 2019, that covers the planning period 2020-2070, projects a significant supply demand deficit during periods of drought in the Western Area, and commits to implementing a long term water resources scheme to restore the supply demand balance whilst avoiding and/or mitigating impacts on European sites, including the River Itchen SAC.

It is Natural England's advice that in advance of any permitting of such a suitable long term scheme, uncertainty remains with regards to water resources and the impacts of abstraction on protected sites.

Although it is welcomed that Policy D4 requires a water consumption for new dwellings of no more than 110 litres per person per day, Natural England strongly recommend all new development within the Southern Water supply area adopt a higher standard of water efficiency of 100 litres/per person/day, including external water use and re-use, in line with Southern Water's Target 100 demand reduction programme which is committed to within their WRMP19. Natural England also recommends that the Policy encourages the wise use of water in conjunction with the water companies, for example by developments incorporating grey water recycling systems and efficient appliances

Please see Natural England advice above in relation to Policies NE4 and Policy CC2 with regards to nutrients and surface water treatment via SuDS.

Neighbourhood Plans
Currently there are no Neighbourhood Plans in the Borough, but the Local Plan provides a 'strategic evidence base' which will inform any future Neighbourhood Plans.

It is recommended that any future Neighbourhood Plans which allocate housing should also identify spaces for environmental enhancement, for the purpose of offsetting environmental impacts, e.g. through the designation of Local Green Spaces. Such a local approach could give communities more ownership over such green spaces and provide a more strategic route to addressing common environmental impacts from development in that area, such as air and water pollution, habitat and species loss and increased carbon emissions, and could deliver biodiversity net gain and nutrient offsetting.

Such spaces could include the development of community orchards and play areas, woodlands and nature reserves, and serve a variety of functions that benefit both nature and the local community, for example providing benefits to health and wellbeing, offsetting nutrient discharges from allocated development and providing further scope for carbon sequestration.

Specific comments on Housing Allocation Policies

- HA9 - Heath Road (70 dwellings)

It is acknowledged this allocation site has resolution to grant permission for 70 dwellings. It is recommended this Policy includes the requirement to secure an appropriate level of offsite compensation to address the loss of secondary woodland on site which may in parts qualify as lowland mixed deciduous woodland habitat.

- HA29 - Land East of Church Road (20 dwellings)

Much of this site shows as Lowland Mixed Deciduous Woodland priority habitat on the Ecological Network mapping for Hampshire. Part of the site is designated as a Site of Importance for Nature Conservation (SINC) according to the Policy map. The Policy outlines a requirement for ecological mitigation for the site-specific construction and operational impacts of a development proposal. It is advised the Policy outlines a requirement to secure an appropriate level of offsite compensation to address any loss of priority habitat on site to ensure compliance with Policy NE1.

- HA31 - Hammond Industrial Estate (64 bed care home)

The Policy should ensure the impact of nutrients in wastewater is addressed to ensure compliance with Policy NE4.

- HA37 - Former Locks Heath Filling Station (30 dwellings)

This site is adjacent to an area of Lowland Mixed Deciduous Woodland priority habitat as shown on the Ecological Network mapping. The Policy should ensure that impacts on priority habitats and protected species are taken into account and appropriately addressed.

- HA38 – 68 Titchfield Park Road (9 dwellings)

The site is adjacent to Sylvan Glade SINC, much of which is ancient semi-natural woodland. The Policy should ensure compliance with standing advice on ancient woodland, ancient trees and veteran trees and that impacts on the SINC and protected species are appropriately addressed.

- HA42 - Land South of Cams Alders (60 sheltered housing)

This allocation site is located on 'Fort Fareham Grassland' SINC that supports woodland and meadow communities. It also lies adjacent to Fort Fareham SINC known for supporting wet woodland communities.

As previously advised in our response to the Supplement to the Reg 18 Local Plan (letter dated 23rd April 2020), allocations and development proposals should ensure they engage the mitigation

hierarchy, where impacts on designated ecological sites/features should first be avoided, and where not possible, adequately mitigated. Where this is not possible, any loss of priority habitat should be appropriately compensated. All residual ecological impacts will need to be addressed before any net gain for biodiversity can be achieved.

Natural England recommends that where loss of SINC habitat cannot be avoided, the policy should make clear how requirements set out within the NPPF, NERC Act 2006 and Local Plan Natural Environment policies will be met. It is advised an appropriate level of offsite compensation should be required to address any loss of priority habitat on site to ensure compliance with Policy NE1 .

- E4: Solent 2 (Employment - 23,500 sq. metres)

This employment allocation is located on Whiteley Meadow - Plot 2184 SINC and Ashley Wood, Fareham SINC. The Hampshire Ecological Network Mapping dataset shows much of this area as Lowland Mixed Deciduous Woodland, a priority habitat listed as required under Section 41 of the Natural Environmental and Rural Communities Act 2006. The site is also situated adjacent to the Gull Coppice (South-West Remnant) SINC which comprises ancient semi-natural woodland.

It is acknowledged that this site is an existing allocation within the adopted Fareham Local Plan Part 2 (2015).The current Policy outlines a requirement for this development to protect existing woodland and avoid habitat severance, and appropriate mitigation and compensation for any loss of protected trees. However, it is our view that a significant area of habitat, including mature woodland, is likely to be lost as a result of development. The Policy should ensure that it is compliant with Strategic Policy NE1 with regards to impacts on the local ecological network in this locality. In line with existing national and local policy and legislation, it is Natural England's advice that the mitigation hierarchy of avoid, mitigate and lastly compensate is employed where considering impacts on these habitats, particularly those designated as SINC. Measures should be sought to protect and enhance the local ecological network. Where impacts cannot be avoided or adequately mitigated, a comprehensive compensation package should be required that addresses the loss of all priority habitat on site (rather than just specifying protected trees), that seeks to enhance and connect habitat in the locality.

Comments on the HRA

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the Local Plan in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

We have the following comments on the HRA:

- *Recreational disturbance – New Forest designated sites*

The Local Plan HRA screening assessment outlines that although the Borough falls within the 25km buffer of the New Forest designated sites (via a straight line), the minimum actual travel distance by car is of approximately 30km travel distance (via the M27). In comparison to the number of visits from residents closer to the New Forest, the assessment states 'visits to the New Forest SAC/SPA/Ramsar associated with increased housing development in Fareham Borough contribute a significantly lower proportion of overall visits to the designated sites and it is not considered likely that significant effects associated with recreational disturbance from Fareham housing development would arise'. The HRA screens this impact pathway out from an appropriate assessment on this basis.

It is understood Footprint Ecology are currently conducting further analysis on several aspects of their latest visitor surveys. This analysis will assist the definition of a robust catchment area for recreational impacts. It will help in the preparation of a strategic, cross-boundary approach with neighbouring competent authorities to deliver habitat mitigation for the New Forest SPA/SAC/Ramsar. This work is due to be completed shortly and will provide a useful update to the evidence base against which such impacts from new development from surrounding local authority areas can be assessed.

Therefore, whilst acknowledging that the level of additional impacts from new residents is known to significantly decrease with distance from the New Forest designated sites, Natural England consider at this time there remains some uncertainty with regard to the evidence confirming the level of additional impacts from new residents of Fareham local plan development. We therefore advise this issue is taken forward to the appropriate assessment stage where further work may be carried out to ascertain the level of impacts as accurately as possible.

Where impacts are identified, suitable and proportionate mitigation should be proposed; we recommend the Council works with the New Forest National Park Authority and the other partner authorities to develop a strategic approach to addressing recreational impacts from new development on the New Forest designated sites. Such an approach should include developer contributions towards the New Forest National Park Authority's Habitat Mitigation Scheme to enable the authority to deliver site specific mitigation measures on behalf of applicants.

Natural England will be happy to provide further advice to the Council on this aspect as the evidence base develops.

- *Air quality*

The Local Plan is supported by an Air Quality Habitats Regulations Assessment (Ricardo, Sept 2020). The conclusions drawn in the Local Plan HRA in regards to air quality impacts are based on those drawn within the Ricardo report. Natural England concurs with the conclusions drawn in the report.

The Ricardo report suggests that the Council regularly reviews the Defra airborne NOx forecast levels. This is welcomed as a way to ensure any changes in forecasting and potential consequential changes to conclusions drawn in the report for this pollutant can be appropriately reviewed and addressed during the local plan period.

- *Water quality – nutrients*

The HRA calculates a nitrogen budget for the local plan of 2536.99 kgTN/yr. Appendix III of the HRA outlines various mitigation schemes that can be utilised or progressed as a means to ensure nutrient neutrality can be delivered by new development.

The HRA states within its Summary of Findings that the sites Chichester and Langstone Harbours SPA/Ramsar, Portsmouth Harbour SPA/Ramsar and Solent and Dorset Coast SPA are screened out of an appropriate assessment in relation to water pollution impacts. Much of development within Fareham borough is served by Peel Common wastewater treatment works (WwTW), which is a coastal WwTW that discharges effluent several kilometres out into the Solent. It is our advice that long-shore outfall pipes are likely to have shifted and widened the distribution of nitrogen loading within the effluent across the Solent SAC and SPAs. It is important to recognise the loading from Peel Common WwTW contributes to a number of estuaries and catchments within the Solent (including Portsmouth Harbour, Langstone Harbour, Chichester Harbour, River Meon, Wootton Creek and the Medina Estuary catchments). It is therefore Natural England's view that, because of this wide distribution of nitrogen loading, all designated sites should be screened in.

- *Other comments on the HRA*

Section 7.7.3 – this paragraph refers to the 'SAC' although it is relating to Portsmouth Harbour SPA and Ramsar.

Comments on the SA

We are broadly satisfied that the objectives and indicators within the Sustainability Appraisal cover our key interests, and welcome the identification of the need to conserve and enhance biodiversity, landscape character, and to reduce pollution. We also welcome the need to address minimise the

effects of climate change, and to minimise impacts on best and most versatile agricultural land. Please see some more specific comments below.

- SA5: To Minimise Carbon Emissions and Promote Adaptation to Climate Change

This SA objective to address the effects of climate change is welcomed. It is suggested a further monitoring parameter(s) is included to monitor the implementation of new GI/habitat that can seek to alleviate the pressures of climate change on species and the ecological network whilst also providing other benefits as described further in our advice above; e.g. percentage of new GI/ extent of priority habitat within the ecological network.

- SA7: To Conserve and Enhance Biodiversity

We advise that this SA objective also seeks to conserve and enhance geodiversity within the Borough, in line with national planning policy.

The SA outlines the Plan 'is predicted to lead to negative impacts to ecological receptors in the short to medium term, but many of these impacts are capable of being mitigated. Long-term effects are likely to be both positive and negative, and highly site-specific'. It is acknowledged these effects can be avoided/mitigated by the implementation of several policies including NE1, NE3, NE4 and NE5. It is advised Local Plan Policy requires relevant development to carry out site-level Habitats Regulations Assessments in order to ensure impacts on European sites are suitably addressed.

It is also suggested that further monitoring parameters are incorporated to ensure impacts on internationally, nationally and locally designated sites are monitored throughout the Plan period, e.g. via the number, extent and condition of sites designated for nature conservation. We would advise the use of a green infrastructure standard as an indicator, such as Natural England's Accessible Natural Greenspace Standard (ANGSt). Parameters for measuring the implementation of net gain should be introduced, see further above for our advice on net gain monitoring.

We would be very happy to comment further as the plan process progresses. If you have any queries relating to the detail in this letter please contact me on [redacted]

Yours faithfully

Rebecca Aziz
Sustainable Development Senior Advisor
Thames Solent Area Team

Representations towards the Fareham Borough Draft Local Plan 2036 Publication Draft (Regulation 19) Consultation on Behalf of Persimmon Homes (South Coast)

December 2020

PERSIMMON
Together we make a home

1. Introduction

Persimmon welcomes the opportunity to comment on the Fareham Draft Local Plan 2036 (DLP) Publication (Regulation 19) consultation.

This letter is set out in sections as summarised below:

- Section 2 sets out our response to Duty to Cooperate issues
- Section 3 sets out our policy specific responses
- Section 4 sets out our response in relation to Omission Sites

2. Duty to Cooperate

The Duty to Cooperate places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters, including housing.

Planning Practice Guidance recommends that authorities should produce, maintain, and update one or more Statement(s) of Common Ground, throughout the plan-making process. The Council has unilaterally produced a 'Statement of Compliance with the Duty to Co-operate' which sets out how the Council claims to have addressed the duty to cooperate, including in relation to addressing the unmet housing need of its neighbouring authorities. This is not an agreed Statement. It is noted that there is little to no explanation within the Statement as to what cross boundary discussions have taken place since the Council has significantly altered its approach with regards to housing need (as detailed below). In Persimmon's view, this information is absent because neighbouring authorities, in particular Portsmouth and Gosport, will not be supportive of Fareham's approach.

As mentioned above, the Council's Regulation 19 consultation document is significantly different from the Regulation 18 draft in terms of its approach to housing. This is largely as a result of it applying the lower Local Housing Need (LHN) as derived from the Government's proposed new Standard Methodology, which has not been approved. The Regulation 18 version of the Plan included a number of Strategic Growth Areas that were identified, in part, to meet the housing needs of neighbouring authorities of Gosport and Portsmouth. These Areas have now been deleted, and do not feature in the Publication Plan.

The Council's decision to use the new Standard Methodology LHN in order to take advantage of lower housing numbers is premature, and is at odds with the approach being taken by nearly all other Local Planning Authorities developing Local Plans in the sub-region, including Gosport and Portsmouth.

It is understood that the SGAs would met at least 1,000 dwellings from Portsmouth's unmet needs, alongside a proportion of Gosport's (quantum not published). However, the Publication Plan suggests that unmet need accommodated by the Plan will only equate to 847 dwellings. By Fareham choosing to use the draft new Standard Methodology and reducing its housing site allocations as well, the scope for the Plan to pick up the housing needs of these neighbouring council areas has been significantly curtailed.

It is Persimmon's view therefore that, given the significant change in approach by Fareham Council, the joint working that it has undertaken on housing issues to date has been fundamentally undermined to a point where it can only be concluded that Council has failed the duty to cooperate.

2. Policy Specific Comments

DEVELOPMENT STRATEGY

Strategic Policy DS1 Development in the Countryside

Policy DS1 provides the policy basis for the delineation of settlement boundaries. In the context of our comments below, notably in relation to not meeting housing need, omission sites and the delineation of Strategic Gaps, the Council should amend the settlement boundaries to allow additional development to come forward.

With regards to the criterion d) of Policy DS1, an allowance for new or replacement building, conversion and/or extension of a school is welcomed. However, the Policy appears to limit re-provision to existing sites shown on the Policies Map. As set out in greater detail in the our response to Policy DS2 and the Omission Site section, discussions are on-going with the Meoncross school to facilitate expansion of the car park and/or playing fields in the short term. The potential relocation of the school to other land within Persimmon's interest at Cuckoo Lane over the longer-term is also being explored. As currently drafted, by strictly limiting development to within an existing educational facility, the Policy would prevent such future improvements and the possible relocation of Meoncross School.

Strategic Policy DS2 Development in Gaps

The Council has commissioned Hampshire County Council to review its Strategic Gaps. The County's methodology for this review is set out in the Technical Review of Areas of Special Landscape Quality and Strategic Gaps (September 2020). This applies 'Primary Measures' (i.e. physical and visual separation) and 'Secondary Measures' (i.e. Green Infrastructure Provision) to define the gaps. We support the inclusion of physical and visual separation as a means of determining the gap boundary, but we see no justification for including the secondary measures as this is outside of the scope of the role of a gap. In any case, Green Infrastructure is an issue that is dealt with separately under Policy NE9 of the draft Plan.

The following commentary on this policy considers each of the Strategic Gaps before comments are made on the content of Policy DS2 itself.

<u>The Fareham-Stubbington Gap</u>

As set out in the recommendations of the Gap Review paper (Chapter 4: Conclusions and Recommendations, Paragraph 10): *'there exists some opportunities for development to be absorbed within the Stubbington-Fareham Strategic Gap, subject to scale and future detailed design, without compromising its Gap function…'* It is surprising then that the Council has not examined this potential in greater details as part of its Publication draft Local Plan, particularly given that the most recent Regulation 18 Local Plan consultation proposed a Strategic Growth Area (SGA) within this gap as a means of accommodating growth.

It is also surprising that the Gap Review Paper does not adequately consider the influence of the Stubbington by-pass on the Fareham-Stubbington Gap. Paragraph 3 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap states that*: 'As the Bypass is currently under construction and its alignment marked out, it is possible to see how it might affect the sense of separation between Fareham and Stubbington.'* The report also states that it is too early to understand the full impact that Stubbington Bypass will have on the landscape character and development pressures of the Gap. This second assertion is contested. Given that the by-pass construction has progressed significantly, and that by-pass proposal has been subject to landscape assessment (including through the ES associated with the application), there is sufficient information available to allow for a robust assessment of the impact of the by-pass on the gap and the landscape to be carried out. A review of the landscape and gap evidence should be carried out prior to submission of the Plan for examination.

There can be no doubt that the by-pass will have a considerable influence on the Fareham-Stubbington Strategic Gap - effectively splitting it two. Once the by-pass is complete, it will form a strong defensible boundary, which will make the difference in the character between areas north and south even more apparent than it is already. This difference in the character requires considered in the Local Plan and its evidence base.

Land to the north of the bypass route is considerably more open in character, with large open fields with limited boundary planting providing prominent views north from the bypass toward the southern urban edge of Fareham, which is well defined by Rowan Way. This area is characterised by a strong sense of tranquillity, and is a much more sensitive landscape that is more befitting of Gap designation in accordance with the Council's own methodology. Land to the south of the bypass, however, comprises considerably more urban influences as demonstrated by existing development along Ranvilles Lane / Titchfield Road, the cemetery south of Oakcroft Land and development around May's Lane / Peak land (including where the urban area of Stubbington protrudes into the gap). This observation is supported by the detailed analysis of gap study area 7a (see Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap, para 8) which states that:

'There exists the potential to ***make modifications to the settlement boundary of North Stubbington: to extend the boundary to run along Oakcroft Lane****, as the isolated field that sits aside Crofton Cemetery, does not protrude into the landscape beyond the current Northern and Western edges of Stubbington. Largely sitting behind a mature line of Poplars also helps this isolated field absorb some development (subject to detail design),* ***without risking the integrity of the Gap, as a whole****.'*
(Persimmon's emphasis)

Paragraph 11, Bullet 2 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review evidence reconfirms the limited role that the area to the north west of Stubbington, south of Oakcroft Lane and east of Ranvilles Lane plays as a gap. The Gap study states that this area has *'the ability to absorb development into the landscape exists, without compromising the integrity of the Gap function'.* The Council will be aware of the planning application within this part of the gap (LPA Application Reference: P/20/0522/FP). This application comprises 209 new homes a considerable area of land to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1. The application is a resubmission of a planning application that addresses technical and design issues raised by the Council previously. It is understood that the application is due to be considered by planning committee in January 2021.

One key consideration when reviewing the boundary of a gap is the consideration that no more land should be included in the gap than is necessary (see adopted Core Strategy Policy CS22, Fareham Borough Council Gap Review 2012 and South Hampshire Strategy 2012). This concept is reiterated in the Gap Review Paper as 'minimum land take'. In light of the above, it is Persimmon's view that the gap evidence should be reconsidered with areas north and south of the by-pass assessed separately to take account of the by-pass. For reasons set out above, and in accordance with the Gap Review methodology, it is considered that a review of the evidence would indicate that the land north of the by-pass should be retained as gap and land to the south should be deleted from the gap designation. Retaining a gap to the north would preserve a c. 800m gap between the by-pass and the southern urban edge of Fareham, which is described in the Gap Review Paper as being *'moderate-large gap'* of a 'good distance' that *'gives the traveller time to experience the countryside after leaving one settlement before joining another.'* Retaining a gap of adequate width in this location is particularly important given the role Peak Lane plays in providing a well utilised north-south link between Stubbington and Fareham.

With regards to land to the east of Stubbington, Paragraph 11, of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review indicates that there is very little opportunity to absorb development in this corridor but that advanced planting along the eastern edge of the settlement would be beneficial. Persimmon Homes have interests in this area (as discussed in detail later in these representations). In summary, the proposals include new residential development, significant new strategic planting and open space along the eastern edge of the site. Discussion are on-going with the

Meoncross School to facilitate expansion of the car park and playing fields in the short term and the potential relocation of the school to other land within Persimmon's interests over the longer-term.

In light of the our comments set out above It is considered that the Fareham-Stubbington Strategic Gap should be redrawn so that land to the south and west of the by-pass is removed from the gap.

Whilst not a gap issue per se, the emerging and previous Local Plans, have tended to avoid allocating any significant growth on the periphery of Stubbington. Sensitively redrawing the gap boundary as suggested above will allow for much needed sustainable development housing to come forward to support the housing aspirations of those wish to live in or remain living in Stubbington.

The Meon Strategic Gap

As touched upon above, the function of a Strategic Gap is to prevent the coalescence of separate settlements. Land to the west of Stubbington is identified as a gap but there is no settlement to the west of the Stubbington that requires protection from coalescence. With regards to Strategic Gap Study Area 6, it is noted that the Gap Review study states that this gap is provided to ensure there is no coalescence between Stubbington and Titchfield along Titchfield Road. Whilst this northern most extent of this study area may serve this purpose, the central and southern parts of the Study Area 6 play no role whatsoever in preventing coalescence. This is recognised in Paragraph 13 of Chapter 4: Strategic Gaps SG 1: The Meon Gap of the Gap Review Study. Nonetheless, the Study recommends that the Gap is retained in this area due to: high levels of tranquillity, its role in providing separation of Portsmouth and Southampton, and to recognise the potential longer-term settlement expansion southwards from Titchfield and South Westwards from Hook. Based on the Council's Gap Review methodology, these are not adequate reasons to include this land within the gap.

A more logical delineation of the gap, which would ensure that no more land than necessary is included within it, could be to end its southernmost extent at Crofton Manor Equestrian Centre where the transition from countryside to urban (as part of Stubbington) becomes apparent. As recognised in the Gap review study, much of the land to the south of the Equestrian Centre is subject to protection under draft Policy DS3 (as discussed below), and ecological constraints which provide adequate protection against inappropriate development in this area. A gap is therefore not necessary.

General Comments on Policy DS2

Notwithstanding our comments above, in our considered view, Policy DS2 is too restrictive. There may be a point within the plan period, for example where the Council is unable to demonstrate a sufficient five year housing land supply, where additional housing may be required over and above those sites identified in the Plan. The Council has persistently struggled to demonstrate a sufficient five year housing land supply in recent years so flexibility in the Policy is required.

As demonstrated through the Council's Regulation 18 draft Plan, a sustainable location for such development may be in the Strategic Gap between Stubbington and Fareham. As such, the Policy should include additional wording to allow for appropriate and sustainable development in the Strategic Gap in such circumstances where housing supply needs to be increased.

The Policy also seeks to prevent development in Strategic Gaps that may significantly affect its 'integrity' and the 'distinctive nature of settlement characters'. This is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. The reference to 'integrity' and the 'distinctive nature of settlement characters' should be deleted from the Policy. The function of a Strategic Gap is to prevent the coalescence of separate settlements, which can be achieved through assessment of the impact of a proposed development on the physical and visual separation of settlements. The other policy criteria are superfluous.

In light of the above, it is considered that the Strategic Policy DS2 - Development in gaps and delineation of the Gap as shown on the draft Policies Map, should be redrawn as set out above. If this is not the case the Policy cannot be said to either justified or effective and is therefore unsound.

Strategic Policy DS3: Landscape

Policy DS3: Landscape identifies a number of Areas of Special Landscape Quality (ASLQ), including the Meon Valley. This is new Policy that does not form part of the adopted Local Plan. The first part of this Policy seeks to significantly restrict development in the Meon valley area. However, considering that the Council has successfully defended the Meon Valley area from a number of hostile planning applications in the recent past without this Policy in place, the justification for it is questionable. Given the prohibitive nature of Policy DS3, the development potential of Site 5 (Cuckoo Lane) for housing and new school provision, will unlikely be realised unless the site is allocated for development in the Local Plan and/or the site is excluded from the Meon Valley ASLQ designation.

HOUSING POLICIES

Strategic Policy H1 Housing Provision

As mentioned in the Duty to Co-operate section above, the Council is applying the Government's former draft Standard Methodology to arrive at its LHN (403 dpa) as opposed to the current Standard Methodology (514 dpa). The draft Standard Methodology is not Government Policy, it is only a consultation draft. The Government has recently (16th December 2020) released revised LHN figures that indicate that the Council's baseline LHN will increase to 514dpa. This increase LHN to exactly the same figure as per the current Standard Methodology. This newly published data clearly undermines the Councils premature decision to use the lower LHN figure. It is also noted that when the current and new LHN figures for Gosport and Southampton are considered both Councils are facing an increase in LHN of 106 dpa and 315 dpa, respectively. This is significant as both of these Authorities may need to look to Fareham to accommodate unmet housing needs. This will place even greater pressure on Fareham Borough Council to increase its housing requirement set out in Policy H1. For completeness, Portsmouth's LHN remains unchanged between the two data sets.

Notwithstanding, our concerns that the Council has failed the legal test with regards to the duty to cooperate, Policy H1 cannot be assumed to be sound as undershoots current and emerging LHN. The Plan cannot therefore be considered consistent with national policy and it is not positively prepared. Should the Council seek to amend its housing requirement (for example using the current Standard Methodology) and make consequential changes to its supply sites, re-consultation on a revised Regulation 19 Plan will be necessary.

Policy H1 includes an estimated 1,224 windfall dwellings. The Council's Housing Windfall Projections Background Paper (June 2020) does not provide a detailed breakdown of which sites are being considered as windfall. The Council's figures cannot therefore be scrutinised. Until such time as the Council publishes this detail underpinning the windfall allowance, this element of the supply should not be counted towards the Council's housing requirement.

The Policy also looks to implement a stepped housing requirement, which backloads housing delivery towards the latter part of the Plan period. This approach is at odds with the NPPF's objective to boost the supply of housing and appears not be justified by the expected rate of delivery of sites as site out in the summary housing trajectory in Appendix B of the Plan. For example, in the first period (2021/22 and 2025/26) the Council proposes a requirement of 2,250 dwellings (averaging 450 dwellings per annum). However its housing trajectory suggests that 3,085 dwellings will be delivered, which is equivalent to 617dpa. As such, Policy H1 should be expressed as an average requirement; it should not be stepped.

The Policy also sets out that approximately 428 homes will be delivered on specified brownfield sites and/or regeneration opportunities in Fareham Town Centre. In some cases deliverability, viability availability (i.e. in existing use) is not assured (notably sites FTC2-5). Whilst Local Plans should be aspiration, they should also be deliverable. Allied to above, a further 1,327 homes are identified on Housing Allocation sites (i.e. allocation prefixed with a HA reference). However, a number of these sites are rolled forward allocations from the current adopted Local Plan, and in some cases (i.e. HA29 and HA30) are site that formed part of the Western Wards growth are that were originally identified

in the 1970's, but have failed to be delivered. As such, it is questionable whether the Council has properly assessed deliverability / developability of some of the sites comprising its supply. It is advisable therefore that the quantum of housing expected from some of the questionable supply sites should not be counted against the housing requirement in the Plan, and alternative sites (such as those set out in the Omission Sites section) should be identified to ensure the Council's housing requirements are met. In additional to the above, the deliverability issues associated with Welborne are well documented. Recently it is understood that due to delays in the site coming forward, the Council has lost external funding to deliver critical highway improvement works. This further underscores the challenges associated with this site. The Council would be well advised to take a highly cautious approach when seeking to include housing supply from Welborne. The draft Plan currently includes 4,020 dwellings as part of the housing supply. In light of the above, this figure is considered to be highly optimistic and should be revised downwards.

Notwithstanding, our concerns regarding the Council's choice of LHN, this figure should be regarded as the starting point for developing the Plan's housing requirement. Councils are advised through national planning policy/ guidance to consider whether any adjustments should be made to the LHN figure to account for other factors such as economic growth (which appears to be absent from the Plan) and unmet need from neighbouring authorities (as discussed above). With regards to affordable housing, the Council commissioned a Housing Needs Survey as part of its previous Regulation 18consultation draft Plan in 2017. At the time, the Survey suggested that there is a net affordable housing need of 302 dpa (i.e. nearly ¾ of the overall annual requirement). Whilst the Standard Methodology accounts for affordability (or lack thereof in Fareham's case), actual affordable housing need indicates that a further uplift to its LHN may be necessary.

Policy HP4 Five-Year Housing Land Supply

Policy HP4 states that development 'may be' permitted where a development meet all the criteria in policy HP4. The Policy should be reworded to positively state that a development *'will be'* permitted if it meets the policy criteria. When determining planning applications, the decision maker is required to read the Local Plan as a whole; there is no reason for the Policy to be equivocal on this matter.

With regards to criterion (b) the policy states that a development should be '…integrated with the neighbouring settlement'. Does this mean a physical link between the development and the adjoining settlement or that a development should be integrated in design terms? This needs to be clarified.

Criterion c) seeks to prevent development in strategic gaps that may significantly affect its integrity. As per our comments in respect of Policy DS2, this is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. It is also noted that Policy DS2 sets out different policy requirement with regards to the protection of Strategic Gap (i.e. proposals should not affect the physical and visual separation of settlements). This has the potential to create an internal conflict within the Plan as it is unclear which policy requirements (either HP4 or DS2) would take precedent where the Council unable to demonstrate adequate five year supply. It is suggested therefore that the wording for Criterion c) is deleted or replaced with a cross reference to Policy DS2 (including Permission's suggested amendment to this DS2).

Policy HP5 Provision of Affordable Housing

With respect to the percentages of affordable housing sought at sites, Policy HP5 should include a viability review mechanism to provide flexibility. This will assist with the viability of schemes should there be a fall in market over the lifetime of the Plan and/or in circumstance where unknown development costs are introduced (nitrate mitigation costs associated with the HRA requirements are a case in point having seriously affected the viability of schemes over the past year or so).

As set out in the supporting text to this Policy (paragraph 5.32), the Council publishes on its website the identified affordable housing need by area of the Borough. The Council's website shows considerably different housing need for each area. The affordable tenure mix is therefore too prescriptive and does not reflect the Council's own evidence base. It is advisable therefore that the

Council replaces criteria i-ii with a statement confirming that affordable housing mix and tenure will be negotiated with the Council evidence base set out its webpage used as the starting point.

Further underscoring our concerns with the nature of the tenure mix, the Council should be aware of the potential practical challenges associated such a small percentage of Affordable Home Ownership. The Policy could be interpreted by officer so that Affordable Home Ownership is provided at 10%, which would be a challenge for reasons set out below. Registered Providers are becoming ever specialised with some only dealing with the shared ownership side and others the rented side. Requiring such a small percentage of Affordable Home Ownership products through this Policy may create challenges in terms the viability of tender bids for this type of unit. In addition, Affordable Home Ownership, including shared ownership schemes, have been shown to be an effective means of getting people on the property ladder. As the Council's own evidence shows 10% is considerably below what is actually needed.

The final element of Policy HP5 addresses the market rent of Affordable Rented units, which will be judged as 80% of market rent or the relevant Local Housing Allowance (LHA), whichever is lower. The NPPF only make provision for rent to be set at 80% of market. It does not state that market rents should be benchmarked against LHA. The reference to LHA should be deleted to ensure that HP5 is in conformity with national policy.

It is also noted in Paragraph 5.42 of the supporting text to HP5 that the Council may need review the Affordable Housing Supplementary Planning Document (SPD) to address changes to the affordable housing and mix. SPDs should not be used to review issues that have a direct impact on viability. This should be tested through the Local Plan review process.

Policy HP7 Adaptable and Accessible Dwellings

The PPG sets out a number of tests against which Councils should consider when seeking to introduce M4(2) and M4(3) policies into its Local Plans. The Council's Specialist Housing Background Paper (September 2020) has been produced which shows how the Council claims to have met these tests.

In terms of need, the Background Paper sets out the population with Long Term Health Problem or Disability based on census data. However, this measures population, not households, so should not be assumed to an accurate proxy for need. It should also be noted that some people who state that they may have a Long Term Health Problem or Disability as part of a Census response may not have an illness that would affect mobility and would not therefore not necessarily require M4(2) or M4(3) dwellings. The evidence base should be updated to reflect the above.

With regards to the provision of Category 3 specifically, the Council's evidence of need is weak being based on a national wheelchair usage that may not reflect the level of need in Fareham Borough. Furthermore, with regards to Category 3 affordable housing, from a practical point of view, Registered Providers are less willing to take on wheelchair dwellings as they can be difficult to occupy. If there is no suitable occupier then the unit could be sat empty for a significant period while a suitable occupier is found. During this time the unit is not generating any income, and could have been used to house a family that is in need at the time.

As the Council correctly identifies, a large proportion of older homeowners will seek to remain within their own homes with care provided in situ. Should these owner occupiers need to downsize or relocate they will be able to utilise the equity built up within their dwellings to access products which meet their specific. This may be sheltered or extra care accommodation. Within recent years, as this market has developed, the industry has responded with a number of private sheltered accommodation schemes approved within Fareham. In this context, the Local Plan also looks to facilitate the delivery of specialist housing through Policy HP8 and through specific housing allocations made in the Plan (HA42 – HA43). The Background Paper does not appear to have factored in the supply of specialist homes that may come forward be on allocated sites and windfall sites permissible under Policy HP8.

With regards to the second test relating to location of specialist housing, as set out HP8, this type of accommodation is best located in accessible locations. Given the mobility challenges which some older people face, town and district centres, with their conveniently located services such as shops and health facilities, are ideal locations for older persons housing. Fareham town centre is a highly accessible location where a significant quantum of flatted housing is proposed with the benefit of a reduced affordable housing policy requirement. District Centres are also highly accessible locations where there is a potential for older persons housing could be delivered. The Council should therefore consider restricting this Policy requirement to areas of high accessibility.

Policy HP9 Self Build and Custom Homes

Policy HP9 sets out a policy requirement for 10% of all units on sites over 40 dwellings to provide plots for sale to address local self or custom build need. It is noted, however, that at Paragraph 5.8 of the Council's Self and Custom Build Housing Background Paper (September 2020) it is stated that that the Council has met its past and future self-build requirements – this has been achieved without the need for a specific policy. It is also noted that the adopted Welborne Plan requires some 1% of its housing to be for self / custom build. Set against the current identified need of 35 net plots it would seem excessive to require a policy to further increase self / custom build supply. This could result in significant over provision of a product for which there is no clear market demand. In light of the above, the justification for Policy HP9 is therefore questionable. The policy does include provision for plot to be developed for non-self-build ,should they not be taken up, however, this Local Plan has made no assessment about the extent to which this would affect cash flow and the viability of developments. It is Persimmon's view therefore that this Policy should be deleted.

Notwithstanding our overarching concerns regarding the justification for this policy, there are a number of practical considerations that the Plan fails to adequately acknowledge. Criterion a) for example, sets out that self or custom build plots should be serviced. The Policy needs to clarify what is meant by 'serviced'. Does serviced this relate highway access, gas, water, electricity and/or broadband, and to which point should the plots be serviced? Turning to criterion c) it is not clear who would be responsible for setting out the design parameters. Placing a requirement to conform to set parameters could put off some prospective self / custom builders. The requirement to provide self and custom build plots may also have a number of practical and management issue, such as:

- Phasing and completion of the wider site.
- Section 106 contributions due to the exemption that applies to self-build housing.
- Delivery of housing in accordance with paragraph 59 of the NPPF to boost significantly housing supply, where supply on an ad hoc basic by self-builders is likely to be slow compared with the remainder of the site or even not take place at all.
- The reserve matters period running out and needing to be extended.
- Ad-hoc builders turning up outside specified hours of work.
- Storage of materials as there is limited room on plot and storage spills onto the market housing part of the site.
- Purchasers having to stop building due to unemployment/lack of funds.
- Purchaser dissatisfaction where building continues on a site which was expected to finish when they moved in.

<u>CLIMATE CHANGE</u>

Strategic Policy CC1 Climate Change

This Policy states that the 'Council will promote mitigation and adaptation to climate change through…' It is unclear whether the criteria will be sought as part of development proposals, or whether the criteria relate to development delivered by the Council. This requires clarification. If it is the former, the Policy should make clear that the criteria are not requirements but should only be met where it is possible to do so.

Policy CC2 Managing Flood Risk and Sustainable Drainage Systems

Policy CC2 requires all developments to be designed in accordance with the CIRIA C753 SuDs Manual or equivalent national or local guidance. The SuDS manual is, however, only guidance. In Persimmon's experience, strict adherence to the guidance can be problematic as the design of a SUDS system also need to consider design, aesthetics, engineering etc. It is recommended therefore that the wording for this bullet point is prefixed with 'Where possible,' to provide the necessary flexibility.

NATURAL ENVIRONMENT

Policy NE2 Biodiversity Net Gain

Policy NE2 sets out a requirement for site to deliver 10% net gain for biodiversity. The Local Plan viability assessment assumes a cost of £500 per dwelling. This development cost is based on limited evidence and seems low, particularly for greenfield sites (as opposed to brownfield equivalents) which are likely to require significant more extensive measures to achieve a 10% net gain. In many cases, the requirement to achieve BNG is likely to negatively impact on the developable area, resulting in a loss of revenue that negatively impacts on viability, rather than be a cost associated with each individual units per se. In Persimmon's view, the viability evidence to support the introduction of this Policy is inadequate. As mentioned above, meeting BNG at 10% can require considerable land take; on some sites Persimmon has been involved in, BNG has required around 50% of the gross site area. It is not clear whether or to what extend the Council has factored in this 'land hungry' BNG requirement as part of its housing allocations capacity estimates. It is also noted that BNG should be achieved across a site, it is not a requirement to be met at the individual plot level (although this might form part of the BNG solution). As such, supporting text Paragraph 32 is misleading and should be deleted.

Policy NE4 Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent

This is new Policy which sets out Fareham's policy approach to dealing with excessive nutrient (nitrate) loading on protected European sites of ecological importance. However, the Policy is light on detail with insufficient guidance as to how applicants will be able to demonstrate conformity. Given Persimmon's significant experience in dealing with such matters, the Company is aware of how this Policy can be implemented in practice, but for less informed developers/applicants this may be more challenging.

Notwithstanding the above, the Company is aware that the primary means of determining whether a development proposal will be able to demonstrate nutrient neutrality is by producing a nutrient budget using the Natural England Methodology. Given that the Natural England Methodology provides a key evidence base and is fundamental to the implementation of Policy NE4, it is critical that this document is examined in detailed alongside the Local Plan. Of particularly concern is that Natural England's Methodology includes a number of onerous stages that result in significantly more mitigation being required than is actually necessary. These provisions include, but are not limited to, housing occupancy rates, internal migration (particularly those households that are occupying new affordable housing) and default permit levels. Furthermore, despite many of steps set out Natural England Methodology taking a precautionary approach to nitrate assessment, an arbitrary buffer of 20% increase in nitrate loading is added at the end of the calculator. This buffer is not required and will further exacerbate the issue of overproviding mitigation land that is not necessary. Lastly, it is noted that the Partnership for South Hampshire has updated the Integrated Water Management Study (IWMS). The IWMS provides a key evidence base underpinning the nitrate assessment work, but the Natural England Methodology does not take into account this new evidence.

Policy NE5 Solent Wader and Goose Sites

Policy NE5 sets out the Council approach to protecting area which are used by Solent Waders and/or Brent Geese. The Policy makes reference to such area as shown on the Policies Map. These

designations are, however, informed by an interactive GIS map provided on the Solent Bird Aware website, which forms a critical evidence base to the development of Policy NE5. It is therefore concerning that, on the same webpage as the bird habitat GIS mapping, members of the public can download a form to report bird sightings. It is not clear whether or to what extent these reported sighting are authenticated / scrutinised by a qualified ecologist. There appears to be wide scope for land to be incorrectly identified as a bird site leading to unnecessary cost being expended to mitigate site, and in the worst cases complete sterilisation of that land. This is certainly the case with a number of sites that are with Persimmon Homes' interests (as detailed later in these representations). There is a concern therefore that the mapping evidence base underpinning Policy NE5 is flawed.

The Policy also does not set provision with regards to bird surveys. The methodology for bird sites allows sites to be identified as habitat even if they are not actually being used by birds. It would seem logical that the policy makes provision for applicant to undertake ecology survey and assessment of bird sites in order to demonstrate the absence or presence of a species. We would recommend that one year's survey data should be sufficient, with further surveys only required if the some activity has been identified at a site.

The Council will also be aware that it is the Solent Bird Aware mapping (not the Policies Map) that is used by consultees (Natural England and the Council's own in-house ecologist), to determine whether a development will impact on any protected bird habitat areas, to avoid any confusion in the future, and to ensure the Policies Map remains in date, it is suggested the Policy Map deletes these designations.

With regards to the criterion a) 'Core and Primary Support Areas' the Policy requires that development on such sites should result in an overall net gain to the Solent Wader and Brent Geese Network. BNG is a requirement of Policy NE2; the concept for which is established in the NPPF. However, Persimmon are unaware of any such requirement in national policy or the evidence base underpinning this policy, for a net gain for specific species, including protected birds.

Policy NE6 Trees, Woodland and Hedgerows

Point a) of this Policy advises that the 'unnecessary loss' of non-protected trees, hedgerow and woodland should be avoided. It is unclear what 'unnecessary loss' means in practice.

Point b) of the Policy should be a new sentence, and what is meant by the term 'unavoidable' in this context should be clarified.

Policy NE8 Air Quality

Criteria a) of this policy requires electricity charging infrastructure to be provided as part of new development (excluding Welborne). It is unclear why this Policy is not to be applied to Welborne. Presumably this is because of the impact of such provision on viability. Viability issues associated with EV charging provision are, however, not limited to Welborne.

The Local Plan Viability study incudes development cost associated with EV charging as part of £10,000 per plot contingency. Paragraph 5.3.8 of the Study states that, *'it is unclear at stage of writing if or when any of these measures will be required, so [the study takes] a very cautious and conservative approach….'* With regards to the EV charging, Policy NE8 requires such provision; there is no uncertainly as to what is expected of a development proposal. As such, the Viability Study should consider this issue in greater detail and not combine this policy requirement with other unknown cost demands on development. Combining these 'unknowns' a single contingency means that is not possible to scrutinise in detail whether the assumptions made with respect to EV is reliable.

We would highlight that the cost for providing EV charging points is around £500-£600 but this does not include additional costs associated with providing additional sub-stations on lager development sites so that all charging points are capable of being used concurrently (alongside all other energy

demands on a development), and the potential to provide enhanced electricity supply (i.e. off-site upgrades) over and above that required for the units that could challenge a scheme's viability.

As current drafted, this element of the Policy is not justified.

TRANSPORT AND OTHER INFRASTUCTURE

Strategic Policy TIN1 Transport Infrastructure, Policy TIN2 Highway Safety and Road Network and Strategic Policy TIN4: Infrastructure Delivery

These policies concern development contributions to the delivery of new infrastructure. However, it is considered the funding for such infrastructure may, in many instances, be a matter for CIL.

Notwithstanding, the above, if such Infrastructure is a requirement to make the development acceptable in planning terms, then such contribution need to meet the relevant tests set out in the CIL Regulations. It is no longer appropriate for blanket contribution to be sought by planning authorities. The Policy should be clear on this matter.

With specific reference to TIN2 it is unclear why the Council has chosen not to show the alignment of the Stubbington by-pass on the Policies Map given its strategic importance. This Policies map should be updated to show this route.

DESIGN

Policy D1 High Quality Design and Place Making

Policy D1 makes reference to a number of principles of policy and urban design, but also makes reference to guidance contained in the supporting text. For clarity and avoid any confusion over what is policy and what is supporting, text, it is suggested that this cross reference to the supporting text contained in the policy wording is deleted.

The Council should also review the policy to remove any duplication with other policies in the Plan, for example the section relating nature.

Consideration should also be given as whether the policy needs to be so detailed given that the Council has comprehensive guidance on design set out in its adopted Design SPD.

Policy D3: Coordination of Development and Piecemeal Proposal

This Policy seeks to avoid ransom situations. However, The Council will be aware of case law that prevents it from interfering on private property rights with regard to depressing or prevent returns to a landowners.

Policy D4: Water Quality and Resource
The second part of this policy requires developers to meet the Optional Technical Housing Standard for Water Efficiently (i.e. 110L/person/day). Meeting these Standards should be optional, not required. Whilst the Natural England Nutrient Methodology for the Solent area requires development to meet these standards as a means of addressing nitrate loading, there may be instances where nutrient neutrality can be achieved without doing so. The justification for requiring proposals to meet this standard are inadequate.

D5 Space Standards

The housing standards review introduced the optional space standards which local authorities could adopt by way of reference in their local plans. However, a prerequisite to the adoption of the space standards are the following tests set out in the planning practice guidance (Paragraph: 020 Reference ID: 56-020-20150327).

"Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- ***need** – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- ***viability** – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- ***timing** – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.'*

In order to meet the policy test for the inclusion of the space standards there is a requirement for the council to establish the need for the adoption of the national space standard. To this end, the Council has published a Specialist Housing Background Paper (September 2020). Para 6.7 of Background Paper states most dwellings that have been consented or are awaiting determination are consistent with the 2015'Technical housing standards –nationally described space standard. The Background paper, makes references to the larger plots not meeting this standard, with an example being made of site ref 14/19. However, on the whole most dwellings considered in the Council's Background Paper, including large units, are meeting the Optional standards. From a need perceptive, it would seem as though there is little justification for the introduction of this Policy.

In terms of first part of the viability test, the Council's Local Plan Viability Study indicates that development viability would not be negatively impacted by the introduction of the standards. This Study, however, is completed at a relatively high level, which makes it difficult to conclude whether this part of the test has been complied with. With regards to the second part of the test, no assessment has been carried out by the Council to demonstrate that the requirement for new development will not negatively impact affordability within the market.

As set out in paragraph 6.10 of the Background Paper, the Council has decided not to set a transition period for the adoption of the national space standards as it is of the view its introduction would not affect viability. For reasons set out above, we do not concur with this assessment, and suggest that a three year grace period is introduced to allow sites that are under a fixed contract to be brought forward. It is also noted that, the Council are looking to apply the draft policies in this Plan, including the requirement for national space standards prior to the examination or adoption of the plan. This contrary to the approach set out in the planning practice guidance. It is not practical to expect development proposals that are currently being considered to suddenly meet space standards.

In light of the above, Policy DS5 is not justified and should be deleted for reasons of soundness.

Local Plan Appendices

Appendix B set out a summary housing trajectory for the sites identified in the Plan. This is inadequate to properly assess the delivery expectation made by the Council with respect to individual sites. To enable proper scrutiny of the trajectory, the Council's housing trajectory should be broken down by individual sites. This is particularly important because the Council has consistently over-estimated the delivery timescales for key sites. For example, Welborne, which was originally identified in the Core Strategy (2011), was expected to commence delivery in 2014/15. The site has still not achieved an implementable planning persimmon, and commenced of development is still some way off.

4. Omission Sites

The following section provides an overview of the sites in Fareham Borough that are in Persimmon's interests, but have not be identified for allocation. These site are largely located on the periphery Stubbington and are within the ownership of the Dunley Estate. The Table below summarises the Dunley land holdings including capacity. The sites are shown on the enclosed Location Plans provided at Appendix 2.

Site Number	Address	Gross Area Acres (Hectares)	Site Capacity Estimate*
1	Land East of Burnt House Lane	23.53 (9.52)	240 - 320
2	Land West of Peak Lane	46.25 (18.72)	TBC
3	Land North of Titchfield Road	4.83 (1.95)	40 -50
4	Land South of Titchfield Road	2.78 (1.12)	10 - 30
5	Land West of Cuckoo Lane	52.76 (21.35)	150-200
6	Land at Oakcroft Lane	41.04 (16.20)	209
	Total	**171.19 (69.28)**	**649 - 809**

*Based on net developable area, not gross area.

Sites 1-3 and Site 6 fall within the South of Fareham SGA that was identified as part of the most recent Regulation 18 draft Plan. The remaining sites (Sites 4 and 5) are located outside of the SGA. The following section addresses each site in turn.

In support of the Draft Local Plan Regulation 19 Plan, the Council updated its Strategic Housing and Employment Land Availability Assessment (SHELAA) in September 2020. This replaces the previous study which published in December 2019. The conclusion of the SHELAA as related to each of the sites shown in the Table above are considered.

Site 1: Land East of Burnt House Lane

This site is located to the eastern edge of the Stubbington. Persimmon has undertaken some initial capacity testing in relation to Site 1, including an initial highways assessment and masterplanning. The outcome of this work indicates that the site is capable of delivering around 240 to 320 new homes. This accounts for on-site constraints including the provision of a noise attenuation bund, and strategic planting to the eastern and northern boundaries of the site. Adjacent to this site is the Meoncross School, which seeking alternative arrangements for playing pitches close to the school (the existing pitches are currently leased and do not adjoin the school) and additional car parking to avoid parents parking on the nearby residential streets. Persimmon is in discussion with the school about how development at the Burnt House Lane may assist in addressing the school's immediate needs. In the longer term, however, given that the school is unable to expand within its existing site, consideration is being given as to whether the facility could be relocated to the Cuckoo Lane site (Site 5) to the west of Stubbington. Permission are strongly of the view that the site is sustainable and suitable for development and it is capable of being brought forward as a standalone allocation site, or as part of a wider masterplan with the South of Fareham SGA, should the Council seek to revisit this project.

The SHELAA 2019 concluded that Site 1 (SHELAA Ref: 1040) was deliverable housing site. However, in the Council SHELAA 2020 the Council considers the site to be undeliverable due a) to a significant visual impact undermining the integrity of the Strategic Gap, and b) the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The

Council ascribes a capacity of 125 dwellings to the site. It is unclear how the Council has reached the conclusions in the new SHELAA given its assessment of the 2019 SHELAA undertaken just nine months prior. Notwithstanding this, as set in these representations, it is Persimmon's view that the Strategic Gap should be redrawn to exclude this site. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the bird site to development is not unachievable. A strategy of improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 2: Land West of Peak Lane

This site is located to the north of the by-pass and extends across much of the gap towards the urban edge of Fareham in the north. Given its location and context, the development potential of this site is considered to be limited. However, the land could be an effective nitrate mitigation and/or bird protected habitat site that mitigation solution that could be used to address the potential impact development on other sites within Permission interests and/or other sites in the Borough the require mitigation solutions.

Site 3: Land North of Titchfield Road

This site is located to the north-west of Stubbington. Whilst this site formed part of the previous SGA, it is clearly distinct from and separate from it. This site is small scale that is well-contained in landscape terms, surrounded by existing built development and is deliverable in the short-term as stand-alone site that can be brought forward either as part of outside of the SGA masterplanning process should the Council seek to revisit this project. Initial capacity assessments of Site 3 indicates that it is capable of delivering around 40-50 new homes.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3190) was a deliverable housing site. However, in the SHELAA 2020 considers the site to be undeliverable due it being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 20 dwellings to the site. It is unclear how the Council has reached these conclusions regarding the suitability of the site given its assessment of the site undertaken just nine months prior. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the site to development is not unachievable. This approach to improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 4: Land South of Titchfield Road

This small site is located to the north-west of Stubbington. It bounded to the north-east and north-west by existing housing fronting Titchfield Road and the Crofton Equestrian Centre. The site's relationship with the wider Meon Valley landscape is limited by the woodland to the south of the site. The woodland to the south and its associated watercourse (which is also within Dunley Estate ownership) is recognised as an important ecological resource. Sensitive site design, however, could provide a means of ensuring the ecological interests at this adjoining site are protected and enhanced. Initial site capacity assessment indicated that the site is capable of delivering between c. 10-30 new homes. Were the Council minded to allocate the site for residential development, it could provide an important contribution towards its small-medium site housing allowance as required by Paragraph 68 of the NPPF.

Site 5: Land West of Cuckoo Lane

This site adjoins the settlement boundary of Stubbington to its north-eastern boundary. It is characterised by a substantial arable field that is well-contained in the north by the built form of Stubbington and substantial woodland. Initial capacity testing of this site, which has allowed for a substantial ecological buffer to the woodland, strategic planting to contain the site from the wider Meon Valley, land for a new school and new parkland further south, indicates that it is capable of delivering around 150-200 new homes.

This site is assessed in the SHELAA as being undeliverable due to being located within a *'highly sensitive landscape (based on the Fareham Landscape Assessment) and within an Area of Special Landscape Quality. Significant ecological constraints associated with the adjacent SPA/SSSI affect the suitability of the site.'* The SHELAA ascribes a capacity of 240 dwellings to the site. Whilst the ecological and landscape challenges associated with this site are recognised, they are not insurmountable. Although not a consideration for the SHELAA per se, the site provides the opportunity to deliver substantial ecological and recreation benefits, alongside community benefits, including new education provision and allotments.

Site 6: Land at Oakcroft Lane

Similar to Sites 1 and 3, the Oakcroft Lane site can be delivered outside of or as part of the SGA process (should the Council revisit this project). However, as demonstrated through the planning application, the site is deliverable now as a standalone development site. Technical issues associated with the development have been resolved and Persimmon are currently awaiting determination of the application by the Council. The site is capable of delivering 209 new homes alongside a considerable area of space to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3141) was a deliverable housing site. However, in the SHELAA 2020 the Council considers the site to be undeliverable due to the site to be undeliverable due to the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 200 dwellings to the site. It is unclear how the Council has reached these conclusions given its assessment of the site undertaken just nine months prior, and considering the site-specific mitigation strategy for protected birds has the support of Natural England and the Council's ecologist via the planning application process.

Appendix 1: Oakcroft Lane Site Layout

Rev	Date	Revision Details	Dr	Ch
E	22.04.20	Bypass junction amended	br	db
D	25.02.20	see planning cover note	br	db
C	05.11.19	see planning cover note	br	db
B	20.09.19	see planning cover note	br	db
A	22.07.19	see planning cover note dated 23 July	br	db

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Job Title
Oakcroft Lane, Stubbington

Drawing Title
Site Layout

Job No	Drawing No	Rev
220	A-02-015-SL	E
Drawn	Checked	Date
BR	DB	March '19

Scale
1:1000 @ A1 / 1:2000 @ A3

metres 20 40 60 80 100

Status
PLANNING

Persimmon Homes. No dimensions to be scaled from drawing except for the puposes of Planning Applications. The contractor should check all dimensions on site. It is the contractors responsibility to ensure compliance with Building Regulations. No drawings should be copied or modified without permission from Persimmon Homes.

File Location: s:\south coast\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Appendix 2 Omission Site Location Plans

Site 1 Location Plan: Burnt House Lane, Stubbington

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Site 2 Location Plan: West of Peak Lane, Stubbington

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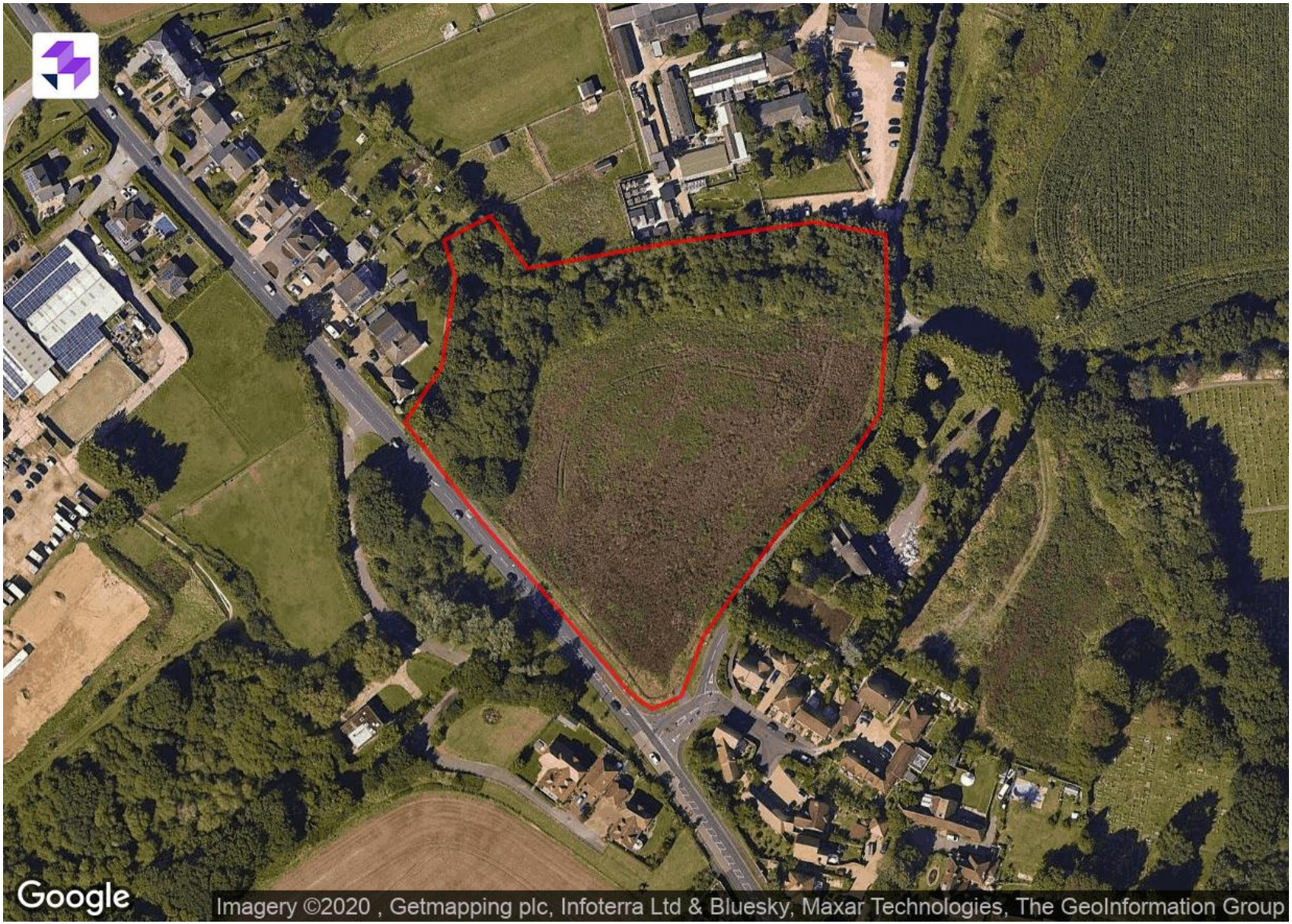

Site 3 Location Plan: North of Titchfield Road, Stubbington

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Site 4 Location Plan: South of Titchfield Road, Stubbington

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Site 5 Location Plan: West of Cuckoo Lane, Stubbington

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OFFICIAL PARTNER

Rev	Date	Revision Details	Dr	Ch
A	22.07.19	see planning cover note dated 23 July	br	db

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Portsmouth
CITY COUNCIL

Planning Policy,
Planning and Economic Development

Portsmouth City Council
Civic Offices
Guildhall Square

Gayle Wotton,
Planning Strategy Manager
Civic Offices,
Civic Way,
Fareham,
PO16 7AZ

[redacted]

Ref:

17 December 2020

Dear Gayle,

Re: Fareham Borough Council - Local Plan 2037: Portsmouth City Council response

Thank you for consulting Portsmouth City Council on the emerging Fareham Local Plan. The City Council would like to make the following comments:

Approach to Housing Need

1. While the Fareham Borough Council's (FBC) 'Regulation 19' Publication Plan has been out to consultation the Government has announced a revised standard methodology for assessing local housing need, following the *Changes to the current planning system* consultation published in August 2020. For both Fareham and Portsmouth this results in the previous standard method numbers being retained (514 and 855 per annum respectively[1]) rather than the proposed lower figures put forward for consultation by Government in August (estimated to be 403 and 730 per annum respectively). The development strategy proposed by the Reg 19 verison of the Fareham Borough Council Local Plan 2037 is based on the 420 per annum figure.

2. Portsmouth has a finite capacity to accommodate new development due to its geographical constraints; changes to Portsmouth's housing target are therefore directly reflected in the cities unmet housing need. Paragraph 4.5 of the FBC's Publication Plan references the City Council's formal request for Fareham to accommodate 1,000 dwellings of Portsmouth's unmet need; Fareham's contribution in its housing supply for the plan period of 847 dwellings to the unmet need of all neighbouring authorities' is noted and welcomed. However, under the December 2020 methodology, the City Council has a total unmet need of over 3,000 dwellings. The City Council would therefore wish to maintain the request to FBC to potentially accommodate up to 1000 dwellings as a portion of Portsmouth's unmet need. The City Council is also conducting other Duty to Cooperate discussions on the matter

[1] MHCLG *Indicative local housing need* (December 2020 revised methodology) available from: https://www.gov.uk/government/consultations/changes-to-the-current-planning-system

with neighbouring authorities in the Portsmouth Housing Market Area. Gosport and Havant Borough Councils have both indicated capacity limitations. However, the City Council recognise that the distribution of housing need is broader than the PCC and FBC authority areas, and will require consideration and co-operation at the sub regional scale.

3. In response to FBC's previous Local Plan consultation (Local Plan Supplement, March 2020), the City Council welcomed the proposal for two Strategic Growth areas (North of Downend, and South of Fareham) in Fareham Borough's Local Plan, which were indicated at that time as having the potential to meet unmet development needs from the Borough's neighbouring authorities. The City Council indicated that North of Downend would be particularly suitable for accommodating unmet need from Portsmouth given its closer geographical proximity to the city and transport links via the M27/ A27, Portchester railway station and the proposed Bus Rapid Transit (BRT) line.

4. The Publication Plan has not taken the two Strategic Growth Areas forward, due to the anticipated reduction in FBC's housing target from Government. Given the potential revision in housing need targets (published 16.12.20), this would justify FBC's reconsideration of the inclusion of such sites to help meet FBC's housing need and well as unmet need from other neighbouring authorities in the Portsmouth Housing Market Area, including PCC.

5. PCC and FBC will continue to work collaboratively to address strategic planning matters, both through the Partnership for South Hampshire (PfSH) and, where necessary, on a bilateral basis. The PfSH authorities' are currently undertaking a piece of work (as part of the review of the 2016 Spatial Strategy) to identify sufficient suitable sites to accommodate unmet housing need across the sub region, with specific focus on Housing Market Areas. This will include ensuring there are sufficient sites in the Portsmouth Housing Market Area (which contains both Portsmouth and a large part of Fareham). The City Council welcome the inclusion of land at Down End and development in part of the Stubbington Gap in the PfSH Strategic Development Opportunity Area work as part of the range of strategic site options being considered. The City Council supports the specific reference to the on-going joint work with the PfSH authorities in paragraph 1.3 of the Plan.

Employment

6. In regard to employment, Portsmouth and Fareham's authority areas' form part of a wider market area, with commuters moving between the city and the surrounding towns including Fareham and the M27 corridor. PCC supports the allocations for employment land in Policy E1: Employment Land Provision, particularly the sites at Daedalus which of sub-regional importance to the local market.

7. The City Council would encourage HBC to consider how the Local Plan could help to resist the loss of employment space (e.g. a future Article 4 Direction), as well as the loss of other allocated uses that fall under Use Class E where necessary. If allocated employment land is lost to residential uses this could lead to an increase in unsustainable travel patterns and greater pressure on the wider area. We would welcome further discussion with FBC, and other Councils in Portsmouth Housing Market area and/ or PfSH area, on this matter to establish a common approach.

DRAFT

Portsdown Hill

8. Portsdown Hill is an important part of the landscape in South East Hampshire, for its open space, landscape and heritage value as well as the views of and from the hill. The City Council supports the identification of Portsdown Hill as an Area of Special Landscape Quality under the FBC Publication Plan Policy DS3, and notes the evidence produced to support the allocation in the *Technical Review of Areas of Special Landscape Quality and Strategic Gaps* (Sept 2020).

9. The City council would welcome any further opportunities for joint working on the strategic approach to Portsdown Hill, together with Winchester District Council and Havant Borough Council, including as a consultee on development proposals.

Environment

10. The City Council welcomes the inclusion of NE1 - Protection of Nature Conservation, Biodiversity and the Local Ecological Network, Policy NE6: Trees, Woodland and Hedgerows, Policy NE9: Green Infrastructure which together help protect key species and habitats and promote green space coverage within south Hampshire.

11. Portsmouth are currently developing a green infrastructure network for the city, including the identification of a number of existing and proposed 'green corridors' to link up open spaces across Portsmouth, encourage active travel, enhance biodiversity and support resilience to climate change. A first draft of the proposed network was published in PCC's Green Infrastructure Background paper in February 2019; it includes the identification of several potential 'green corridors' that would meet the boundary with Fareham's authority area: Portsdown Hill Road and Southampton Road (A27). The City Council would welcome any discussion on how these proposed corridors could be extended beyond the City Council area, and/ or support for these linkages in the FBC Local Plan if possible. The identified ecological network opportunities (shown the map in Appendix C of the Publication Plan) along Portsdown Hill Road and the A27 within the FBC authority area are noted.

12. The City Council is committed to continuing to work with FBC and the other members of the PfSH Water Quality Working Group as necessary on short, medium and long term 'nutrient neutral' mitigation solutions for housing development within the Solent catchment. Current discussions indicate that mitigation solutions are likely include the identification and securing of suitable off-setting land in the Solent catchment, predominately outside the Portsmouth urban area.

13. The City Council is also mindful of the likely forthcoming requirement to provide at least 10% biodiversity net gain on development sites, as part of the anticipated Environment Act. While the City Council is currently undertaking further work to explore how such requirements could be effectively applied within an urban environment and to identify off-site opportunities for biodiversity creation and/ or enhancement within the city, there is the potential for a shortfall in net gain provisions (subject to the final provisions of the Environment Act) within the plan period. Securing land for nitrate mitigation presents one such opportunity to seek multiple environment benefits for the sub region (biodiversity net gains, carbon off-setting, Suitable Alternative Greenspaces (SANGs) for recreational disturbance,

habitat compensation of coastal defence schemes etc). The City Council are committed to furthering these discussions with Fareham BC and the other PfSH authorities on this matter, and to consider the potential for environmental off-setting on both a sub-regional and a site by site basis as appropriate.

Education

14. The City Council continues to maintain close links with Hampshire County Council as Education Authority due to cross border pupil movement. Development in close proximity to the FBC and PCC authority borders can impact the availability of school places across authorities. The timing and size of development should therefore be closely monitored to ensure the continued availability of school places during the life of both Local Plans.

Transport

15. The City Council welcomes the reference in paragraph 10.3 of support for proposals that promote sustainable transport links through Fareham Borough to Portsmouth and Southampton. The city also supports the reference to the development of the rapid transit networks between the two authorities and linking to others in the sub region in paragraph 10.20.

If you wish to discuss any of the matters raised in our response, please do not hesitate to contact me.

Kind regards,

Rachel Cutler

Acting Planning Policy Manager

[redacted]

DRAFT

Regulation 19 – Submission Draft

Project:	**Land west of Downend Rd, Portchester**	**Date:**	**17 December 2020**
Subject:	**Fareham Local Plan**	**Reference:**	**249501F**

Representation made to Fareham's Draft Local Plan 2037

Formal submission of representation will be made on 18 December via email to Fareham Borough Council.

Response to consultation form

A1. Is an agent appointed:

Yes: [x] No: [ ]

A2. Please provide your details:

Title: c/o agent
First name:
Last name:
Job title:
Organisation: Miller Homes
Address:
Postcode:
Telephone number:
Email address:

A3. Please provide the Agent's details:

Title: Mrs
First name: Lindsay
Last name: Goodyear
Job title: Associate Director
Organisation: Terence O'Rourke Ltd
Address: [redacted]
Postcode:
Telephone number:
Email address:

B1. Which part of the Local Plan is this representation about?

	Paragraph (B1a)
NE2	Policy (B1b)
	Policies map (B1c)

B1a Which paragraph?

n/a

B1b Which policy?

NE2 Net biodiversity gain

B1c Which part of the policies map?

n/a

B2. Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		X
Sound		X
Complies with the duty to co-operate		X

B3. Please provide detail you have to support your answers above

The Environment Bill will cover the requirement for development sites to deliver net biodiversity gain. In order to ensure the plan is consistent with national policy the requirement for biodiversity net gain should be set at the national level.

The policy requires biodiversity net gain of at least 10% to be achieved for the lifetime of the development. Whilst that is admirable, it may also be very challenging to demonstrate at the planning application stage and then later control and monitor. Features introduced into a development now to ensure biodiversity net gain is achieved may not be relevant, function or be necessary throughout the lifetime of the development.

B4a. What modifications(s) is necessary to make the Local Plan legally compliant and or sound?

Delete the policy and rely on the Environment Bill to ensure schemes deliver 10% biodiversity net gain.

Or at least, remove the reference to require the biodiversity net gain to be provided for the lifetime of the development as this is not enforceable.

B4b. How would the modification(s) you propose make the Local Plan legally compliant or sound?

Deleting the policy would remove any potential future conflict with the Environment Bill once it is enacted.

B4c. Your suggested revised working of any policy or text:

Please refer to the detailed response at B4a and b above.

B5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes: [X] **No:** [ ]

B5a. Please outline in the box below why you consider it necessary to take part in the hearing session(s):

Miller Homes should be provided with an opportunity to participate at the hearing part of the examination. The issues raised in regard to the soundness of the Draft Local Plan, in the submitted representation, require detailed examination before an independent inspector.

Turley

18 December 2020
Delivered by email

The Consultation Team
Fareham Borough Council
Civic Offices
Civic Way
Fareham
PO16 7AZ

Ref: RESS3014

Dear Sir / Madam

REPRESENTATIONS TO FAREHAM LOCAL PLAN 2037

These representations to the Publication Version of the Fareham Local Plan 2037 are made on behalf of Reside Developments Ltd ('Reside') in relation to the land they control at Funtley. This includes the site to the south of Funtley Road ('Funtley South') which is the focus of these representations and is identified as a proposed allocation under policy HA10.

Background
The Funtley South site was initially proposed as an allocation with an indicative capacity of 55 dwellings within the Draft Local Plan during the consultation held in 2017. In addition to residential development, Policy HA10 also showed a substantial area of new open space to the south of the site between the developable area and the M27 motorway.

Since then, a number of planning applications have been made in relation to this site, (detailed in full at Appendix 1); notably:

- Outline planning permission being granted in September 2020 (ref. P/18/0067/OA) for residential Development of up To 55 Dwellings (Including 3 Custom-Build Homes) (Use Class C3), Community Building Incorporating a Local Shop 250 Sqm (Use Classes A1, A3, D1 & D2), Accesses And Associated Landscaping, Infrastructure And Development Works.

- Full planning permission granted in October 2018 (ref. P/18/0066/CU) for a change of use of an area of land containing the Public Open Space Allocation and an additional parcel of land to the east to form a new Community Park.

Since these approvals, two further applications were submitted on 6th October 2020, both of which are currently under consideration:

[redacted]

"Turley is the trading name of Turley Associates Limited, a company (No. 2235387) registered in England & Wales. Registered office: 1 New York Street, Manchester M1 4HD."

- Outline application to provide up to 125 one, two, three and four-bedroom dwellings including 6 self or custom build plots, community building or local shop (use class E & F.2) with associated infrastructure, new community park, landscaping and access, following demolition of existing buildings. (Ref: P/20/1168/OA)

- Change of use of land from equestrian/paddock to community park following demolition of existing buildings. (Ref: P/20/1166/CU)

The thrust of our representation is that the Publication Version Local Plan does not plan to meet the council's minimum local housing need as required by national planning policy. We set out how land south of Funtley Road can assist in delivering a higher number of dwellings on-site, by appropriately increasing the density of the proposal and extending the site boundary slightly further to the south, while still providing a significant benefit in the form of a community park. This proposal is detailed in the two live planning applications - P/20/1168/OA and P/20/1166/CU.

We have previously submitted representations on behalf of Reside to the Local Plan Supplement in February 2020, the Local Plan Issues and Options consultation in the summer of 2019, as well as earlier consultation on the Draft Local Plan in 2017. In these representations we were supportive of the council's acknowledgement that the Borough has an increased housing need but noted that additional housing, including on existing sites and proposed allocations, would need to be identified to meet this higher need.

The continual identification of this site has been supported, and evidence provided by Reside in response to these consultations showed that the Funtley South site was capable of accommodating additional dwellings to meet the housing need without any adverse impacts to character or landscape. It is disappointing that the Publication Version has not reflected these previous submissions and it remains unclear if they have informed this current consultation.

REPRESENTATIONS

Strategic Policy DS2: Development in Strategic Gaps

DS2 seeks to prevent development which will significantly affect the integrity of the gap and the physical and visual separation of settlements. This policy sees to introduce a new strategic gap in the vicinity of our clients' interests, without justification. The Policies Map illustrates that the proposed allocation lies outside of the strategic gap, however this does not fully reflect the boundary of Reside's proposal as per the live planning application P/20/1168/OA, where the application site's southern edge falls within the area proposed as Strategic Gap under policy DS2.

The Council's Technical Review of Areas of Special Landscape Quality and Strategic Gaps does not provide justification for this boundary and merely states that *"Wrapping the gap boundary tightly around the settlement (and future approved development), would allow Funtley to expand moderately, but still retain its separate identity and not become contiguous with North Fareham."* The evidence base appears to entirely ignore the detailed submission made in our previous representations. We therefore resubmit these with this submission at Appendix 3.

We submit that there is no need for the identification of a new strategic gap in this locality. The evidence base does not support it, and having considered the site against the adopted Landscape Character Assessment and policy context, there is no reason to conclude that the site has any elevated landscape status or importance above the rest of the surrounding landscape within the proposed Strategic Gap. Moreover, there is no extant designation such as public open space that would elevate the status in terms of local community association.

The site's intrinsic character in a landscape sense does not preclude development, the nature of which could incorporate elements of the landscape into a sensitively designed scheme.

Were the Council to continue to seek to impose a new Strategic Gap in this location, and not withstanding our submissions against this approach, we would request amending the Strategic Gap boundary to reflect the site boundary of the live application P/20/1168/OA, as illustrated at Appendix 2. This would ensure that the aims of policy DS2 are achieved as it would allow Funtley to expand moderately, but also retain its own identity and it would not coalesce with North Fareham. This would be guaranteed by the provision of the community park proposed through application P/20/1166/CU. This will be transferred to the council, so there is no need to designate that area as Strategic Gap.

Strategic Policy DS3: Landscape
DS3 allows for development in areas of special landscape quality only where the landscape will be protected and enhanced. The Policies Map shows the proposed area of special landscape quality as following the boundary of the proposed allocation, and in the same way as the strategic gap designation, this does not correspond with the boundary of our client's site as per the live planning application P/20/1168/OA. The site's southern edge falls within the proposed Area of Special Landscape Quality 4 (ASLQ 4) Meon Valley under policy DS3.

We submitted a Technical Note in relation to the proposed Meon Valley ASLQ alongside our representations to the Fareham Local Plan Supplement in February 2020. This is reattached at Appendix 3. It supports our objection to the boundary of ASLQ 4 Meon Valley taking in land to the east of the disused railway known as the Deviation Line.

The council's Technical Review of Areas of Special Landscape Quality and Strategic Gaps does not provide justification for inclusion of this land in ASLQ 4. In describing the special landscape qualities of the Meon Valley, the report emphasises the southern part of the proposed designation; *"The area has high scenic quality and topographic and visual unity, particularly in the lower reaches." The report notes that the "Major road and rail corridors pass through the upper section, but much of the area retains a sense of seclusion."* This area has its tranquillity impacted by the M27 to the south and the active Eastleigh to Fareham Railway line to the east.

It is important the ASLQ boundaries do not incorporate areas that could form allocations, as it could unduly restrict developable areas and affect housing supply numbers. ASLQ 4 around Funtley does not seem to relate to those in the LDA 2017 report, nor the current Local Plan. The boundary for the Meon Valley ASLQ should be delineated by the Deviation Line to the west of Funtley, rather than cross over it.

The area affected is largely proposed for a community park under application P/20/1166/CU and therefore can make a significant contribution to the landscape throughout the plan period; however, there is no justification for it being included within the ASLQ boundary as it stands. Any such designation must be robust, clearly defined and supported by evidence. As currently drafted, it is not, and therefore it is unsound as it is not justified.

Strategic Policy H1: Housing Provision
Policy H1 does not make provision for sufficient housing to meet local needs. The policy is based on delivering a level of housing set out in the consultation draft revised standard methodology (August 2020), of 403 dpa. This was never adopted policy and should not have been used as the basis for the Regulation 19 Draft Local Plan. The National Planning Practice Guidance sets out the current standard methodology and produces a minimum need of 514 dpa for Fareham Borough.

On 16th December 2020, the Government published the response to the consultation on the standard method for assessing local housing need. In a statement, the Secretary of State for the Ministry of Housing Communities and Local Government said, *"we plan to leave the standard method as it was created in 2017 for the majority of the country."* The Government's published response to the consultation indeed confirms that Fareham's local housing need is 514 dpa.

Therefore, policy H1 is unsound as it is not positively prepared, providing a strategy which, as minimum seeks to meet the areas objectively assessed needs and it is not in accordance with national policy, NPPF paragraph 60.

Futhermore, policy H1 does not fully address the duty to co-operate in terms of meeting the unmet of needs of more constrained local authorities within the housing market area. H1 is therefore not effective on cross-boundary strategic maters.

In the Local Plan Supplement (January 2020), FBC set out a strategy to deliver 520 dpa, and it is considered that the Local Plan 2037 which is the subject of this Regulation 19 consultation, rows back significantly from the ambitions for sustainable growth that were outlined in the earlier strategy.

The implications of not planning for sufficient housing are significant and will no doubt be debated at the Examination hearings. We set out below how land at Funtley South could assist in helping to deliver a higher level of housing.

Housing Allocation Policy HA10: proposes to allocate 5.74ha of land at Funtley Road South for 55 dwellings.

Paragraph 117 of the NPPF requires planning policies to encourage the effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraphs 122 and 123 set out policy on achieving appropriate densities. They state that *"Planning policies and decisions should support development that makes efficient use of land,"* and *"Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site."*

Policy HA10 is not consistent with national policy in this regard as it does not make most efficient use of land. As stated in our representations to previous Local Plan consultations, we consider the council is missing an opportunity by not making additional use of proposed allocation at Funtley Road South to address the Borough's housing need. In addition, it is missing an opportunity to protect sensitive areas of the borough from potential development.

By proposing to allocate the site and the recent grant of planning permission for 55 dwellings, the council has indicated it considers the site to be sustainable, and this is supported by the Sustainability Appraisal. We contend that the indicative yield should be amended to 125 dwellings and the site boundary should be realigned, as illustrated in Appendix 2, to incorporate some additional land to the south. This would result in a site size of 6.23 hectares. The live planning application P/20/1168/OA provides evidence to justify this.

Specifically, in relation to the live planning application for 125 dwellings on the larger site area:

- The Illustrative Masterplan demonstrates how the development of up to 125 dwellings, community building or local shop with associated infrastructure, new community park,

landscaping and access, could be accommodated on the proposed larger site in a sustainable way (Appendix 4)

- The Landscape and Visual Appraisal (Appendix 5) concludes that an appropriate development can be provided without substantial harm to landscape or views, but which provides a number of community and landscape benefits.

- The Ecological Assessment demonstrates that there are no adverse effects on any designated sites or protected species resulting from a development of 125 dwellings on a larger site area and also sets out appropriate mitigation and enhancement measures.

- The Transport Assessment concludes that the proposed development is considered to be acceptable in transport policy terms and meets with national and local policy criteria. The assessment work undertaken has indicated that there would be no demonstrable harm arising from the proposed scheme and there are no identifiable severe impacts. The Travel Plan includes a range of measures to maximise sustainable transport opportunities.

- All other reports and supporting documentation, including in relation to trees, flood risk, contamination, noise, sustainability, utilities, and archaeology demonstrate that the site can accommodate 125 dwellings.

Policy HA10 sets out 11 site-specific requirements (a-k). A number of these criteria are not sound and we have explained why in the table below.

a) The quantum of housing proposed should be broadly consistent with the indicative site capacity; and	Unsound, for the reasons set out above.
b) Primary highway access should be from Funtley Road; and	Sound. In accordance with consented development and live application.
c) Building heights are limited to a maximum of 2 storeys; and	Unsound as this is not justified by evidence. This is better determined at the detailed planning application (reserved matters) stage. Policy D1 will provide an adequate framework to ensure building heights are acceptable. This criterion should be deleted.
d) Safe pedestrian and cycle crossing points across Funtley Road and connectivity with the existing footpath/bridleway network in the vicinity of the site and eastwards towards the centre of Funtley village in order to maximising connectivity to nearby facilities and services; and	Sound. In accordance with consented development and live application.
e) The creation of a vehicular loop road on the site, allowing for pedestrian and cycle permeability across the site; and	Unsound as this is not justified or effective. It is not clear what is meant by a vehicular loop road. The requirement for pedestrian and cycle permeability across and through the site is supported.

f) Proposals shall take account of the site's landscape context by incorporating view corridors from Funtley Road through to the public open space allocation to the south of the residential allocation. The view corridors should form part of the on-site open space and should incorporate pedestrian and cycle links, whilst vehicular crossing of links should be limited; and	Sound. In accordance with consented development and live application.
g) The existing woodland on-site shall be retained and incorporated within the design and layout of proposals in a manner that does not impact on living conditions or prevent damage to any nearby dwellings, roads, footpaths or other infrastructure; and	Sound. In accordance with consented development and live application.
h) A landscape buffer shall be incorporated between development and the Great Beamond Coppice SINC to the east of the site; and	Sound. In accordance with consented development and live application.
i) The provision of a building/ buildings for community uses, located in an accessible location to enable a range of uses for both existing and new residents; and	Sound. In accordance with consented development and live application.
j) The site is identified as a mineral safeguarded site (brick clay is likely to underlay site). A Minerals Assessment will be required prior to any development in accordance with the Hampshire Minerals and Waste Plan (2013); and	The site benefits from an extant outline permission. No such conditions are required under that consent, or were requested during the determination. This requirement is therefore not considered necessary or reasonable, and should be deleted.
k) Infrastructure provision and contributions including but not limited to health, education and transport shall be provided in line with Policy TIN4 and NE3.	Sound, although it should be recognised that contributions towards some forms of infrastructure are provided for by CIL.

We would very much welcome the opportunity to work with the council to address these concerns and amend the criteria where possible, and therefore would wish to attend the Examination hearings.

HP1: New Residential Development

This policy allows for new residential development within the urban area boundary as shown on the Policies Map. Our representation relates to the proposed urban area boundary at Funtley South, which should be amended to incorporate the site boundary proposed under application P/20/1168/OA. Evidence submitted with this application demonstrates that this would result in sustainable development. Furthermore, it would enable the site to contribute a greater level of housing to meet Fareham's housing land supply.

HP4: Five Year Housing Land Supply
This policy is supported, however, we would urge the council to consider increasing the number of homes proposed for allocation at Funtley South through Policy HA10 as a way of contributing to addressing the current deficit in five-year housing land supply within the Borough. The Publication Version Local Plan could do more to address the shortfall in the short term.

HP5: Provision of affordable housing
The policy requirement at criterion **iii** is unsound as it is not consistent with national policy. Paragraph 64 of the NPPF expects *10% of all homes* on major development involving housing provision to be available for affordable home ownership. Footnote 29 then confirms that these homes are then included as part of the overall affordable housing contribution. The draft policy only requires *10% of all affordable housing* to be available for affordable home ownership.

HP9: Self and Custom Build Homes
The Self and Custom Build Housing Background Paper (FBC, 2020) indicated that only 56 people wished to remain on the council's register. 40 of those said they would consider a plot on a larger self-build development and only 25 said they would consider a serviced plot on a standard development. This evidence indicates that demand for self and custom build often arises on smaller sites, so focusing delivery of self/custom build on sites of over 40 homes, may not respond to demand. As such we are concerned that there is not a significant demand for plots on larger housing being developed by housebuilders and that the 10% requirement in HP9 is unjustified.

We would suggest that 5% is a more reasonable level to apply to larger sites, as this would allow for self and custom build to come forward on these sites, but also for self and custom build homes to be delivered on smaller sites too. Reside have proposed to deliver six self-build units on land south of Funtley Road, which will assist the council in meeting its obligation with regard to those who wish to develop their own homes.

NE2: Biodiversity Net Gain
The council have included the Government's suggestion that new development should improve the biodiversity on their site to show a 10% net gain over the pre-development baseline within this policy. Whilst we recognise that this is the Government's current favoured position it is likely that there will be transition period to allow the development industry to adapt to the proposed changes. As such we would suggest that the council remains consistent with paragraph 170 of national policy to seek net gains in biodiversity and not include the requirement to show a 10% net gain. A policy without a specific percentage requirement would be consistent with current policy and should the relevant legislation be enacted as currently proposed such a policy would be sufficiently flexible to support a 10% requirement and any transition period.

NE8: Air Quality
The policy requires one EV Charge Point per dwelling. The Government has made a commitment to end the sale of new petrol and diesel cars in the UK by 2030. With this in mind, we would suggest that the council consider a phased introduction of the EV Charge Point requirement, gradually ramping up to 100% provision, given that there is currently not the demand.

CONCLUSION

At present we do not consider the plan to be sound, as measured against the tests of soundness set out in paragraph 35 of the NPPF, for the following reasons:

- The Plan is not positively prepared or consistent with national policy as it does not seek to meet the areas' objectively assessed needs
- The boundaries of the proposed Strategic Gap and Area of Special Landscape Quality are not justified
- The proposed allocation policy HA10 is not fully justified because it does not take into account the reasonable alternative of a delivering a higher number of dwellings
- A number of the specific policy requirements are not justified or effective

Funtley South is a sustainable and deliverable site in its own right, but also has synergy with the key strategic site at Welborne, were this to come forward. The Funtley South site was previously identified in the Draft Local Plan as having an indicative capacity of 55 dwellings. The allocation of the site and its recent planning permission clearly demonstrates the residential proposals for the site represents sustainable development, there are no constraints that would preclude this development at the higher number of dwellings and the site is deliverable in the short term.

Evidence provided by Reside demonstrates the site is capable of comfortably accommodating more dwellings without any adverse impacts to character or landscape. This can be achieved through a combination of a 0.4ha increase in the developable area and an increase in density (to match that surrounding the site). Funtley South can therefore do even more to help the Council meet its increased housing requirements and we would of course be pleased to provide any further information to the Council, if so required, with regards to this matter.

We would like to participate in the Examination hearings so that a full discussion can be held on these matters.

We hope these representations are of assistance in taking the plan forward to the next stage of plan preparation and Examination.

Yours faithfully

[redacted]

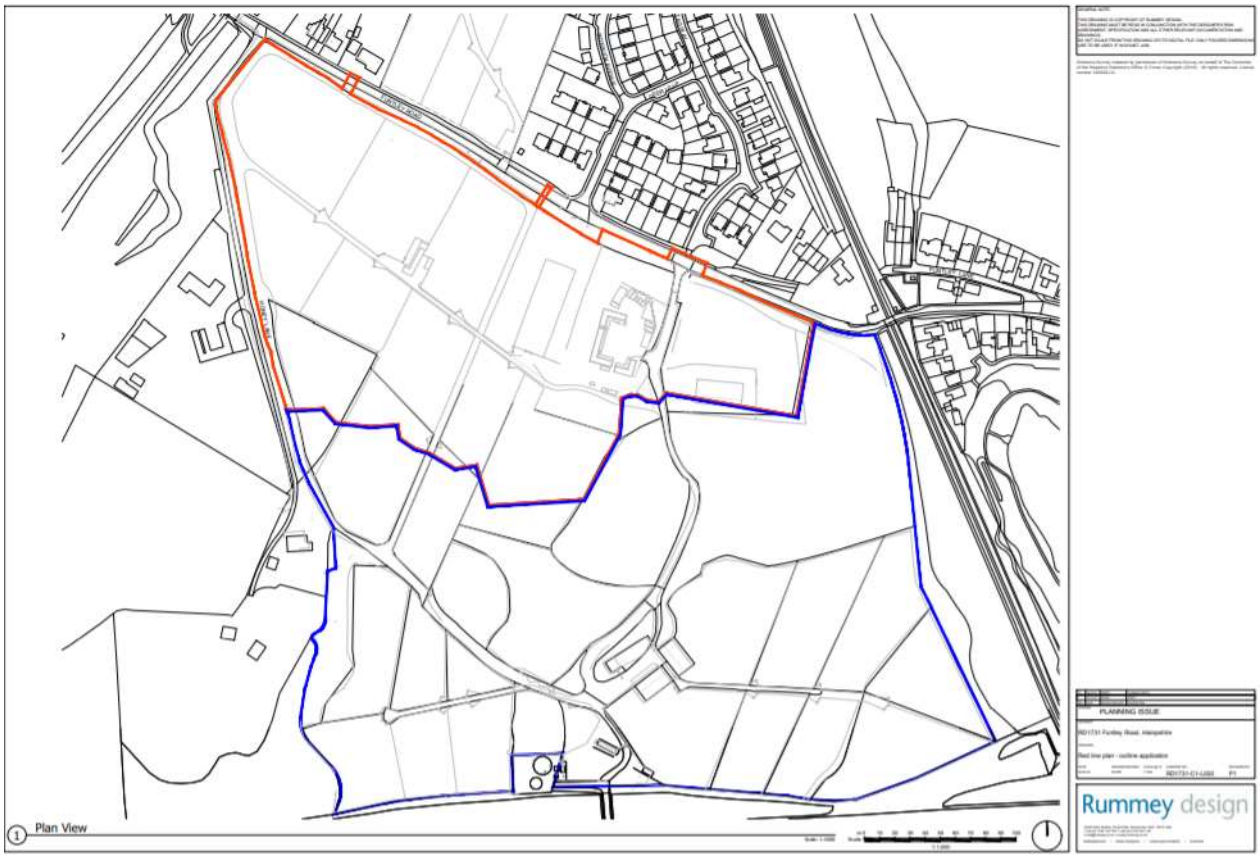
Alison Young
Senior Planner

[redacted]

Appendix 1: Planning Applications on Land South of Funtley Road

Application Reference	Description	Status
P/20/1168/OA	Outline Application To Provide Up To 125 One, Two, Three And Four-Bedroom Dwellings Including 6 Self Or Custom Build Plots, Community Building Or Local Shop (Use Class E & F.2) With Associated Infrastructure, New Community Park, Landscaping And Access, Following Demolition Of Existing Buildings.	Submitted 6th October 2020 Under consideration
P/20/1166/CU	Change Of Use Of Land From Equestrian/Paddock To Community Park Following Demolition Of Existing Buildings	Submitted 6th October 2020. Under consideration
P/20/0809/FP	Installation Of Haul Road (Retrospective)	Approved 9th November 2020
P/19/0290/FP	Provision of a Permissive Footpath Link and New Surfacing from Funtley Road over the M27 Motorway Connecting to Footpath Public Right Of Way 91A and associated Bridge Improvement Works.	Approved 20/06/2019
P/18/0066/CU	Change of Use of Land from Equestrian/Paddock to Community Park Following Demolition of Existing Buildings.	Approved 12/10/2018.
P/18/0067/OA	Outline application for residential Development of up To 55 Dwellings (Including 3 Custom-Build Homes) (Use Class C3), Community Building Incorporating a Local Shop 250 Sqm (Use Classes A1, A3, D1 & D2), Accesses And Associated Landscaping, Infrastructure And Development Works.	Approved 02/09/20.
P/17/1539/EA	Request For Screening Opinion Under The Town & Country Planning (Environmental Impact Assessment) Regulations 2017 For Proposed Residential Development Of Up To 55 Dwellings, Community Building, New Country Park And Associated Landscaping & Infrastructure on Land To The South Of Funtley Road, Funtley.	January 2018. No Environmental Statement Required.

Appendix 2: Suggested Site Allocation Boundary for HA10: Land South of Funtley Road



Appendix 3: Technical Note re Proposed Meon Valley Area of Special Landscape Significance

REPRESENTATIONS TO FAREHAM LOCAL PLAN 2036 SUPPLEMENT CONSULTATION

Technical Note re proposed Meon Valley Area of Special Landscape Quality (ASLQ)

February 2020

Rummey design

r. reside

Meon Valley
Deviation Line - bridleway & open space
Funtley North
main railway line
proposed Welborne garden village
Funtley South
Funtley
M27
North Fareham

Introduction

This Technical Note is prepared in support of representations to the Fareham Local Plan 2036 Supplement consultation and is made on behalf of Reside Developments Ltd (Reside) in relation to the land they control at Funtley. This includes the site to the south of Funtley Road (Funtley South) which is the focus of these representations and is identified as a proposed allocation.

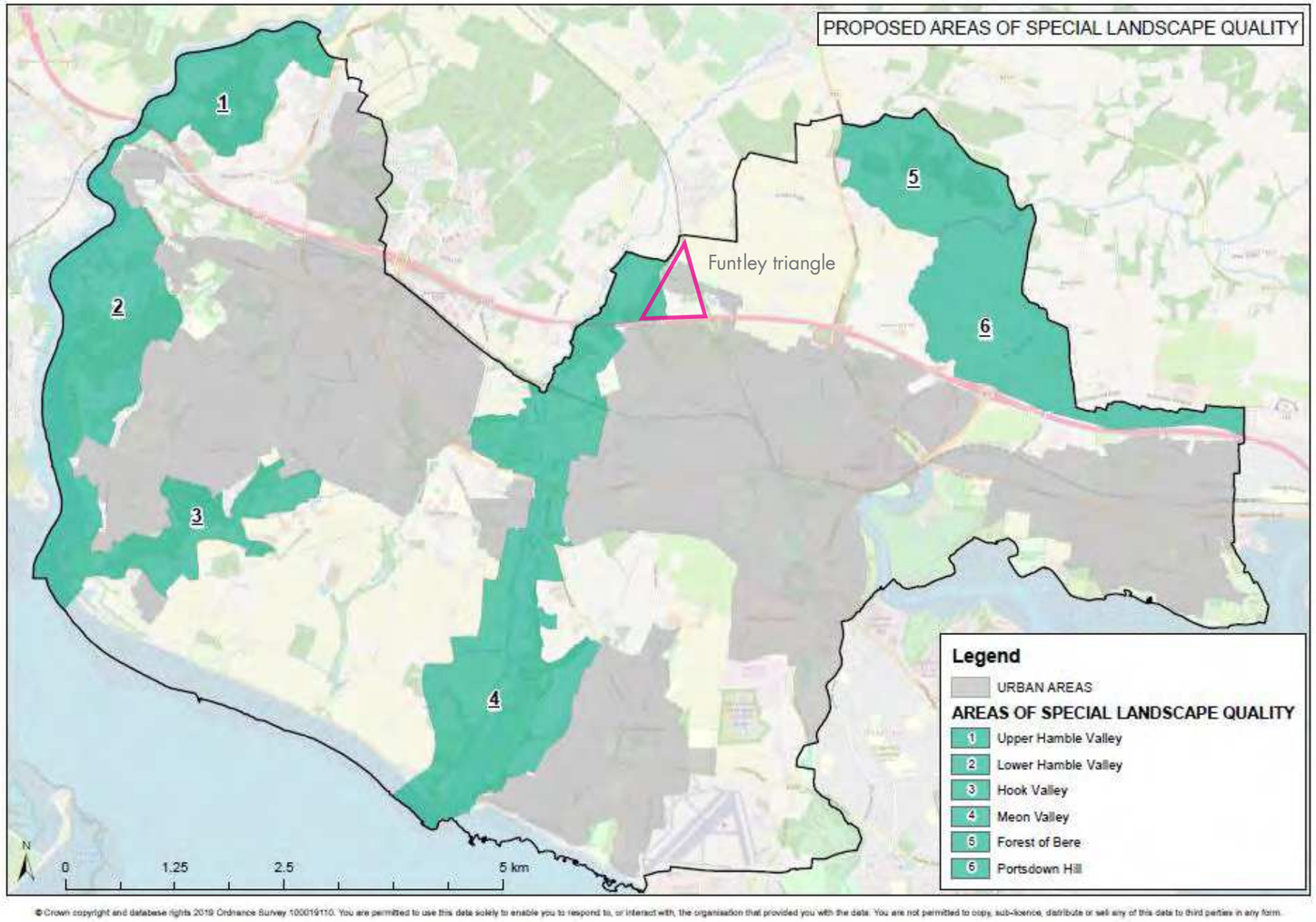
Fareham Borough Local Plan to 2036 proposes an Area of Special Landscape Quality (ASLQ) in the Meon Valley, along with other river valleys and Portsdown Hill. The policy states that there will be a presumption against major development in such areas unless it can be demonstrated that the quality and distinctiveness of the landscape will be conserved. The Meon Valley is also a Strategic Gap and the ASLQ will offer an additional level of protection, although the policies would now differentiate between the need to retain settlement identity and conserve landscape character.

Figure 4.2 in the FBC consultation document identifies indicative proposed Areas of Special Landscape Quality to be protected through Policy NEXX: Landscape. However, whilst this proposed policy is intended to guide development in such areas, there is no definition on what merits an area being included in an ASLQ, other than that it has been identified as a 'valued landscape' in consultation. It would be reasonable to assume that the ASLQ would be underpinned by Landscape Character Assessment evidence, the latest version of which is LDA Design's Fareham Landscape Assessment, 2017.

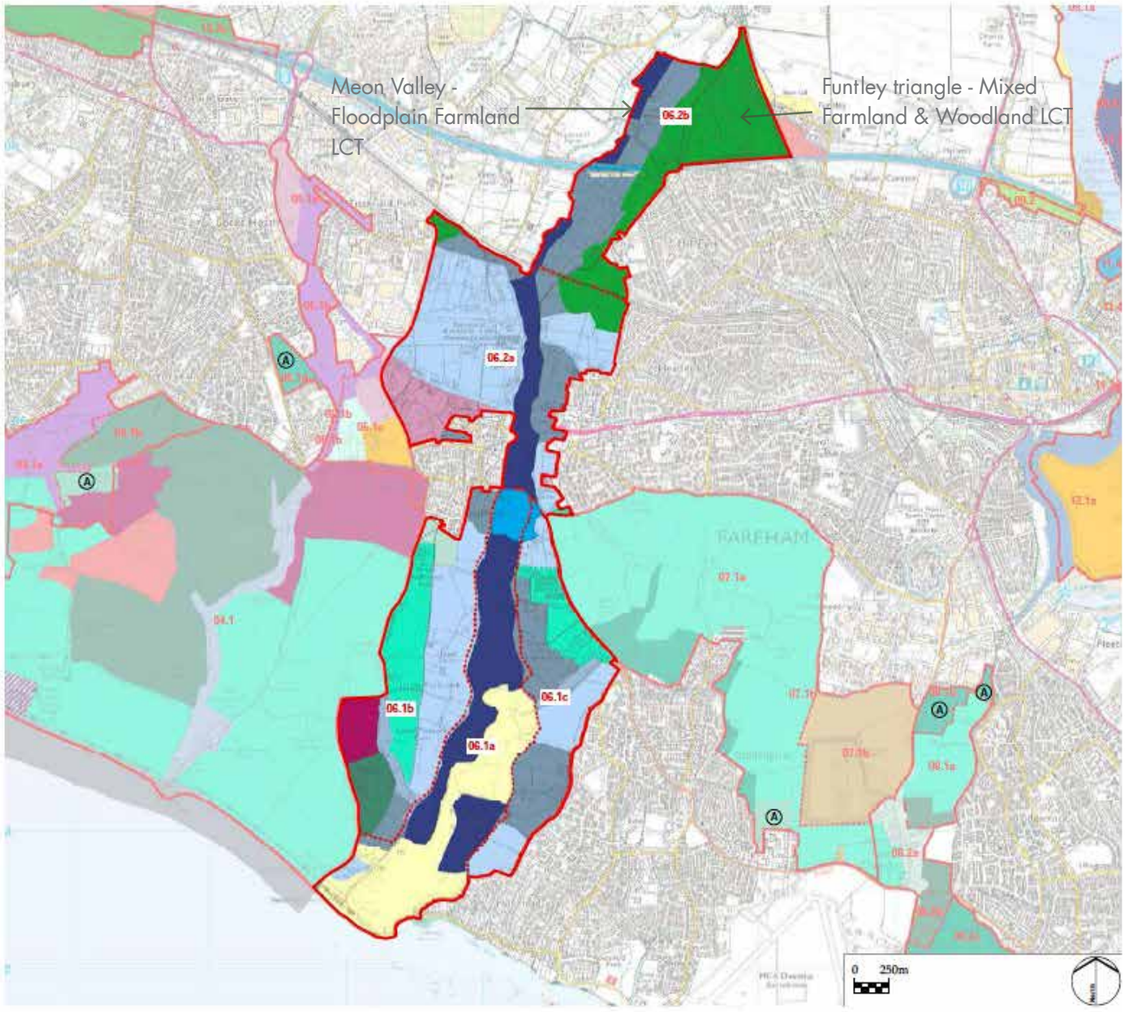
The assessment notes that in Fareham Borough it is the chalklands, coastal plains, river valleys and coast that provide the broad framework for the complex and distinctive landscape character within the Borough. We would agree that these broad 'framework' landscapes shape the character of the Borough and that, where they have special qualities and high sensitivity, these should be conserved. However it is important to define the extent of these areas in a robust manner.

The mapping of the Upper Meon Valley ASLQ in relation to the Funtley triangle, which lies at the northern end of the Borough is however unclear, due to the low resolution of the indicative map. The ASLQ appears to include some land to the east of the disused railway (known as the Deviation Line) in the area south of Funtley Road, an area already proposed for housing allocation. We propose that the ASLQ should extend only to the Deviation Line for the reasons set out below.

Figure 4.2. Proposed Areas of Special Landscape Quality



Area 4 represents the indicative proposed Meon valley ASLQ (reproduced from FBC Local plan 2036 supplement). The proposed Meon Valley ASLQ appears to extend into the Funtley 'triangle' which is a fringe landscape and does not share the special landscape qualities or character of the Meon Valley to the west



LEGEND

- Landscape Character Area
- Local Landscape Character Area
- Local Landscape Character Area Subdivision

Landscape Types

- Mixed Farmland & Woodland: Small Scale
- Horticulture & Smallholdings: Small Scale
- Horticulture & Smallholdings: Large Scale
- Open Coastal Plain: Weak Structure
- Open Coastal Plain: Strong Structure
- Open Coastal Plain: Fringe Character
- Small Scale Enclosed Valley
- Open Floodplain Farmland
- Enclosed Floodplain Farmland
- Marsh, Reedswamp & Brackish Lagoon
- Enclosed Valley Side
- Open Valley Side

LCA6 Meon Valley Landscape Character Area (LCA) and detailed Landscape Character Types (reproduced from LDA Landscape Assessment report). This map clearly distinguishes between the Meon Valley Floodplain Farmland LCTs and the Mixed Farmland and Woodland LCT that includes the Funtley triangle, to the east. The character transition appears to be to the west of the railway line and includes the woodland associated with the railway within the Mixed Farmland & Woodland LCT. The railway also physically and visually separates the valley from the fringe land to the east.

Fareham Borough Council's evidence

The Borough of Fareham has a complex landscape consisting of mixed rural valleys, coastal plain, farmland and woodland and extensive built-up areas, as well as the M27 motorway and railway lines which cross the Borough. The most recent Landscape Assessment undertaken by LDA Design, and published in 2017, recognises the intrinsic character and distinctiveness of the relatively undeveloped areas of the Borough. It would be expected that this would be the evidence base for the proposed ASLQs, since these are based on landscape character and its key qualities and sensitivity. It is stated that the ASLQs will not include any development allocations.

The proposed extent of the Meon Valley ASLQ, the upper reaches of which lie to the west of the Funtley Road triangle, is stated to be based on the landscape types (LCT) defined within the original county-wide landscape assessment produced by Hampshire County Council in 1993. The assessment identified ten detailed, rural landscape types within Fareham Borough and this formed the basis for the initial landscape characterisation and the subsequent update in the LDA Design 2017 Fareham Landscape Assessment.

This assessment clearly differentiates between the *'Mixed Farmland and Woodland: small scale '* LCT, which includes the Funtley 'triangle' up to and including the wooded Deviation Line to the west, and the landscape types in the Meon valley which include both '*Open and Enclosed Floodplain Farmland*' LCTs. The Borough Landscape Assessment notes that the Mixed Farmland and Woodland LCTs vary in scale from large to small scale and describes the 'fringe' character of the Mixed Farmland and Woodland along the M27 corridor (p40). The M27 corridor defines the southern edge of the Funtley triangle.

The Fareham Landscape Assessment further defines a number of Landscape Character Areas (LCAs), which consist of several landscape types to produce identifiable areas of landscape of consistent character. The Meon Valley (LCA6) is further subdivided into Lower and Upper Meon Valley since its characteristics, influences and function vary significantly between the upper, more tightly contained, inland reaches and the wider, lower, river valley which traverses the coastal plain.

The proposed Meon Valley ASLQ boundary appears to include only selected areas of LCA6 consisting of all or parts of a number of different landscape character types. This is presumably based on a recognition that the landscape quality varies significantly within the LCA, although how the ASLQ boundary has been defined is not explained.

The character variance is highlighted in the Fareham Landscape Assessment. Whilst including the area around Funtley within the Meon Valley LCA6 it specifically notes that part of the Upper Meon valley (LCA 06.2b) on the eastern valley sides are '*typically subdivided into paddocks for horse grazing, bounded by open fences and containing various shelters and small-scale structures. In themselves these have a somewhat scruffy, fringe character'*. The assessment also recognises the role that extensive woodland plays in integrating these fringe uses.

The assessment also specifically refers to the existing housing along Funtley Road as a '*rather anomalous area of recent residential development off the Funtley Road in the northern tip of Area 06.2b. Lying on the opposite side of the railway this has little visual connection to the settlement of Funtley and is out of character with the surrounding landscape*'.

In summarising the development opportunities in the LCA it also notes that there is an opportunity to develop pockets of residential development, such as off Funtley Road, as long as these can be sensitively integrated into the landscape.

FBCs own evidence base clearly implies that the Funtley triangle is suitable for sensitive development and does not exhibit the landscape qualities or visual connection to the Meon Valley that might warrant its inclusion in the ASLQ.

The proposed indicative boundary, on this basis appears to be arbitrary and does not reflect Fareham's Landscape Character and sensitivity assessment.

Landscape of the Meon Valley

In considering the special qualities of the Meon Valley its northern extents within the Borough consists of a tightly enclosed valley landscape of open and enclosed floodplain farmland, contained by well-wooded margins and topography, as detailed in the Fareham Landscape Assessment, 2017.

The photos below show the qualities of the Meon Valley floodplain landscape in its upper reaches in Fareham. It is clear that these riverine landscapes which help to shape the Borough are of high sensitivity and have the qualities that would support their inclusion in an 'Area of Special Landscape Quality' as well as providing an important separating element between settlements.

The enclosure and separation of the Meon Valley, to the west of Funtley, is reinforced by the man-made,embanked Deviation Line, which visually and physically separates the two distinctly different character types.

photo reproduced from Fareham Landscape Assessment, 2017 (LDA Design)

Landscape of the Funtley Triangle

In contrast to the Meon Valley, the Funtley Triangle, as confirmed in the Fareham Landscape Assessment, is strongly influenced by the loss of landscape features, with hedgerows being replaced by horse paddock fencing, the presence of stables, sheds, hardstanding and catteries etc. In addition the housing development along Funtley Road and in the west of the area, as well as the railway and M27 corridor have given this landscape an 'urban fringe' character with lower sensitivity to further change. These are not the qualities that would merit inclusion in an 'Area of Special Landscape Quality'.

The Funtley triangle is entirely separate from the Meon Valley to the west of the Deviation Line as illustrated by the bottom photograph.

Paddock fencing, stables, sheds, hardstanding, housing development, noise, street lighting etc. all contribute to the urban fringe character of the Funtley triangle

Supporting evidence

The Landscape and Visual Appraisal (LVA) prepared by Fabrik in 2018 and submitted with Reside's Funtley South planning application (which has a resolution to approve, subject to completion of a S106 agreement) also supports the view that the landscape character sensitivity of the area in the Funtley triangle has been influenced by a number of detractors including adjacent urban development, road and railway noise and its land use for paddocks, resulting in loss of landscape features. The LVA assessed the local landscape character as having low to medium sensitivity for this reason.

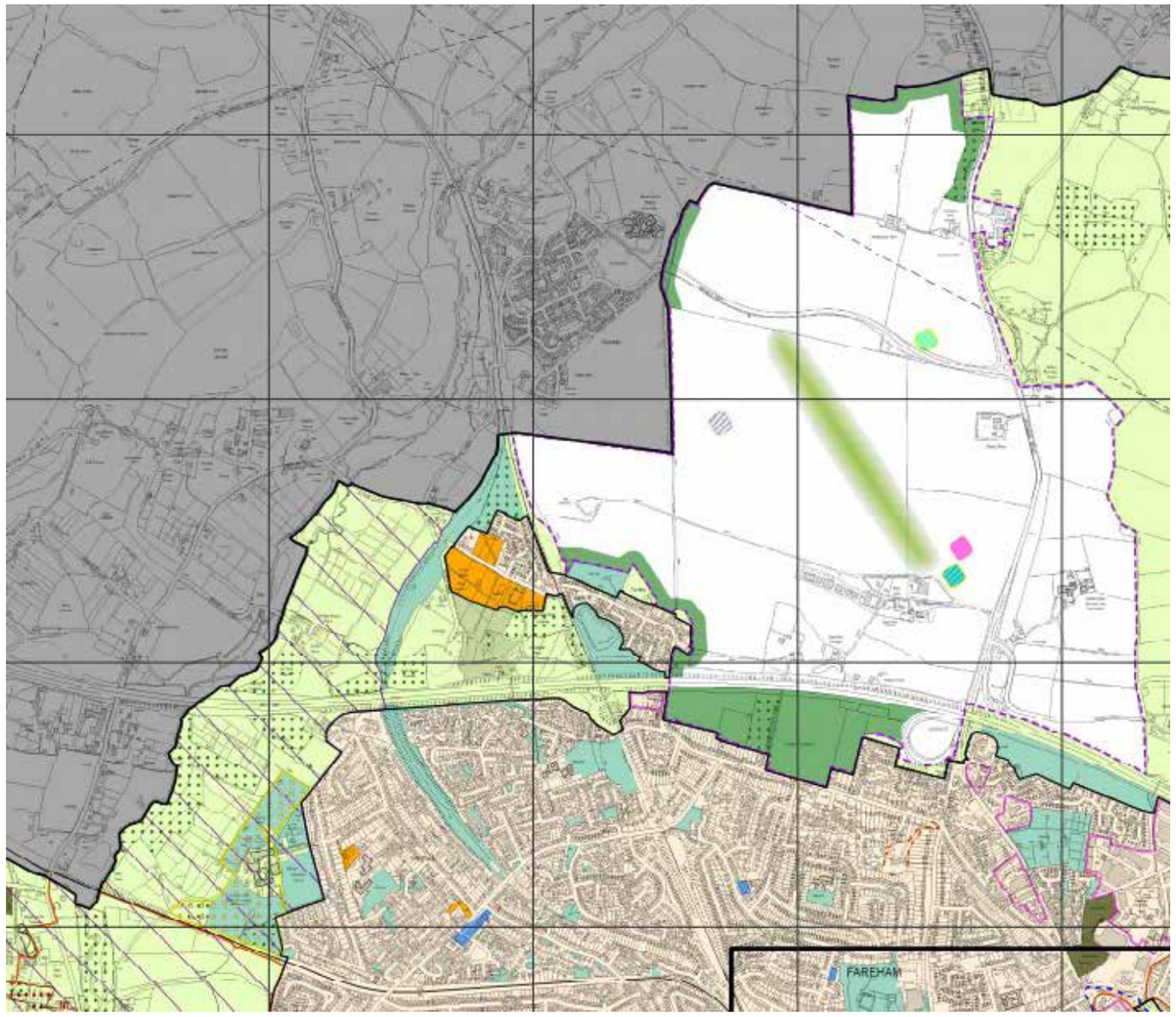
The LVA visual assessment also assessed a range of public viewpoints, both short and long distance, including several within the Meon Valley to the west. The LVA concluded that there is no visual connection between the site and the Meon Valley, due to the Deviation Line and its wooded margins, which provide significant physical and visual screening and separation.

Conclusion

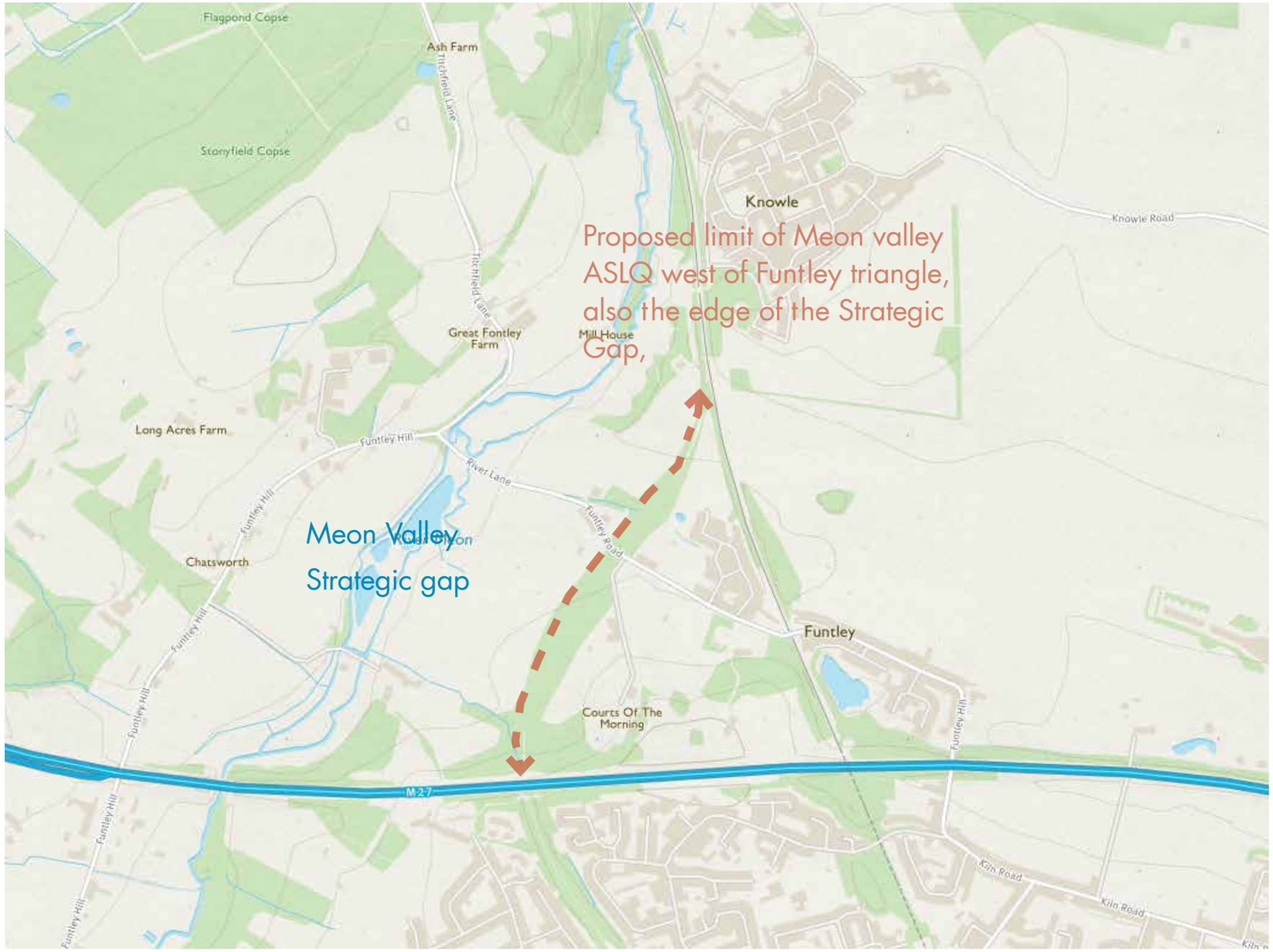
In defining the Meon Valley ASLQ it is important for unambiguous policy that there is a defensible boundary, based on robust evidence. Hampshire County Council and FBC's more recent detailed assessment of landscape character types shows that the embanked Deviation Line encloses the Meon Valley and marks the landscape character transition from the low lying river valley farmland associated with the course of the Meon river, to the small scale wooded farmland to the east, with its 'urban fringe' influences. In the Funtley triangle, character is particularly compromised by a number of suburban, horsiculture and perceptual influences (primarily noise arising from the railway and M27). Visually the embanked railway and the associated woodland, which separates the character types, also forms the edge of the Meon Valley to the west preventing intervisibility and so reinforcing the Meon valley's function as a Strategic Gap. The Deviation Line and associated woodland is covered by an open space designation on the draft policies map protecting its recreational and landscape value.

FBC's own evidence base, together with other studies carried out in relation to the Funtley South planning application by Reside's landscape consultants, show that the eastern boundary of the Meon valley ASLQ should be defined by the Deviation Line and that there is no logical reason, based on landscape and visual evidence, that this should be breached and include land within the Funtley triangle.

Therefore we propose that the boundary of the Meon Valley ASLQ should be defined by the Deviation line, as shown on the plan opposite, coinciding with the Strategic Gap, rather extending to an arbitrary location within the Funtley triangle to the east. This is readily defensible with respect to its landscape character and qualities and the visual enclosure that the man-made Deviation line affords to the Meon Valley.



FBC Local Plan draft policies map in the northern extent of the Borough showing allocations at Funtley North and South and the Deviation Line included as an open space designation. The Meon Valley Strategic Gap lies to the west of the Deviation Line



The proposed limit of the Meon Valley ASLQ lies at the character transition between character types and open space designation along the disused Deviation Line (now a bridleway), west of the Funtley triangle

Rummey design

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Sevenoaks, Kent, TN13 1AN
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Appendix 4: Illustrative Masterplan (2020)

Appendix 5: Landscape and Visual Appraisal Addendum (2020)

reside.

Land South of Funtley Road, Funtley

LVA Addendum

Meon Valley
Deviation Line - bridleway & open space
Funtley North
main railway line
proposed Welborne garden village
Funtley South
Funtley
M27
North Fareham

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Appendix i Landscape and Visual Appraisal prepared by Fabrik, January 2018	

Funtley triangle is enclosed by substantial treebelts and topography so is visually discrete. The landscape character has been eroded by suburban development and urban fringe uses including horse paddocks and associated structures, lighting and motorway noise....

Introduction

Funtley South lies within the Funtley triangle north of Fareham and the M27 motorway and is contained by the well-wooded Deviation Line to the west, which separates it physically and visually from the Meon Valley. The main railway contains the eastern edge and separates Funtley North and South from the historic heart of Funtley village and the consented Welborne Garden Village (c.6000 homes) to the north-east of Funtley Village.

In September 2020, Fareham Borough Council granted outline consent for demolition of the existing buildings and construction of 55 dwellings (including 3 custom-build homes) community building incorporating a local shop, access and associated landscaping, infrastructure and development works at the site. The principle of housing on this site has therefore been established.

The application was supported by a Landscape and Visual Appraisal (LVA) prepared by Fabrik Chartered Landscape Architects dated January 2018. The LVA prepared by Fabrik in 2018 and referred to in this Addendum document is found at Appendix i. The comprehensive LVA assessed the potential landscape and visual impacts of the previously approved scheme.

This addendum report analyses where the proposed scheme for up to 125 houses and a Community Park has changed, the landscape-led rationale for the revised scheme, (which is more fully described in the DAS), and then assesses how this has affected the conclusions of the Landscape and Visual Appraisal. This report draws conclusions as to the likely landscape and visual implications associated with the revised development proposals and any mitigation measures that might be required to minimise impacts or optimise the benefits with respect to landscape character and visual amenity.

LVA, 2018

The existing LVA prepared by Fabrik Ltd (Jan 2018), which was submitted with the consented planning application P/18/0067/OA, sets out the landscape policies relevant to the site and describes the baseline conditions of the site and its surrounding context. The LVA also provides a comprehensive visual study identifying potential visual receptors both within the Funtley triangle and areas beyond this, including public footpaths and roads.

The baseline conditions have not changed from that described in this report except that detailed permission has been granted for housing at Funtley North (23 dwellings) opposite the site and Funtley South has outline consent for up to 55 houses. In addition Welborne Garden Village has also received Resolution to grant by Members for c.6000 dwellings, currently negotiating S106 Agreement.

Representations were made in February 2020, as part of the consultation process on the emerging Local Plan to 2035, concerning the potential inclusion of a small area of the Funtley triangle within the Meon valley Area of Special Landscape Quality (ASLQ). These representations are contained within Rummey Design's Technical Note re proposed Meon Valley ASLQ (Rummey Design Feb 2020) and clearly sets out the reasons why the ASLQ should be defined by the Deviation Line, which lies to the west of Funtley triangle, and exclude any areas within Funtley triangle.

Landscape character

The landscape character baseline, as outlined within the LVA, recognises the existing urban influences within the Funtley triangle that affect landscape character. The LVA also recognises that the equestrian uses on site have changed and degraded the character of the farmland landscape, concluding that the landscape character sensitivity and value is Low to Medium.

Visual receptors

The LVA identified and assessed visual amenity and views from a wide range of visual receptors both within the Funtley triangle and across the wider area from publicly accessible locations. The viewpoints clearly illustrate the range of potential views towards the site and show that it is well-contained within the immediate vegetation cover and topography that encloses the triangle. Notably the rising topography to the south encloses the site and prevents any views southwards. The Deviation Line to the west is embanked separating the site from any views from the Meon valley, whilst vegetation along the main railway encloses views to the north and east.

The visual impact assessment informed the development proposals confirming that development should be confined to the lower, less visible slopes, that landscape features should be retained and that the higher, southern parts of the site should be retained to provide public open space.

Assessment of landscape and visual effects

The assessment concludes that the proposed development would not noticeably alter the landscape character at National, County or Borough level.

At worst it assesses a Moderate-major negative effect on the landscape character at site level, where development is proposed due to the change of use from equestrian fields to residential development. It predicts that there are potential benefits to landscape character in the long term.

With respect to visual effects the assessment predicts that the only negative effects on views are likely to be experienced by residents along Funtley Road/Stage Way/Roebuck Avenue and Honey Lane but that these can be mitigated through planting. It is worth noting that there is only one property that has views into the site on Honey Lane due to a gap in vegetation and that many properties within the residential development areas to the north have vegetation or built form screening views from ground floor windows. These are considered, in best practice guidance, to be to be more important than those from upstairs bedrooms.

No notable effects are predicted on views and visual amenity from public footpaths except for a short section of bridleway on the Deviation Line where there could be glimpsed views into the site in winter. However the appraisal acknowledges that planting on the western edge of the site would mitigate this change.

Overall no widespread landscape and visual effects are predicted and those negative effects that are predicted on the immediate context and at site level are assessed as being able to be effectively mitigated.

The LVA recognises that the development would be well contained within the existing landscape framework and that all important landscape features are retained.

The LVA also concludes that there is an opportunity to secure the long term management of the site, Ancient Woodland and Green Infrastructure as well as providing publicly accessible open space where none exists at present.

The existing LVA does not specifically analyse historic pattern through mapping, which helps to understand the evolution of the landscape and how, by taking this into account, development can more effectively be integrated into the landscape and bring about greater landscape benefits.

Mapping shows the former brickworks and clay pits in the area which, together with the railway, have shaped its character. The 1963 map shows that the Deviation Line has added to the enclosure and isolation of the triangle with the claypits north of Funtley Road becoming the site of an abbatoir. Residential areas now occupy this site together with much of the other land north of Funtley Road. The M27 has also had a significant impact cutting an east-west swathe across the landscape, severing the triangle from Fareham North and further isolating it.

Extensive areas of coppice woodland are evident in late Victorian times with a notable field pattern of hedgerows linking the wooded horizons on the upper slopes to the valley bottom. These compartmentalised the landscape and connected landscape features.

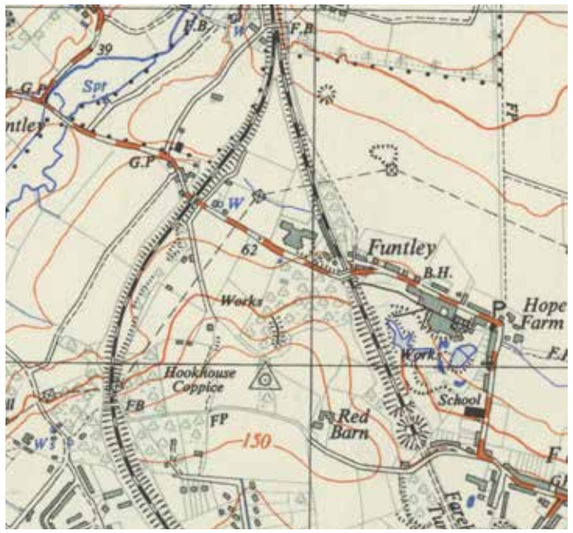
The hedgerows have been lost in the latter part of the 20th century and are now only marked by a few isolated trees. The coppice woodland has been lost and fragmented since Victorian times, although the remaining woodland areas and tree groups still give the impression of wooded horizons.

Small paddocks are now defined by a proliferation of post and rail fencing, which, together with hard surfaced areas, stables, large barns and other clutter have eroded the rural character.

Restoring the historic pattern in green fingers to integrate development and reconnect the valley landscape with the wooded horizons has been one of the key landscape drivers for the revised layout reflected, on the illustrative masterplan by green links and rural edge treatments, which structure the neighbourhoods and provide significant amenity value.

1859 The hamlet of Funtley is next to the railway line with adjacent rectangular field patterns and extensive coppice woodland in the surrounding areas.

1898 coppice woodland is a dominant feature with smaller fields on Funtley South. Brickworks and claypits occupy part of Funtley north



1963 coppice woodland is now fragmented, an abbatoir lies north of Funtley Road & the Deviation Line severs the triangle from the Meon valley

2020 the M27 cuts an east -west swathe across the ridge so that Funtley triangle is now isolated on all sides.

development proposal

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P1	30.09.20	DO/KK	Planning issue

PLANNING ISSUE

RD173 Funtley Road, Fareham

Illustrative masterplan

Date	Drawn/Checked	Scale @ A1	Drawing No.	Revision No.
02.09.20	DO/KK	1:1000	RD1731-F3-L100	P1

Rummey design

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Masterplanners • Urban Designers • Landscape Architects

The development is to provide for up to 125 dwellings, community building incorporating a local shop with associated infrastructure, new Community Park, landscaping and access as shown on the Illustrative Masterplan opposite.

The site is set within an undulating landscape where the dominant feature is the topography and its wooded horizons which are characteristic. This mature landscape effectively unifies the landscape and helps contain development, where it has occurred. The site itself contributes to the wooded horizons with remnant coppice woodland on the higher ground in the south.

Other significant landscape features on the site include areas of ancient replanted woodland in Great Beamond Coppice, treebelts and mature trees. The proposed development ensures that these key landscape features are retained and enhanced. The smaller scale field pattern that once compartmentalised the site (now only indicated by a few remnant trees) once linked the wooded horizons to the valley floor.

This pattern will be reinstated through the proposed north-south green links which will incorporate the remaining trees and provide access routes, SuDS, biodiversity corridors and new native tree and shrub planting, as well as species-diverse grasslands.

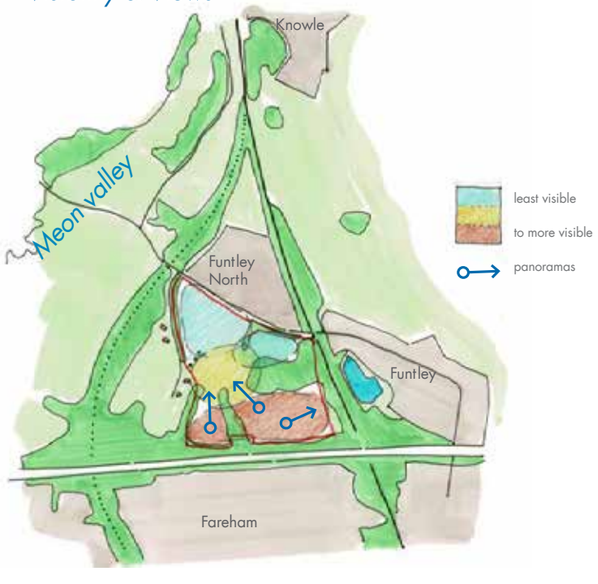
An interconnected network of footpath and cycle routes will link the site to Fareham North to the south and the Meon valley trail and wider countryside to the north, also allowing existing and new communities to access the Community Park located on the higher slopes south of the residential development. This area benefits from panoramic views northwards towards the South Downs and Meon Valley, which will now become accessible to the community.

The Community Park will provide significant areas of open space for informal recreation, with habitats enhanced through management and planting.

The landscape will be managed as part of the development adding to its amenity, biodiversity, recreational, educational and landscape value. Management regimes that might be considered could include traditional methods such as coppicing of woodland and diversification of meadows through green haying or grazing.

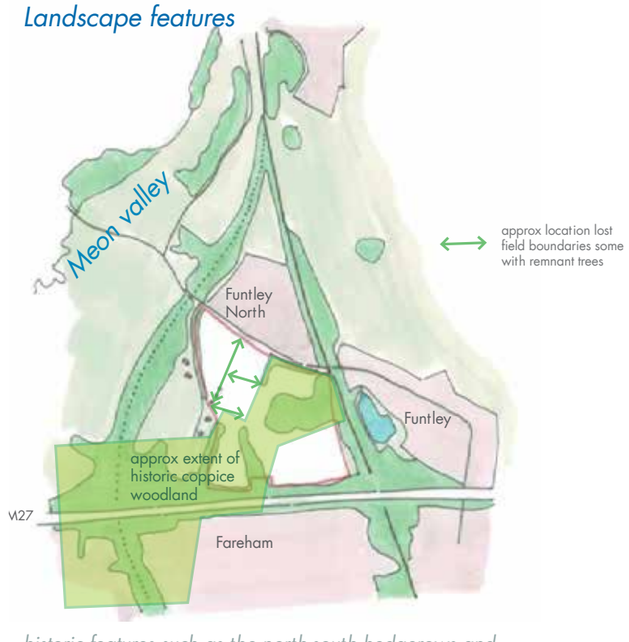
The character of Funtley Road frontage will be designed to reflect the essence of other Meon valley village frontages helping to connect the existing and new communities but also providing a locally distinctive setting within which to integrate development.

Visibility & Views



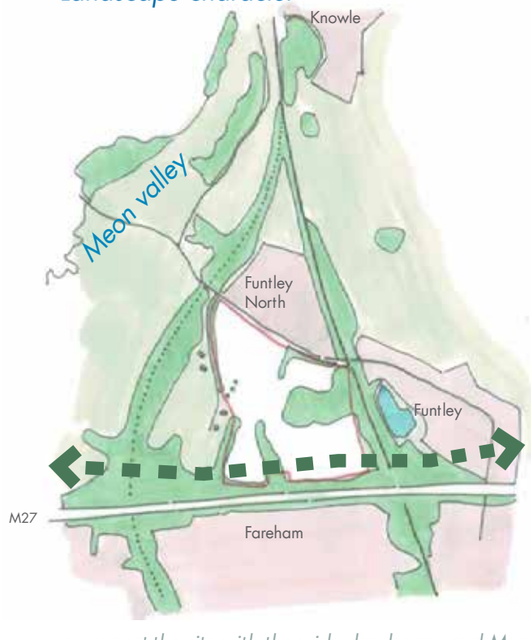
concentrate development in less visible areas on lower slopes, in valley and areas contained by vegetation. Community open space in areas with wider views maintaining and celebrating key panoramas to wooded horizons ...

Landscape features



historic features such as the north-south hedgerows and interconnected coppice woodland were present into the 20th century but have now been significantly reduced in area or lost. These connected the upper slopes to the valley floor. The repaired landscape structure can bring back some of these features and provide context and sense of place for development, integrating it into its setting ...

Landscape character



reconnect the site with the wider landscape and Meon valley reinforcing the wooded horizons; soften character transition of built development through density gradients within a repaired landscape pattern ...

landscape & visual implications of development proposal

preliminary aerial view from the north looking towards Fareham

wooded horizon reinforced

multifunctional green links reinstate smaller scale historic field pattern

landscape & visual implications of development proposal

The landscape character of Funtley South, which has been affected by adjacent residential development and uses such as a cattery, equestrian activities, stables, vehicle parking, noise from the M27, etc is best described as urban fringe. The urban influences will increase when Welborne Garden village is constructed, to the north-east.

The landscape led approach to the scheme is based on the retention of key landscape features including the replanted Ancient Woodland, the habitats of value within the site and the need to effect landscape restoration to restore the landscape pattern and character which has been eroded. The enhanced landscape will also provide the setting for the proposed development so that it integrates into the site. The enhanced setting will also help mitigate any impacts on visual amenity for local residents that face the site at present from the residential area to the north. Additional benefits are likely to include enhanced recreational opportunities including those provided by the proposed Community Park as well as better connectivity both with Fareham North and the footpath network, including the Meon Trail within the wider countryside.

Landscape impacts

The potential landscape effects have been assessed at site level, at Borough level LCA and also at County and National character area level. Landscape effects are also assessed on landscape features.

The arboricultural impact assessment confirms that all significant trees are to be retained and protected. The proposal allows for replanting within the greenlinks, reinstating smaller scale landscape compartments for development, based on historic pattern. These also physically and visually connect the wooded slopes and horizons with the valley floor. Additional planting around the rural edge of the site will enhance the existing landscape structure. New and existing vegetation will be managed as part of the development. The effect on landscape features is assessed as beneficial.

The landscape character of the site has been eroded through past uses. The proposed development, although over a slightly increased area compared to the previous proposal, is still located on the lower, less visible slopes and its edges have been carefully defined to relate to the topography and slopes for reasons of visibility and landscape character. The form of development also responds more closely to the landscape pattern, based on studies of its historic evolution.

The effect on landscape character of the proposed development at site level was previously assessed as a Moderate-Major negative effect on the landscape character at site level, where development is proposed due to the change of use from equestrian fields to residential development.

Whilst we would agree that this is a significant change we reiterate that the character of the site and indeed the entire Funtley triangle has been affected by changing uses over a long period with the effect that coppice woodland and field boundaries have been lost and replaced with fencing, sheds, and other buildings. Non-native planting has also been introduced, especially around the existing buildings near the entrance and the general visual amenity that the site provides has declined. In addition there has been little management of the key landscape features such as the woodlands and remaining field trees, which can be expected to decline further without intervention.

The site has been deemed suitable for limited residential development in both published landscape characterisation studies and by the Council, in granting planning permission for 55 houses. A well-designed, landscape-led residential development which respects the character and restores lost features is not necessarily negative, and in this case is positive, particularly in the longer term. Whilst the short term effects on landscape character may be Moderate adverse, the long term effect on landscape character is likely to Minor adverse at worst with the potential to be beneficial. This could stop the century long decline in landscape structure and produce an appropriate and enhanced setting leading to a stronger landscape framework maturing into the 21st and 22nd centuries.

Visual impacts

We agree with the previous LVA assessment that the site is well enclosed so that the visual effects are likely to be restricted to receptors within the residential areas in Funtley North and road users along Funtley Road.

The proposed development, whilst over a slightly increased area, is still located on the lower, less visible parts of the site and the landscape structure throughout the site is to be enhanced. In addition, rather than cutting the site off from Funtley Road the proposals seek to create a positive, locally distinctive Meon valley village ambience where built form, water and vegetation provide the frontage along Funtley Road. This will enhance the character on both sides of Funtley Road.

Whilst there will be a discernible change in views for residents to the north of Funtley Road, it is assessed that the impacts are likely to be minor to moderate adverse in the short term (mainly related to construction impacts) with the potential for long term benefits as the landscape matures and development is integrated.

Landscape improvements in the Community Park, including the removal of buildings on the upper slopes, new tree planting and enhanced management of both the existing and new vegetation and grasslands are assessed as beneficial to views and visual amenity. This change of use will also give public access so that the panoramic views from the upper parts of the site, which are currently not available to the general public, will be available to all users.

The effects of this renewed landscape structure, combined with the enhanced public footpath access, will produce an enhanced landscape for the public and wildlife alike well into the 21st and even 22nd centuries. This will arrest the continuing decline and fragmentation of the landscape and produce the opportunity for improved landscape management; this new landscape structure will be 're-purposed' as part of the shift from agricultural to residential and leisure landscapes with changing social, economic and environmental circumstances.

Appendix i

Landscape and Visual Appraisal prepared by Fabrik, January 2018

reside.

Land south of Funtley Road, Funtley

Landscape and Visual Appraisal

Project Title: Land South of Funtley Road, Funtley, Hampshire

Client: Reside Developments Ltd

Revision	Date	Revision Details	Prepared By	Checked By	Approved By
DRAFT	19/06/17	Internal review	CLB	SG/AS	SG/AS
00	12/07/17	Internal review	CLB	AS	AS
00	18/07/17	Issued to the client	CLB	AS	AS
01	27/07/17	Revised to suit client's comments and re-issue.	CLB	AS	AS
02	28/07/17	Minor amendments to suit client's comments and re-issue.	CLB	SG	SG
03	16/01/2018	Winter views included and amendments to reflect current scheme proposals - Internal review	LS/DL	AS	AS
04	17/01/2018	Client Review	DL	AS	AS
05	19/01/2018	Client / planner comments integrated	DL	AS	AS

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1. Introduction

1.1 Introduction

fabrik Chartered Landscape Architects have been appointed by Reside Developments Ltd to carry out a Landscape and Visual Appraisal (LVA) of the land to the south of Funtley Road, Funtley, Hampshire (the Application Site, refer to **Figure 1.1)** and its environs, in order to consider the likely physical and visual impacts arising as a result of the proposed development.

This LVA forms one of the suite of documents provided with the outline application. it sets out landscape policy and then goes on to describe the existing topography, land cover, vegetation, landscape features, landscape character and visual receptors of the local area in order to assess the landscape and visual effects of the proposed development which together inform the landscape character. The LVA also describes the baseline character and amenity of the identified visual receptors (considering the visual envelope, the different groups of people, places affected, the nature of the view and the visual amenity). This document describes the development proposals and then sets out a statement of landscape and visual effects.

This LVA should be read in conjunction with the suite of documents submitted with the outline application (all matters reserved except for access).

The methodology for the LVA is based on the 'Guidelines for Landscape and Visual Impact Assessment' (third edition) by the Landscape Institute and Institute of Environmental Management and Assessment (Routledge, 2013) and is set out at Appendix 1.

Where the terms 'Site' and 'Application Site' are used in this LVIA, these both refer to the land defined by the red line boundary shown in Figure 1.1; which is the subject of two separate planning applications:

1) Outline Application

Following demolition of existing buildings residential development of up to 55 dwellings (including 3 self-build homes) (Use Class C3), community building incorporating a local shop 250 sqm (Use Classes A1, A3, D1 & D2), accesses and associated landscaping, infrastructure and development works.

2) Change of Use

Change of use of land from equestrian/grazing to community park following demolition of existing buildings

1.2 Overview of Proposed Development

The proposed development comprises of 55 dwellings, a community building incorporating a local shop, with associated infrastructure, new community park, landscape planting and access. The Site area is 16.18 hectares (ha) and the Site is a proposed development allocation (ref. HA10) in the emerging Fareham Local Plan 2036.

1.3 Desktop Research and Study Area

The desktop survey carried out as part of the LVA included the review of previous proposals, Ordnance Survey maps, interactive maps, aerial photography, published landscape character assessment documents and planning policy. This was further verified through field work, to determine the potential zone of landscape and visual influence of the site and proposed development, including views requested by the Principal Planner of Fareham Borough Council on 25/05/2017.

The study area was found to generally extend to around 2.0km from the centre of the Site. Beyond this the landscape is visually divorced from the area by the intervening topography, vegetation and in places, built form. The LVA nevertheless considers the wider landscape, planning and designations context to the land within the Site.

1.4 Field Work

The field work was initially carried out on 07/06/17 and recorded the existing landscape elements within the Site; the contextual landscape elements; and identified a series of key visual receptors. The visual assessment element includes a photographic survey of the land within the Site taken from a series of representative key views, chosen to represent a range of public views, distances and directions within the study area. The photographic survey was updated to reflect winter views on 05/01/2018.

Viewpoints 15-19 were omitted from the winter photographic survey, since the summer views demonstrated such an extent of screening of the views (by vegetation and/or landform in the intervening areas), that it was considered that no significant visual change would occur in winter.

However, additional winter views were taken from the bridleway following the disused railway line west of the Site, since the lack of leaf cover in winter revealed glimpsed views to parts of the Site and nearby existing dwellings. Summer viewpoint 4 is represented by a viewpoint taken from within the Site, but standing very close to the low hedge at the boundary with the adjacent property (containing a dwelling at the southern end of Honey Lane.

While the summer and winter views show slight differences in the position of the viewpoint and focal lengths of camera lens used, there are otherwise, no material differences in the view.

1. Introduction

Legend

Application Site Boundary

Figure 1.1 – Extract from Ordnance Survey Plan showing the Application Site location and boundary (fabrik, 2018)

2. Baseline Conditions

2.1 Landscape and Heritage Designation

The land within the Site lies wholly within the jurisdiction of Fareham Borough Council and is located within the landscape designation of Area Outside of Defined Urban Settlement Boundary. The area within the north-western part of the Site is designated as Existing Open Space in the Fareham Core Strategy (Adopted August 2011).

Within the Study Area, there are a number of Listed Buildings, Scheduled Ancient Monuments, Ancient Woodlands and Historic Parks and Gardens. The Scheduled Ancient Monument of Tichfield Abbey and Fishponds with a group of Grade II Listed Building of Abbey Cottage, Fisherman's Arms, Place House Cottage and Garden are situated along Mill Lane to the south west of the Application Site. There are no Listed Buildings which abut the Application Site or which have intervisibility with the Application Site.

The South Downs National Park (SDNP) is at located approximately 3.7km to north east of the Application Site (and therefore outside of the 3km radius of the study area). This was further verified through field survey work to determine that views of the Application Site are truncated from the SDNP due to intervening topography, built form and vegetation (refer to the visual baseline on Pages 45 and 47).

The Grade II Listed buildings of Church of St Francis is located approximately 510m along Funtley Road to the east of the Application Site. A Scheduled Ancient Monument (the Site of Funtley Iron Works) together with a group of Grade II Listed buildings (including Ironmaster's House and Funtley House) are situated approximately 500m to the south west of Application Site along Ironmill Lane.

The Application Site contains Great Beamond Coppice, an Ancient Re-planted Woodland. This woodland, together with the tree blocks within central northern and south-western sections of the Application Site, are designated as a Site of Importance of Nature Conservation (SINC) and are also covered by a Tree preservation Order (TPO). Another Ancient Woodland of Hookhouse Coppice is also located approximately 200m to the south west of Application Site.

There are no other landscape or heritage designations within nor adjacent to the Application Site.

The above designations are shown on **Figures 2.1 and 2.2** on the following pages.

Land to the east of Funtley is designated for a new settlement known as Welborne. Settlement buffers are proposed in key locations, including along the eastern edge of Funtley.

2.2 National Landscape Policy

The National Planning Policy Framework (NPPF) (March 2012) seeks the presumption in favour of sustainable development. The following issues and policies are pertinent to this LVA.

Section 7 sets out the requirements of good design. Paragraph 56 states that: *"The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people."*

Paragraph 57 goes on to state that: "*It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces..."*

Paragraph 58 looks to ensure that developments:

- *"will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;*
- *establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*
- *optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;*
- *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*
- *create safe and accessible environments...; and*
- *are visually attractive as a result of good architecture and appropriate landscaping."*

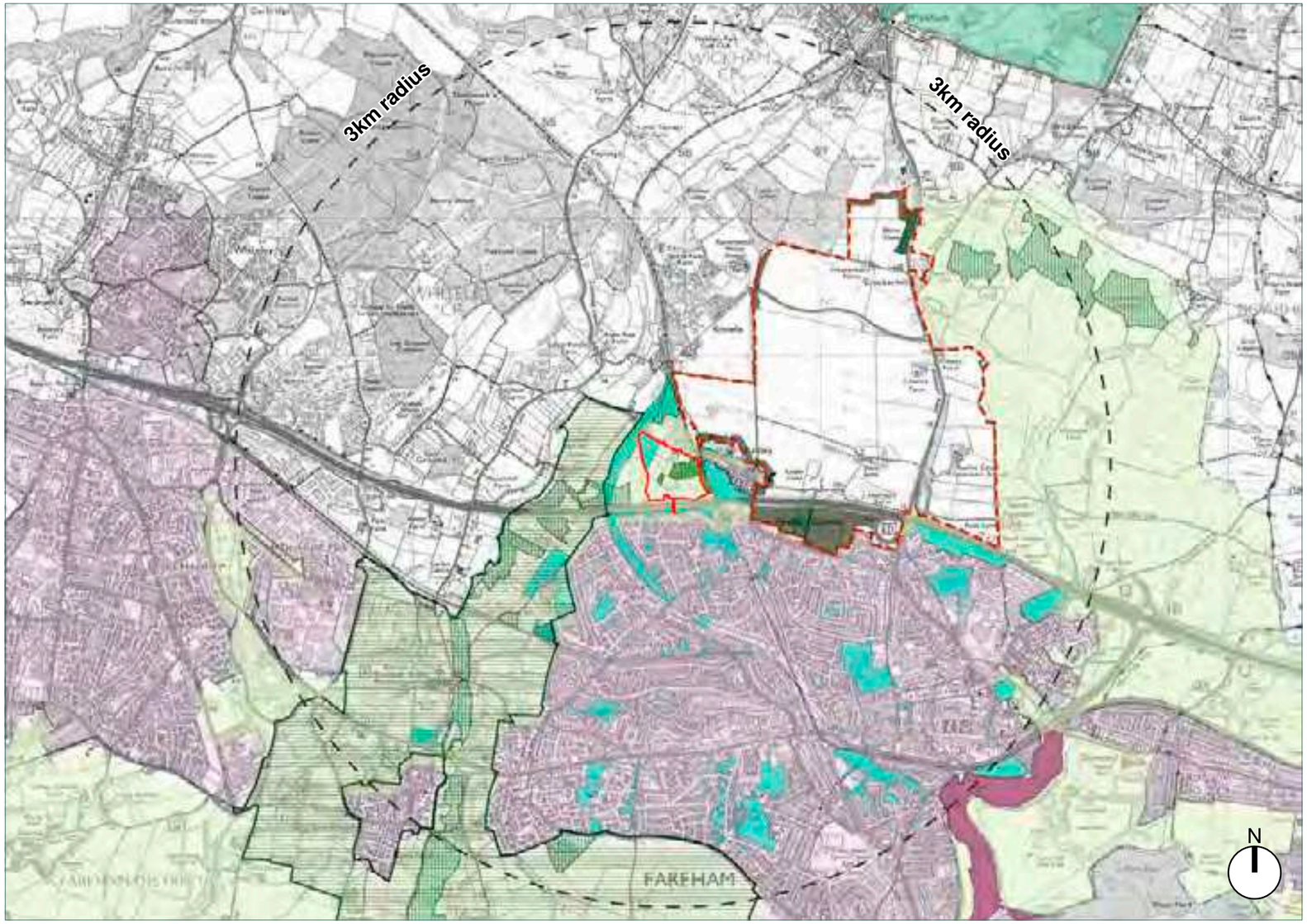
Furthermore, Paragraph 65 states that: *"Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).*

Section 8 of the NPPF deals with 'Promoting healthy communities' and seeks to achieve:

- *"Opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mix-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;*
- *Safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and*
- *Safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.*"

Section 10 deals with climate change. Paragraph 96 sets out that development should take into account the landform, layout, building orientation, massing and landscaping to minimise energy consumption. Furthermore, Paragraph 99 states that: *"... When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure."*

2. Baseline Conditions

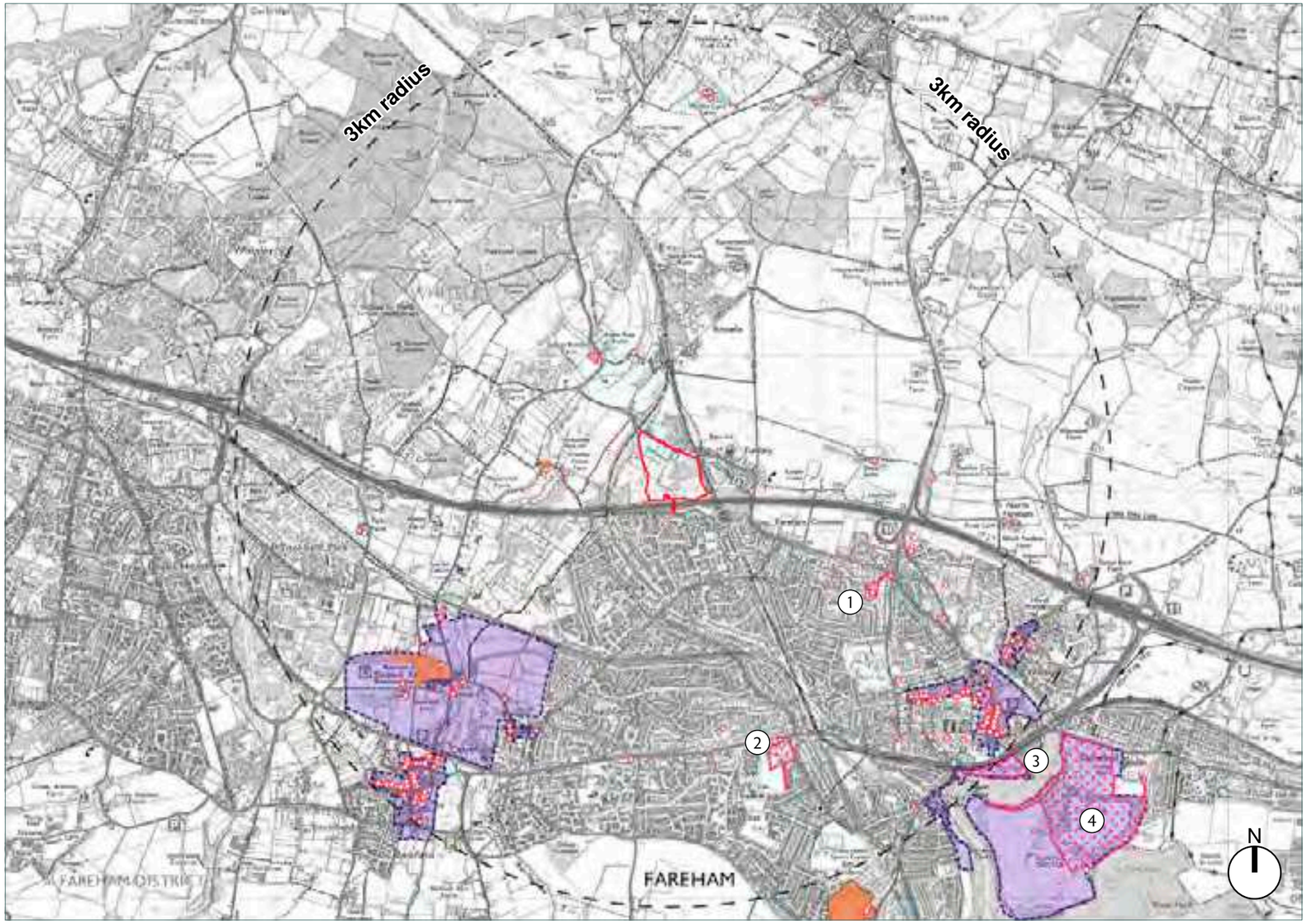


Legend

- Application Site Boundary
- Local Authority Boundary
- Study Area (3km radius)
- South Downs National Park
- Site of Importance of Natural Conservation (Ecological Policy: CS4 / DSP13)
- Special Protection Area and Ramsar Sites (Policy: CS4 / DSP13)
- Welborne Policy Boundary (Policy: CS13)
- Welborne Settlement Buffers (Policy: WEL5)
- Area Outside of Defined Urban Settlement Boundary (Policy: CS14 / DSP6)
- Strategic Gap (Policy: CS22): The Meon Gap
- Existing Open Space (Policy: CS21)
- Tree Preservation Order (shown within the Application Site only)
- Defined Urban Settlement (Policy: CS6 / CS14 / DSP6)

Figure 2.1 – Plan illustrating landscape and ecological designations as shown on the Fareham Borough Council 2015 Adopted Local Plan Proposals Map (fabrik, 2018)

2. Baseline Conditions



Legend

- Application Site Boundary
- Local Authority Boundary
- Study Area (3km radius)
- Scheduled Ancient Monument (Policy: DSP5)
- Conservation Area (Policy: DSP5)
- Listed Buildings (Policy: DSP5)
- Park and Garden (Policy: DSP5 Non- Designated Heritage Assets)

1. Uplands, Fareham
2. Bishopswood, Fareham
3. Bath Lane Recreation Ground, Fareham
4. Cams Hall, Fareham

Figure 2.2 – Plan illustrating heritage assets within the 3km study area (fabrik, 2018)

2. Baseline Conditions

2.2 National Landscape Policy (continued)

Conserving and enhancing the natural environment is the topic of Section 11. Paragraph 109 states that: *"The planning system should contribute to and enhance the natural and local environment by:*

- *protecting and enhancing valued landscapes, geological conservation interests and soils;*
- *recognising the wider benefits of ecosystem services;*
- *minimising impacts on biodiversity and providing net gains in biodiversity."*

Paragraph 115 goes on to state that: "*Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty."*

The Application Site does not lie within or form part of the setting to a valued landscape.

National Planning Practice Guidance - NPPG (March 14)

The NPPF is now supported by the on-line resource Planning Policy Guidance (PPG). There are a number of sections that relate to this LVA as set out below.

The PPG sets out guidance on Design at section ID 26 (updated on 6 March 2014) and the elements to be considered to achieve good design. Paragraph 001 under this section states that: "*The National Planning Policy Framework recognises that design quality matters and that planning should drive up standards across all forms of development. As a core planning principle, plan-makers and decision takers should always seek to secure high quality design.*

Achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations.

Good design responds in a practical and creative way to both the function and identity of a place. It puts land, water, drainage, energy, community, economic, infrastructure and other such resources to the best possible use - over the long as well as the short term."

Paragraph 002 states that: *"Good design should:*

- *ensure that development can deliver a wide range of planning objectives*
- *enhance the quality buildings and spaces, by considering amongst other things form and function; efficiency and effectiveness and their impact on well being address the need for different uses sympathetically."*

Paragraph 004 goes on to state that: *"Development proposals should reflect the requirement for good design set out in national and local policy. Local planning authorities will assess the design quality of planning proposals against their Local Plan policies, national policies and other material considerations."*

Paragraph 007 states that planning should promote local character (including landscape setting) - states:

"Development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, local man-made and natural heritage and culture, while not preventing or discouraging appropriate innovation.

The successful integration of all forms of new development with their surrounding context is an important design objective, irrespective of whether a site lies on the urban fringe or at the heart of a town centre.

When thinking about new development the site's land form should be taken into account. Natural features and local heritage resources can help give shape to a development and integrate it into the wider area, reinforce and sustain local distinctiveness, reduce its impact on nature and contribute to a sense of place. Views into and out of larger sites should also be carefully considered from the start of the design process.

Paragraph 009 relative to greenspaces and public places - includes the following:

"Development should promote public spaces and routes that are attractive, accessible, safe, uncluttered and work effectively for all users – including families, disabled people and elderly people. A system of open and green spaces that respect natural features and are easily accessible can be a valuable local resource and helps create successful places. A high quality landscape, including trees and semi-natural habitats where appropriate, makes an important contribution to the quality of an area."

Landscape is a sub section under Section ID 8 on the Natural Environment (updated on 6 March 2014). Paragraph 001 on landscape character states that: *"One of the core principles in the National Planning Policy Framework is that planning should recognise the intrinsic character and beauty of the countryside. Local plans should include strategic policies for the conservation and enhancement of the natural environment, including landscape. This includes designated landscapes, but also the wider countryside.*

Where appropriate, landscape character assessments should be prepared to complement Natural England's National Character Area profiles. Landscape Character Assessment is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change and may be undertaken at a scale appropriate to local and neighbourhood plan-making."

Under the biodiversity, ecosystems and green infrastructure section, paragraph 015 on green infrastructure defined this as: *"... a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities. Green infrastructure includes parks, open spaces, playing fields, woodlands, street trees, allotments and private gardens."*

2. Baseline Conditions

2.3 Local Landscape Policy

Introduction

The Fareham Borough Council is undergoing the process of producing a new Local Plan to reflect new housing and employment needs within the borough up to 2036. Before the emerging local plan is adopted by the Council, the policies within the Fareham Local Development Framework, Core Strategy (Adopted August 2011) form the principal documents within the Local Plan.

Current Policy: Fareham Local Development Framework, Core Strategy (Adopted August 2011)

Within the Adopted Core Strategy, the Council has set out strategic objectives to reflect the national policies, as well as to monitor and deliver a sustainable community within the borough.

The following objectives are pertinent to this LVA.

Strategic Objective SO1 aims to: *" To deliver the South Hampshire Strategy in a sustainable way, focussing development in Fareham, the Strategic Development Area north of Fareham and the Western Wards."*

Strategic Objective SO8 aims to: *"To deliver a new sustainable settlement to the north of Fareham, creating 6,500-7,500 homes, up to 90,750 sq.m employment floorspace, a new district centre and other supporting retail and community provision."* This relates to the Welborne settlement proposed to the east of Funtley.

SO10 states that the Local Authority wishes to: *"...manage, maintain and improve the built and natural environment to deliver quality places, through high quality design sustainability and maintenance standards, taking into account the character and setting of existing settlements and neighbourhoods and seeking safe environments which help to reduce crime and the fear of crime."*

Whilst SO11 is concerned with green infrastructure, aiming to: "*... protect and enhance access to green infrastructure, the countryside, coast and historic environment whilst protecting sensitive habitats or historic features from recreational pressure, and protect the separate identity of settlements, including through the designation of strategic gaps."*

In terms of development proposals and designations, the following policies are pertinent to this LVA.

Policy CS4 relates to the green infrastructure within the borough and states: *"Habitats important to the biodiversity of the Borough, including Sites of Special Scientific Interest, Sites of Importance for Nature Conservation, areas of woodland, the coast and trees will be protected ..."* The policy goes on and states: *"Development Proposals will be permitted where Green Infrastructure provision in accordance with the Green Infrastructure Strategy has been integrated within the development where this is appropriate. Development proposals will provide for appropriate access to green space for informal recreation to avoid adverse impacts from recreation and other impacts on European 31 and Ramsar sites and on nationally and locally important sites."*

Within the Core Strategy and the proposal map, the Welborne Policy Boundary is within the close distance to the Application Site to the north-east (refer to Figure 2.1). This future development allocates up to 6,000 dwellings with associated transportation links, green infrastructure and open spaces. The relates Policy is CS13 North of Fareham Strategic Development Area and states that: *"Permission will be granted for the development of a Strategic Development Area to the north of Fareham following the adoption of an Area Action Plan and the preparation of a comprehensive masterplan for the development. The development will include provision for between 6,500- 7,500 dwellings, unless it is found that this level of housing cannot be delivered without adversely affecting the integrity of protected European conservation sites. If any potential adverse effects cannot be avoided or adequately mitigated, the level and scale of development would need to be reduced accordingly to ensure that there are no adverse effects on the integrity of any European sites. The development will also provide supporting environmental, social and physical infrastructure, retail and employment floorspace to both support the development and to contribute towards meeting the development objectives of the South Hampshire Sub-Region. The new community will aim to be as self-contained as possible, whilst complementing and supporting the established town centre of Fareham and adjoining settlements."*

Policy CS14 refers to Development outside the defined settlement boundary, stating: *"Built development on land outside the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function."*

Policy CS17 is concerned with High Quality Design, with focus on landscape and stating: *"All development, buildings and spaces will be of a high quality of design and be safe and easily accessed by all members of the community. Proposals will need to demonstrate adherence to the principles of urban design and sustainability to help create quality places. In particular development will be designed to:*

- *respond positively to and be respectful of the key characteristics of the area, including heritage assets, landscape, scale, form, spaciousness and use of external materials;*
- *provide continuity of built form, a sense of enclosure with active frontages to the street and safety of the public realm;*
- *provide green infrastructure, including landscaping, open spaces, greenways and trees within the public realm..."*

The policy relating to the Protection and Provision of Open Spaces, CS21 states: *"The Borough Council will safeguard and enhance existing open spaces and establish networks of Green Infrastructure to add value to their wildlife and recreational functions. Development which would result in the loss of or reduce the recreational value of open space, including public and private playing fields, allotments and informal open space will not be permitted, unless it is of poor quality, under-used, or has low potential for open space and a better quality replacement site is provided which is equivalent in terms of accessibility and size."*

Policy CS22 deals with developments within Strategic Gaps and states: *"Land within a Strategic Gap will be treated as countryside. Development proposals will not be permitted either individually or*

2. Baseline Conditions

2.3 Local Landscape Policy (continued)

cumulatively where it significantly affects the integrity of the gap and the physical and visual separation of settlements.

Strategic Gaps have been identified between Fareham/Stubbington and Western Wards/Whiteley (the Meon gap)..."

Fareham Borough Local Plan Part 2: Development Sites and Policies (Adopted June 2015)

The Local Plan Part 2 reinforces the Core Strategy's policies relating to the natural environment. Paragraph 4.1 summarises: *"The Natural Environment is a key asset of the Borough, which provides a significant contribution to the quality of life of residents and visitors. It not only provides a natural, green setting for the Borough's settlement, but is also important for recreation and leisure uses as well as supporting the Borough's biodiversity including internationally important habitats for wildlife. The Plan is important in establishing the right balance between planning for growth and protecting the natural environment."*

Policy DSP40 Housing Allocations includes the following, which is of relevance to the proposed development site:

"Where it can be demonstrated that the Council does not have a five year supply of land for housing against the requirements of the Core Strategy (excluding Welborne) additional housing sites, outside the urban area boundary, may be permitted where they meet all of the following criteria:

i. The proposal is relative in scale to the demonstrated 5 year housing and supply shortfall;

ii. The proposal is sustainably located adjacent to, and well related to, the existing urban settlement boundaries, and can be well integrated with the neighbouring settlement;

iii. The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;

iv. It can be demonstrated that the proposal is deliverable in the short term; and

v. The proposal would not have any unacceptable environmental, amenity or traffic implications."

Policy DSP2 concerns with any environmental impact of new developments to the existing development and wider landscape, and go on stating: *"Development proposals should not, individually, or cumulatively, have a significant adverse impact, either on neighbouring development, adjoining land, or the wider environment, by reason of noise, heat, liquids, vibration, light or air pollution (including dust, smoke, fumes or odour)....".*

Policy DSP5 relates to any developments affecting the setting of historical assets and states: *"Designated and non-designated heritage assets are an irreplaceable resource that will be conserved in a manner appropriate to their significance, to be enjoyed for their contribution to the quality of life of this and future generations. The wider social, cultural, economic and environmental benefits of their conservation will also be taken into account in decision making...."* The policy goes on and state: *"....The Council will conserve Scheduled Monuments, and archaeological sites that are demonstrably of national significance, by supporting proposals that sustain and where appropriate enhance their heritage significance. Proposals that unacceptably harm their heritage significance, including their setting, will not be permitted.*

Non-designated heritage assets including locally listed buildings, historic parks and gardens, and sites of archaeological importance will be protected from development that would unacceptably harm their Architectural and historic interest, and/or setting taking account of their significance.

Policy DSP6 relates to the Core Strategy CS14 on Development Outside of the Defined Urban Settlement Boundaries and states: *"There will be a presumption against new residential development outside of the defined urban settlement boundaries (as identified on the Policies Map).....A change of use of land outside of the defined urban settlement boundary to residential garden will only be permitted where:*

i. It is in keeping with the character, scale and appearance of the surrounding area; and

ii. It will not detract from the existing landscape; and

iii. It respects views into and out of the site."

Policy DSP13 relates to the impact of new development on the nature conservation areas within the borough and states: *"Development may be permitted where it can be demonstrated that;*

i. designated sites and sites of nature conservation value are protected and where appropriate enhanced;

ii. protected and priority species populations and their associated habitats, breeding areas, foraging areas are protected and, where appropriate, enhanced;

iii. where appropriate, opportunities to provide a net gain in biodiversity have been explored and biodiversity enhancements incorporated; and

iv. The proposal would not prejudice or result in the fragmentation of the biodiversity network.

Proposals resulting in detrimental impacts to the above shall only be granted where the planning authority is satisfied that (this section of the policy should not be applied to impacts on SPA designated sites which are subject to stricter protection tests as set out in The Conservation of Species and Habitats Regulations (as amended) 2010);

i. Impacts are outweighed by the need for, and benefits of, the development; and

ii. Adverse impacts can be minimised and provision is made for mitigation and, where necessary, compensation for those impacts is provided.

Enhancements that contribute to local habitat restoration and creation initiatives as set out in the Hampshire Biodiversity Action Plan (or other similar relevant document) will be supported."

2. Baseline Conditions

Supplementary Planning Documents

Planning Obligations Supplementary Planning Document for the Borough of Fareham (Excluding Welborne) Adopted April 2016

In terms of public open space, outdoor sport and children's play equipment, Appendix B sets out that for developments of between 50-299 dwellings, 1.5ha per 1000 population is to be provided for parks and amenity open space. No sport provision is required for this scale of development. In terms of play provision, for developments between 50-199 dwellings, a LEAP is required.

Emerging Policy: Fareham Local Plan 2036 (Draft, Consultation Version)

Figure 2.3 on the following page illustrates the proposed amendments to the policies map. **Figure 2.4** shows the development allocation plan from Appendix G of the emerging local plan. The Application Site is proposed for residential development and new open space. Land to the north is also proposed as a residential allocation. Extracts of the policies relative to landscape matters are set out below:

Policy HA10 sets out the requirements of the proposed allocation, with a capacity for 55 dwellings and states that: *"Planning permission will be granted provided that detailed proposals accord with the policies in the Local Plan and meet the following site specific requirements:*

a) The quantum of housing proposed shall be broadly consistent with the indicative site capacity; and

b) Primary highway access shall be from Funtley Road; and

c) Building heights are limited to a maximum of 2 storeys; and

d) Safe pedestrian and cycle crossing points across Funtley Road and connectivity with the existing footpath/bridleway network in the vicinity of the site and eastwards towards the centre of Funtley village in order to maximise connectivity to nearby facilities and services; and

e) The creation of a vehicular loop road on the site, allowing for pedestrians and cycle permeability across the site; and

f) Proposals shall take account of the site's landscape context by incorporating view corridors from Funtley Road through to the public open space allocation to the south of the residential allocation (as illustratively shown in Appendix G). The view corridors should form part of the on-site open space and should incorporate pedestrian and cycle links, whilst vehicular crossing links should be limited; and

g) A 15m buffer shall be incorporated between development and the Great Beamond Coppice SINC to the east of the site; and

i) The provision of a building / buildings for community uses, located in an accessible location to enable a range of uses for both existing and new residents; and

j) Proposals shall either provide directly, or provide financial contribution towards the delivery (and maintenance where deemed necessary) of the following infrastructure, in line with the Council's Planning Obligations SPD:

- *Public open space on and off-site (as illustratively shown in Appendix G) (in line with the Council's Planning Obligations SPD); and*
- *a Local Area of Play (LEAP) on-site (in line with the Council's Planning Obligations SPD).*

In light of the landscape setting, this development allocation is required to take a looser, less dense approach, applying a density of around 20 dwellings per hectare (dph). In light of the rural setting, significant natural landscaping should be incorporated, so that proposals are assimilated into the landscape. Part of this assimilation includes the incorporation of view corridors, between Funtley Road and the open space south of the site, which are required to maintain visual and physical connections through the site.

Additionally, the delivery of the community uses building and public open space are critical elements in making the development acceptable, by providing additional assets for both the existing and new community. The community building envisaged is one that is multi-functional and flexible to allow for a range of small-scale community uses, whilst the proposed public open space should be more informal in nature, to take account of and strengthen the landscape setting.

Appendix F is a visual demonstration of the suggested approach to development in this location, taking account of the approach detailed above."

The other pertinent policies of the Local Plan, relative to landscape and visual matters are:

Policy CF6: Provision and Protection of Open Space, which states that: *"Proposals for new residential development will be required to provide open space to meet the needs of new residents in accordance with the thresholds and requirements set out in the Council's Planning Obligations SPD.*

Proposals seeking to develop on open space will not be permitted unless it can be clearly demonstrated that:

a) The open space is surplus to local requirements and will not be needed in the long-term following a robust assessment; and

b) Replacement provision will be at least equivalent or better in terms of quantity, quality and accessibility and there will be no overall negative impact on the provision of open space; or

c) The development is for alternative recreational provision, which meets locally identified needs and clearly outweighs the loss of the original open space; or

d) The loss of open space is replaced by a scheme which delivers high quality community, educational or health benefits and clearly outweighs the scale of the net loss of open space."

2. Baseline Conditions

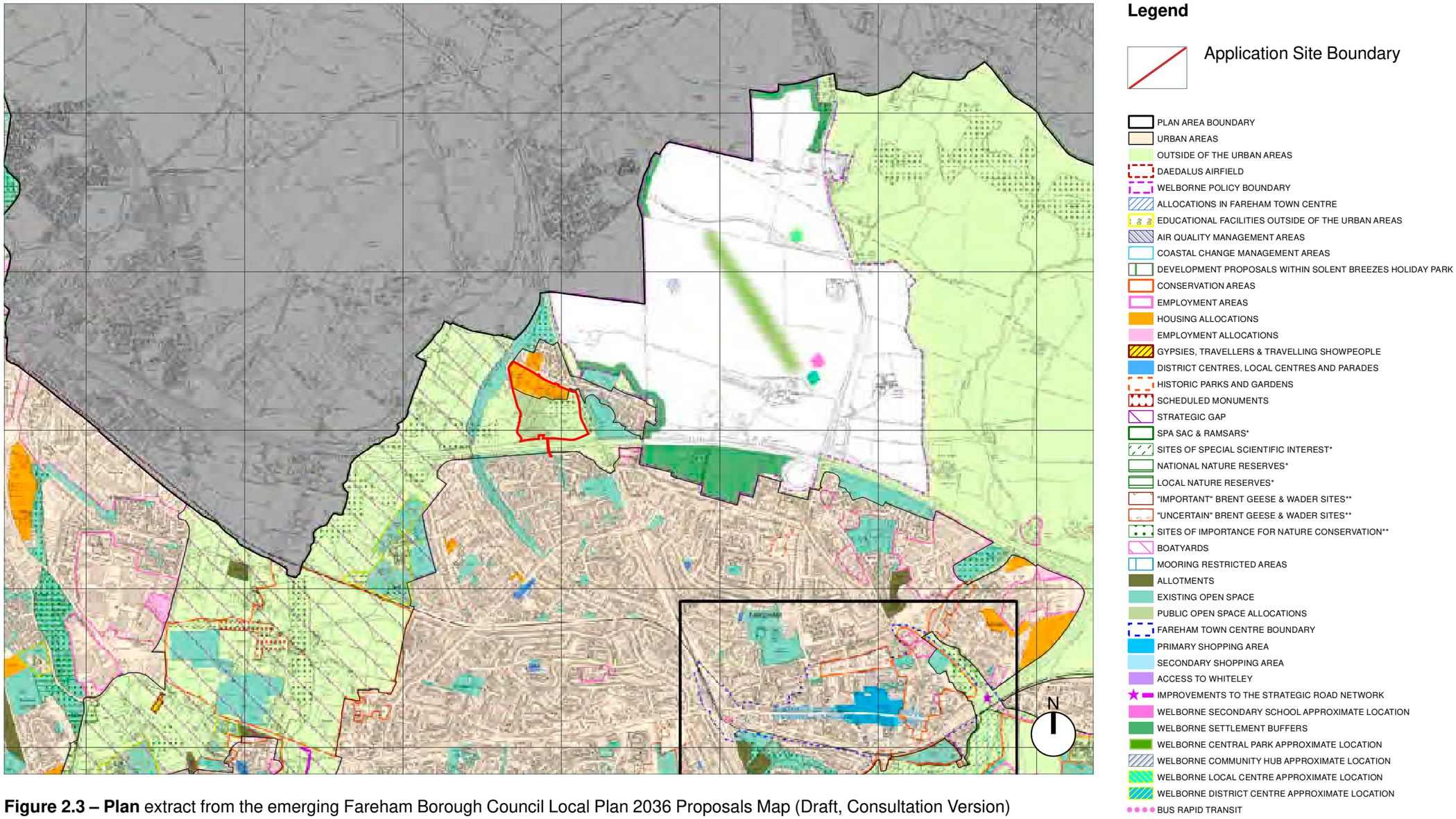


Figure 2.3 – Plan extract from the emerging Fareham Borough Council Local Plan 2036 Proposals Map (Draft, Consultation Version)

2. Baseline Conditions

Emerging Policy: Fareham Local Plan 2036 (Draft, Consultation Version) Continued

Policy NE1 deals with Landscape and states that: *"Development for all major applications will be permitted only where it can be demonstrated, through a robust landscape assessment that the proposals satisfy the specific development criteria contained within the Council's Landscape Sensitivity Assessment for the character area in which the development is located.*

Development proposals must respect, enhance and not have severe adverse impacts on the character or function of the landscape that may be affected, with particular regard to:

a) Intrinsic landscape character, quality and important features;

b) Visual setting, including to/from key views;

c) The landscape as a setting for settlements, including important views to, across, within and out of settlements;

d) The landscape's role as part of the existing Green Infrastructure network;

e) The local character and setting of buildings and settlements;

f) Natural landscape features, such as trees, ancient woodland, hedgerows, water features and their function as ecological networks; and

g) The character of the Borough's rivers and coastline, which should be safeguarded.

Major development proposals shall include a comprehensive landscaping mitigation and enhancement scheme to ensure that the development is able to successfully integrate with the landscape and surroundings. The landscaping scheme shall be proportionate to the scale and nature of the development proposed and shall be in accordance with the enhancement opportunities specified in the Council's Landscape Sensitivity Assessment."

Policy D1 is the topic for High Quality Design, setting out that all development proposals and spaces are to be of high quality, based on principles of urban design and sustainability to help create quality places. It includes the following:

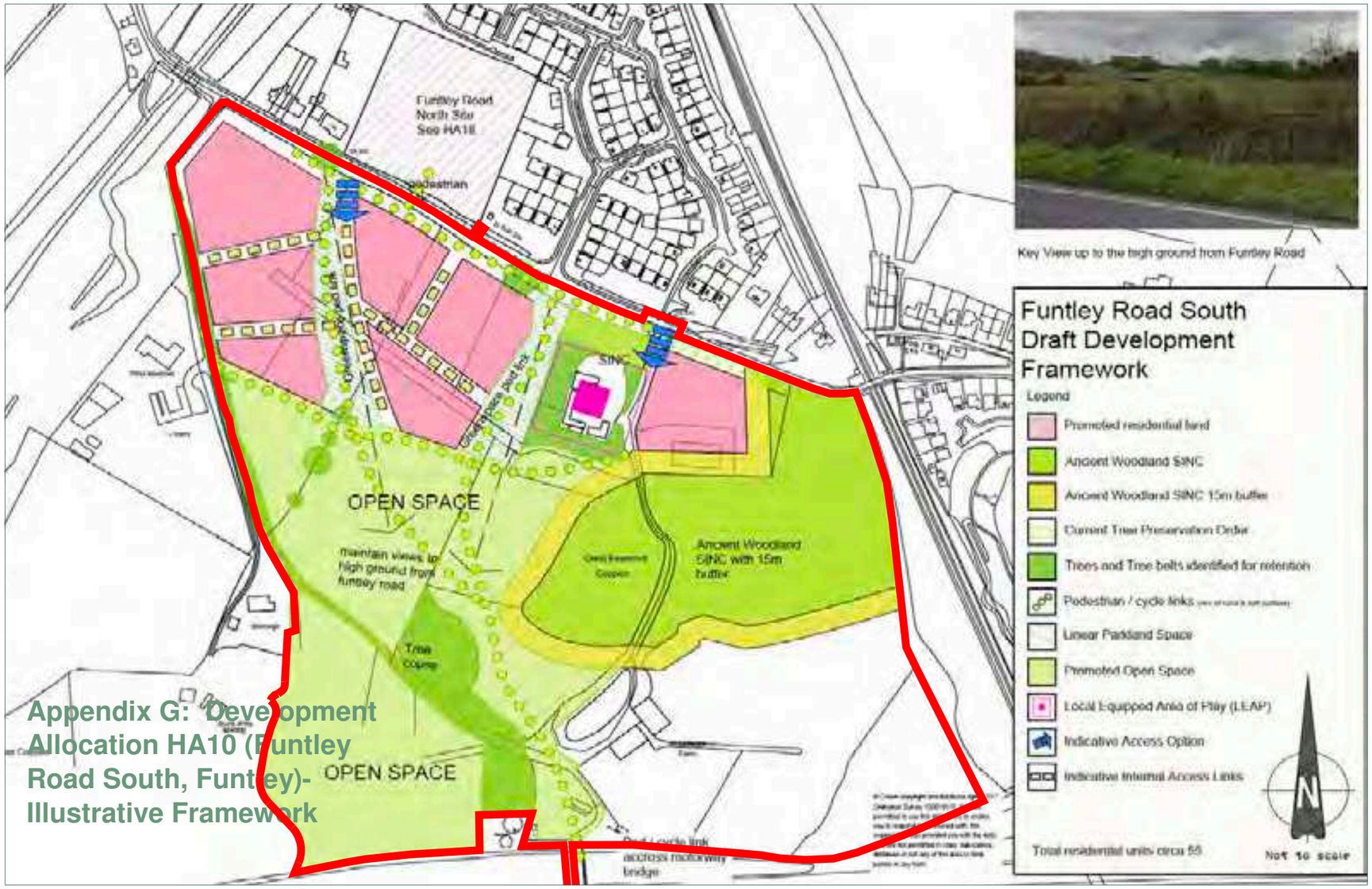
"Development proposals will be permitted where they:

a) Respond positively to and be respectful of key characteristics of the area, including heritage assets, landscape, trees and landscape features, scale, spaciousness, form and the use of external materials;...

In all instances proposals shall have regard to the adopted Borough Design Guidance SPD."

In addition to the allocation pertaining to the Site, land to the north of Funtley Road (Funtley Road North Site HA18) is subject to an allocation for around 23 dwellings on land around 0.96ha in size (see Figure 2.4).

2. Baseline Conditions



Legend

Application Site Boundary

Figure 2.4 – Plan illustrating Development Allocation HA10 from the emerging Fareham Borough Council Local Plan 2036 (Draft Consultation Version)

2. Baseline Conditions

2.4 Introduction

The following paragraphs describe the landscape receptors firstly at contextual level and secondly at Application Site level.

2.5 Topographic Context

The topography of the study area is illustrated on the plan opposite in **Figure 2.5**.

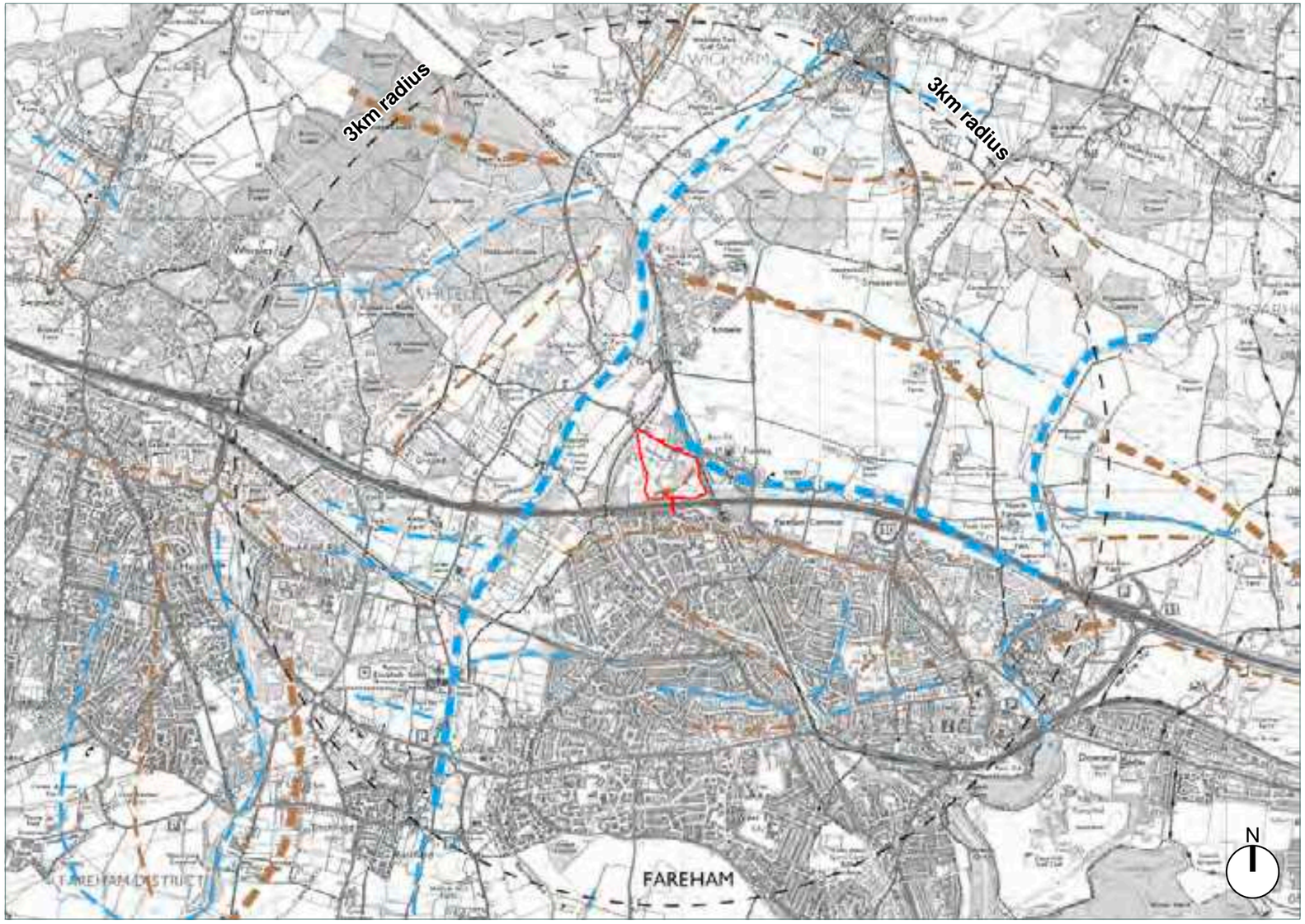
Within the northern part of the study area, two major ridgelines predominately run in a broadly east to west orientation and stretch across the northern and north-eastern section of the study area. The heights are varied and reach approximately 50m AOD to Sager's Down located to the north west of the village of Knowle.

The River Meon runs in a north-east to south-west direction across the central part of the study area. It creates a large area of valley floor between the major settlement of Fareham and smaller suburb communities and villages to the west of the study area. To the east of the study area, the eastern section of the M27 motorway with the easternmost part of Fareham sits on the valley floor, which is formed by the Wallington River to the east of the study area.

The Application Site sits on the south-western fringe of Funtley village. The southern part of the Application Site lies on a ridgeline reaching approximately 55m AOD. The topography then falls towards Honey Lane to the west and Funtley Road to the north.

The value of this landscape receptor is assessed as ranging from **Low - Medium**.

2. Baseline Conditions



Legend

- Application Site Boundary
- Study Area (3km radius)
- Major Ridge lines
- Minor Ridge lines
- Major Valleys
- Minor Valleys

Figure 2.5 – Plan illustrating Topography and Drainage (fabrik, 2018)

2. Baseline Conditions

2.6 Contextual Landscape Elements

Broad Land Use and Land Cover:

Land cover across the northern part of study area is predominantly agricultural. A number of woodlands within the study area are either Ancient or Re-planted Woodlands. The Ancient Re-planted Woodland of Great Beamond Coppice is located within the north-eastern section of the Application Site.

The Great Beamond Coppice and the tree blocks within central northern and south-western section of the Application Site are also designated as Site of Importance for Nature Conservation (SINC) and are covered by a Tree Preservation Order (TPO).

Field patterns within the study area are predominantly of small to medium scale and bounded by dense hedgerows, trees and enclosed rural lanes. The settlement of Fareham and its associated suburban areas dominates the southern part of the study area, whilst the village of Knowle is located to the north east of the Application Site. A number of smaller settlements and farmsteads are also scattered across the study area.

There are a series of locally designated Historic Park and Gardens present within the study area. Uplands is located approximately 1.5km to the south east of the Application Site, whilst the Bishopswood is located approximately 1.9km to the south east.

Additionally, the Scheduled Ancient Monument of Funtley Iron Works, with a group of Grade II Listed buildings including Ironmaster's House and Funtley House, are situated approximately 500m to the south west of the Application Site along the Ironmill Lane.

The value of this landscape receptor are assessed as ranging from **Low** - **Medium**.

2. Baseline Conditions

Legend

- Application Site Boundary
- (1) Settlement
- (2) Ancient Woodland / Ancient Re-planted Woodland
- (3) Agricultural Land
- (4) Commercial / Industrial Estate
- (5) Recreation / Golf Course
- (6) Railway Line
- (7) Watercourse / Waterbody
- (8) Scheduled Monument
- (9) Historic Parks and Gardens

Figure 2.6 – Plan illustrating land use within the study area (fabrik, 2018).

2. Baseline Conditions

2.7 Contextual Public Rights of Way

A series of public footpaths, bridleways with long distance trails are present across the study area.

Public footpaths 85, 513a, 513b, 513c and 513d traverse the landscape to the north east of the Application Site and provide connectivity between Lakeside, Funtley Road and Totsome Cottage to the north. Bridleway 515 to the north west of the Application Site connects Funtley Road and Mayles Lane to the north-west, over the M27 to the south west. To the south of the Application Site footpath 91 runs in a north west - south east direction along the M27 and creates the connection between bridleway 82 to the west, Red Barn Lane and Highlands Road to the south east.

The long distance walk of Allan King Way is located at the south-eastern edge of the study area, approximately 3.63km to the south east of the Application Site. This route provides the connection between the eastern fringe of Fareham to the wider landscape via Paradise Lane to the north east and Downend Road to the south east.

The value of these landscape receptors are assessed as ranging from **Medium - High**.

2. Baseline Conditions

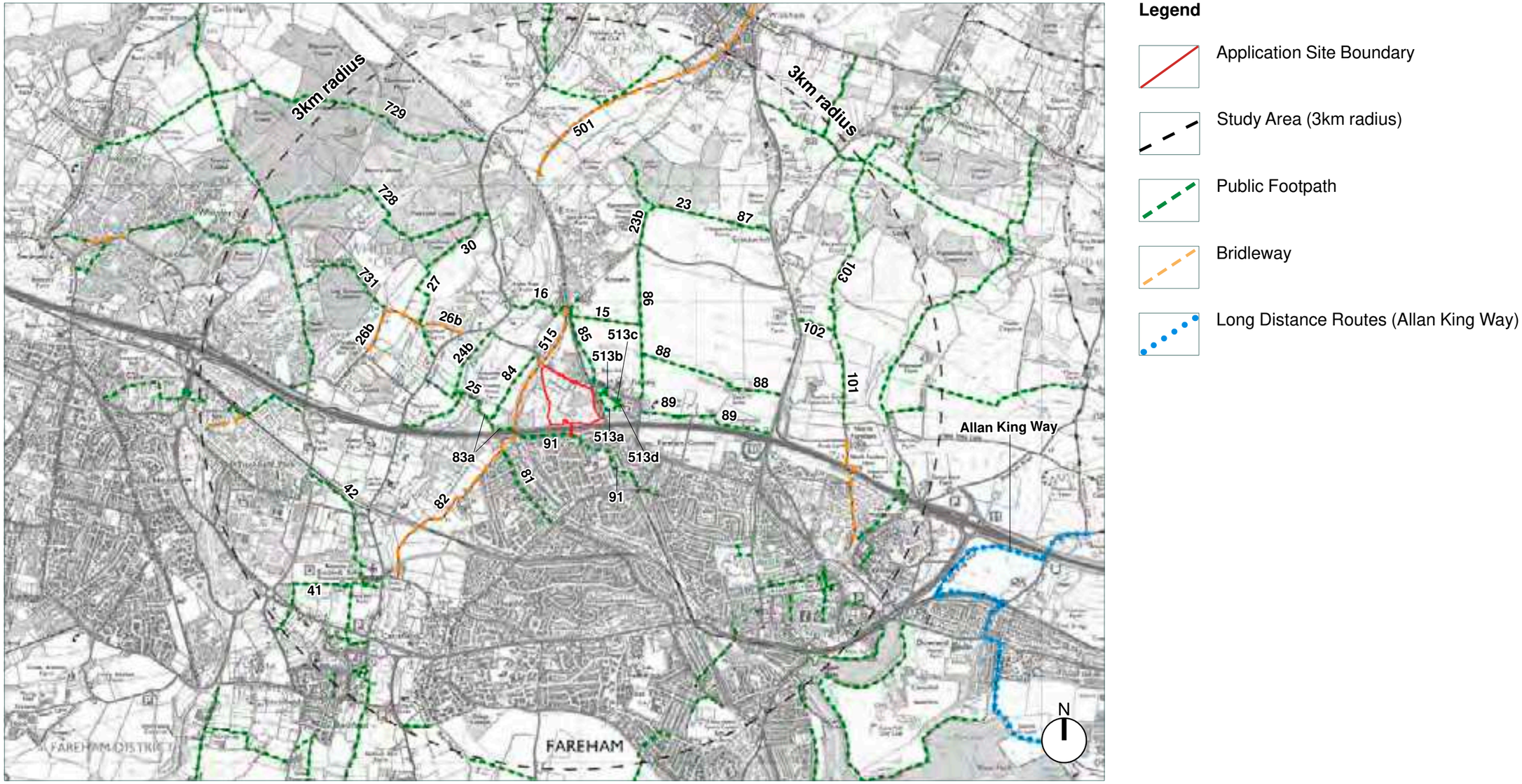


Figure 2.7 – Plan illustrating public rights of way and long distant routes within the study area (fabrik, 2018).

2. Baseline Conditions

2.8 Contextual Movement Corridors

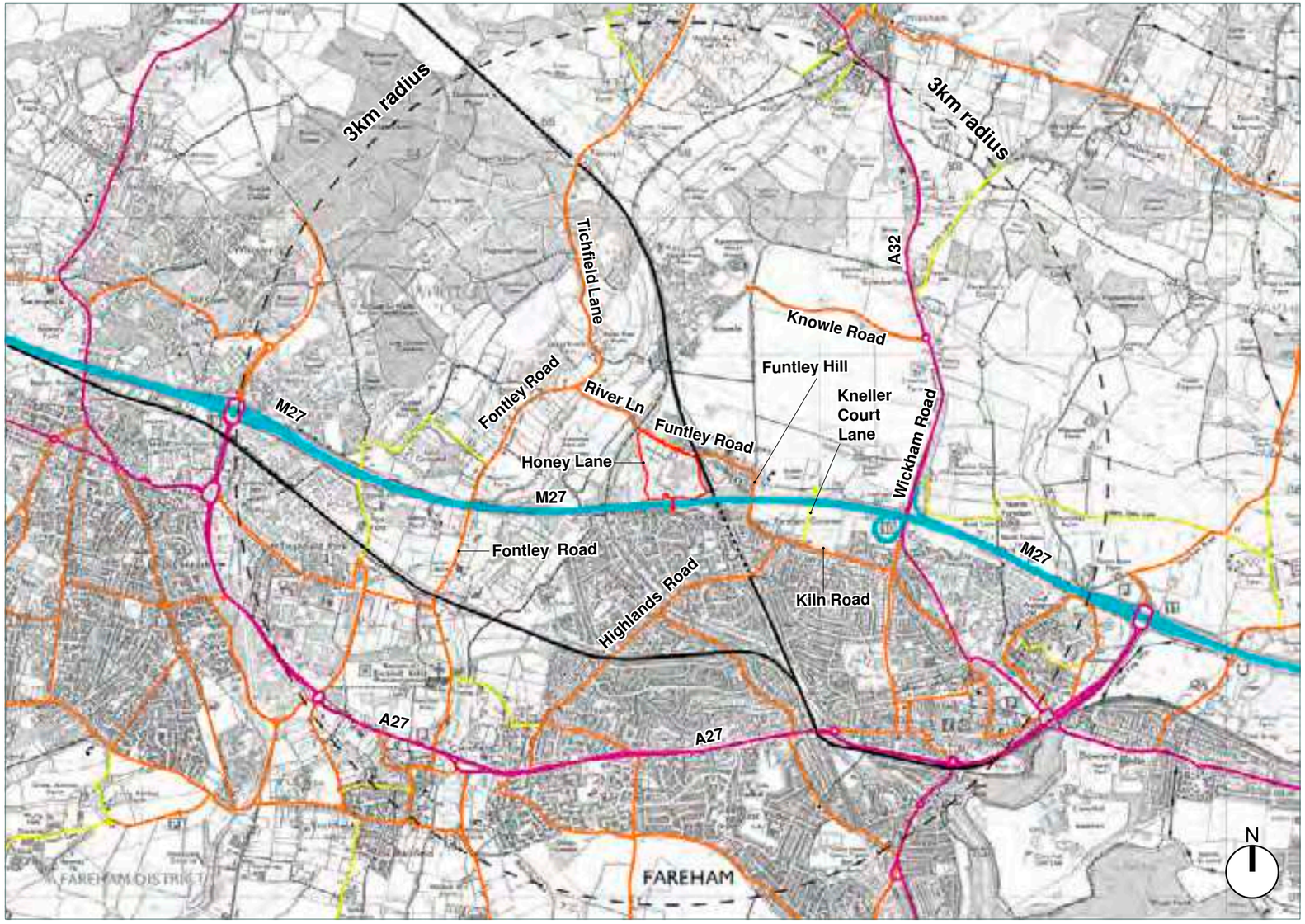
The M27 motorway is the major transport link crossing the study area in an east - west orientation immediately south of the Application Site. The A32 (Wickham Road) and A27 are the primary links from the M27 into Wickham to the north and Portchester to the east.

The secondary and tertiary roads provide connections between Fareham and smaller villages such as Funtley and Knowle. Within the immediate setting of the Application Site, Funtley Road runs along the northern boundary and connects to Tichfield Lane to the north and Kiln Road to the south.

The nearest mainline railway station to the Site is approximately 2km away in Fareham to the south-east. It provides train connections to London Waterloo, Portsmouth and Southampton.

The value of the movement corridors as a receptor are assessed as ranging from **Low - Medium.**

2. Baseline Conditions



Legend

- Application Site Boundary
- Study Area (3km radius)
- Motorway
- Primary Road
- Secondary Road
- Tertiary Road
- Railway

Figure 2.8 – Plan showing transportation links and road network within the study area (fabrik, 2018).

2. Baseline Conditions

2.9 Landscape Character Context

Introduction

The term 'landscape' commonly refers to the view or appearance of the land as perceived by people. Landscape applies to any natural, rural, urban, peri-urban areas, in land, water and seascape areas.

Landscape character is the combination of both natural / physical, cultural / social and perceptual / aesthetic influences, which give rise to a distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse and which define the 'sense of place'. The landscape is not therefore simply a visual phenomenon.

The following sections set out the landscape character framework of the study area from the national and regional level through to county and district scale based upon existing character assessments undertaken by Natural England, Hampshire County Council and Fareham Borough Council.

National Landscape Character Assessment

The general character of the English countryside has been described at a national level in the Natural England publications 'National Character Area Profiles'. The Application Site is located in National Character Area 128: South Hampshire Lowlands (2014). Refer to **Figure 2.9.**

The summary of the landscape character related to the study area is described below:

"The South Hampshire Lowlands National Character Area (NCA) is a low lying plain between the chalk hills of the Hampshire and South Downs and Southampton Water. Its highest point is an outlying chalk ridge – Portsdown Hill – but the bedrock geology is mostly open marine, estuarine and freshwater Tertiary deposits. The NCA is dominated by the city and port of Southampton and its adjoining towns and suburbs – 29 per cent of the area is urban. In the more rural areas, it is a mixture of farmland, particularly pasture, and woodland.

Some 18 per cent of the land cover of the NCA is woodland, of which almost half is designated ancient woodland, a legacy of the Forest of Bere, a Royal Hunting Forest that once covered the area. Today the most significant blocks of woodland are West Walk near Wickham, Botley Wood at Swanwick and Ampfield Wood near Romsey.

The NCA is drained by several rivers: the lower reaches of the Test and Itchen, the source and headwaters of the Hamble and the middle section of the Meon....."

The key characteristics pertinent to the study area are described as:

- *"Low-lying, undulating plain abutting the chalk downs to the north... Soils over much of the area are heavy and clayey with localised pockets of more freely draining soils on higher land.*
- *Fast-flowing chalk rivers in wide, open valleys with watermeadows and riparian vegetation that provide valuable wildlife habitats...*
- *Well-wooded farmed landscape (particularly to the east of Southampton), characterised by ancient woodland such as Botley Wood and West Walk.....*
- *Mixed agricultural landscape dominated by pasture with small pockets of horticulture and arable.*
- *An intimate and enclosed field pattern with many small and irregular fields generally bounded by mixed-species hedgerows or woodland.*
- *In parts, a very urban NCA dominated by the city and port of Southampton and other large towns such as Waterlooville and Havant. The more rural hinterland is characterised by small, loosely clustered or dispersed settlements, intermixed with isolated farmsteads.*
- *Fragmented by major transport links, including the M3 to London and the M27 to Portsmouth which cross the NCA.*

The Site is partly typical of the description for the NCA, forming part of farmland at the fringe of a major urban area. The context to the Site also includes major transport links, as well as dispersed settlements and a wider more rural agricultural landscape.

The value of this landscape receptor is assessed as ranging from **Low - High**.

2. Baseline Conditions

Figure 2.9 – Extract from National Landscape Character Area Map (Natural England, 2014)

Legend

Approximate Location of the Application Site

2. Baseline Conditions

2.9 Landscape Character Context (continued)

County Landscape Character Assessment - 3E: Meon Valley

Within the Hampshire County Council Integrated Landscape Character Assessment (May 2012), the Application Site falls within LCA 3E: Meon Valley character area. Refer to **Figures 2.10 and 2.11.** The key characteristics pertinent to the study area as described as:

- *"A fairly narrow major river valley with a relatively narrow valley floor, which passes through downland, lowland mosaic and coastal plain landscapes.*
- *Southern valley sides are indented by dry valleys and scarp faces in the downland section.*
- *Increasing proportion of grazing and improved grassland land on the valley sides from the downland to the lowland landscapes.*
- *Woodland is common on the steeper slopes and is a particular feature where the Meon passes through the lowland mosaic and coastal plain landscapes.*
- *Major communication links follow close above the valley floor, eg A32, B3334 and the disused Meon Valley railway (now a recreational route).*
- *Extensive informal enclosure field patterns and significant water meadow (fairly simple layout) survive in the downs section while assarts and formal parliamentary enclosures dominate the lowland mosaic section.*
- *Strong pattern of nucleated settlements within the valley at strategic river crossing points with relatively little 20th century expansion.*

The physical character and land use related to the study area sets out that:

"...The Meon Valley can be divided into upper, middle and lower reaches associated with changing geology and landform of the downs, lowland clay and coastal plain respectively...

The middle section (Soberton Heath to just north of Titchfield Abbey) is characterised by the presence of waterlogged soils associated with London clay. Sandier lighter soils do occur in association with the Wittering formation either side of the Meon around Wickham. The valley sides are generally a shallower gradient than in the downland setting and the valley width is narrower. Improved grassland and dairying predominate and there is a greater presence of semi and unimproved grassland on the valley bottom and woodland cover on the sides..."

The experience and perceptual character related to the study area is summarised as one where: *"The Meon Valley is full of contrasts and diversity. The downland section and lower reaches of the coastal section tend to be open landscapes whilst the opposite is true of the section in the lowland mosaic landscape. The course of the Meon valley is very distinct when viewed from the surrounding downland, appearing deceptively wooded in comparison to the surrounding chalk landscape. The river valley channel is rarely glimpsed amongst the heavily wooded landscapes in the lowland mosaic landscape.*

There are numerous opportunities for public access along and through the Meon Valley, including sections of several long distance routes such as the Wayfarer's Walk, Monarch's Way, South Downs Way and Solent Way. There is also a disused single rail track which linked Fareham, Wickham and Alton which today provides a popular, relatively flat multi user route.

The valley landscape has largely resisted expansion from adjoining urban areas and has remained relatively unchanged in recent times. As a result there is a strong sense of ruralness, seclusion, and intimate landscape character and lack of development where the valley cuts through the south Hampshire clay lowlands. In the section where the A32 runs through the valley it is generally less tranquil than the surrounding downland landscape...."

The 'Biodiversity Character' is summarised as: *"... Beyond specific designations this landscape character area comprises improved grassland and arable land with patches of unimproved and semi-improved grassland (neutral or calcareous) and are often associated with the river, suggestive of water meadows. Woodlands form discrete patches within this landscape, ranging in size and type there are broadleaved woodlands, mixed plantations and parkland, some limited coniferous plantation and active coppice with standards. Ancient woodland is very limited in this landscape..."..*

The Site is partly typical of the description for the county LCA, forming part of a valley that contains grazing land and woodland, with a nearby disused railway and public rights of way. The immediate Site context includes areas of relatively recent development and this and the Site is subject to some noise intrusion from the M27.

The value of this landscape receptor is assessed as ranging from **Low - High**.

2. Baseline Conditions

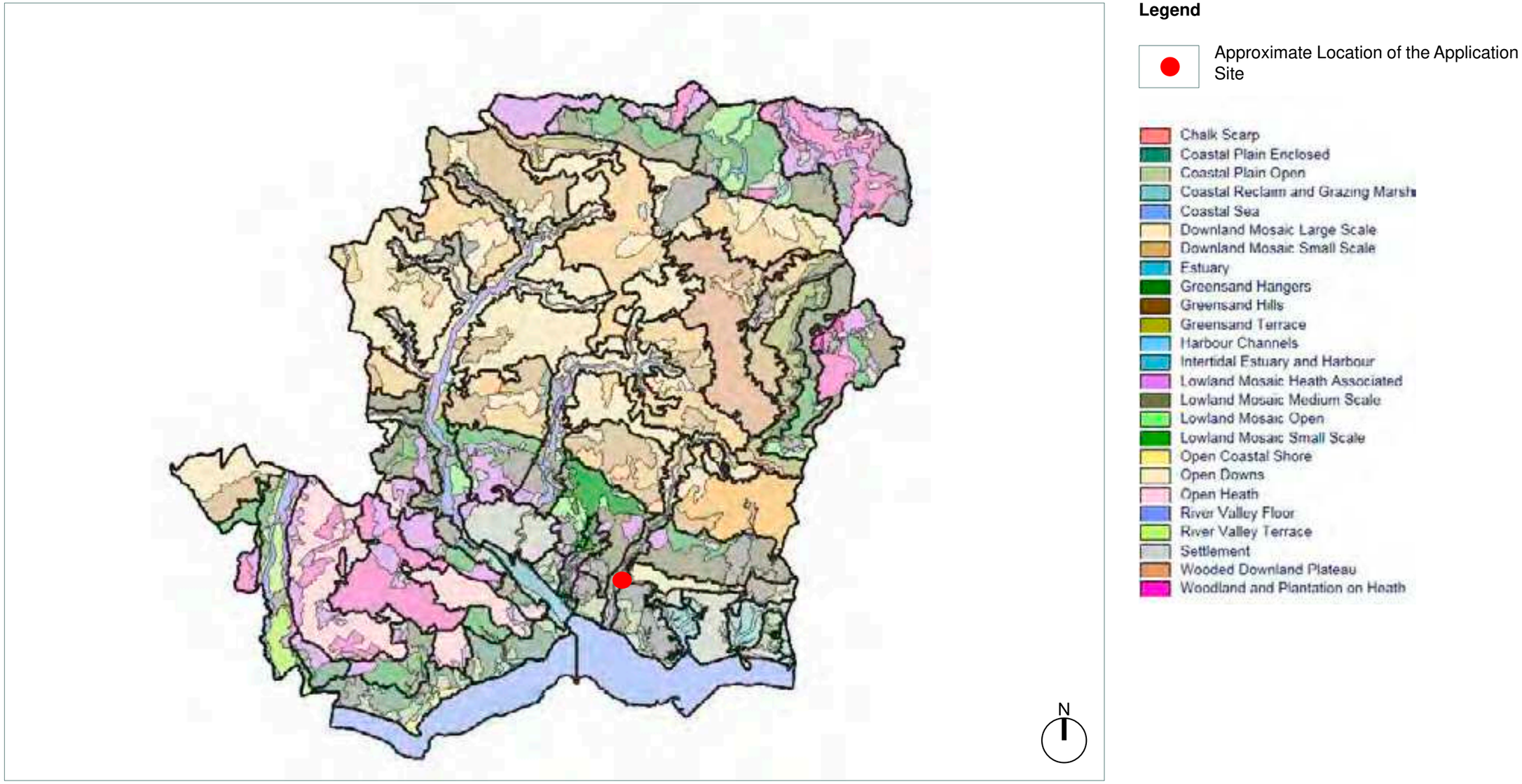
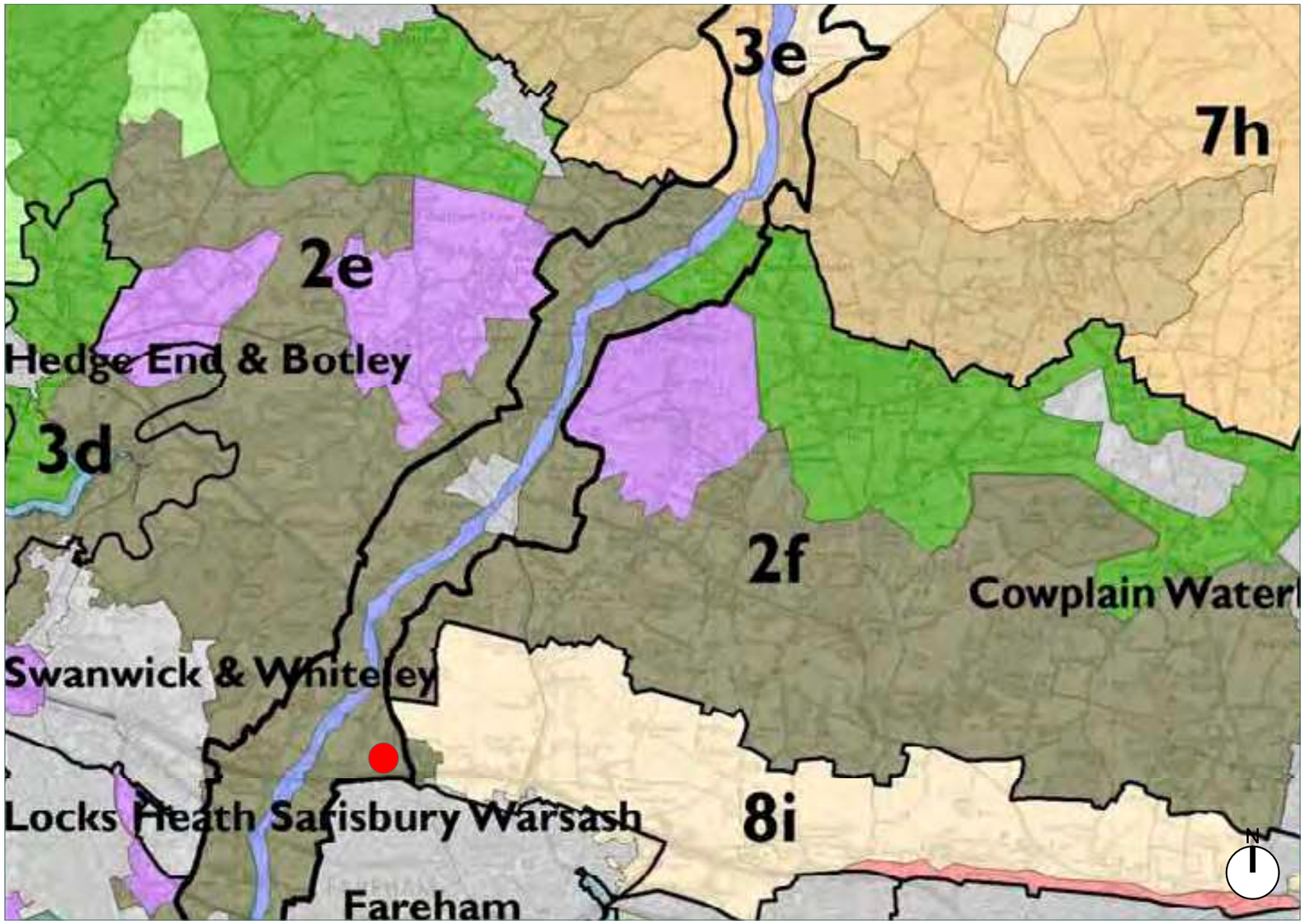


Figure 2.10 – Extract from Hampshire County Council Integrated Character Assessment Map (May 2012) showing the landscape types

2. Baseline Conditions



Legend

- Approximate Location of the Application Site
- River Valley Floor
- Lowland Mosaic Medium Scale
- Settlement

Figure 2.11 – Extract from Hampshire County Council Integrated Character Assessment Map (May 2012) showing the landscape character areas.

2. Baseline Conditions

2.9 Landscape Character Context (continued)

Local Level

Current Fareham Borough Landscape Assessment (May 1997)

This borough wide landscape character Assessment was carried out by Scott Wilson Resource Consultants for Fareham Borough Council in 1996 and covers both rural and urban areas.

Landscape Characters

Within Fareham Borough the assessment subdivides the landscape into 35 character areas (refer to **Figure 2.12).**

The Application Site is located entirely within the Landscape Character Area 6: Meon Valley. The character area is summarised as an area where:

"*The Meon Valley character area embraces the whole length of the valley within the Borough, from Funtley in the north to the coast at Titchfield Haven. Although the immediate floor and valley sides are quite narrow in places, the character area embraces a wider swathe of landscape on either side of the valley that broadly defines the extent of open countryside within the corridor between the urban edges of Stubbington, Hill Head and Fareham to the east and Titchfield Village and Titchfield Park to the west."*

The following key characteristics are pertinent to the Application Site and its environs:

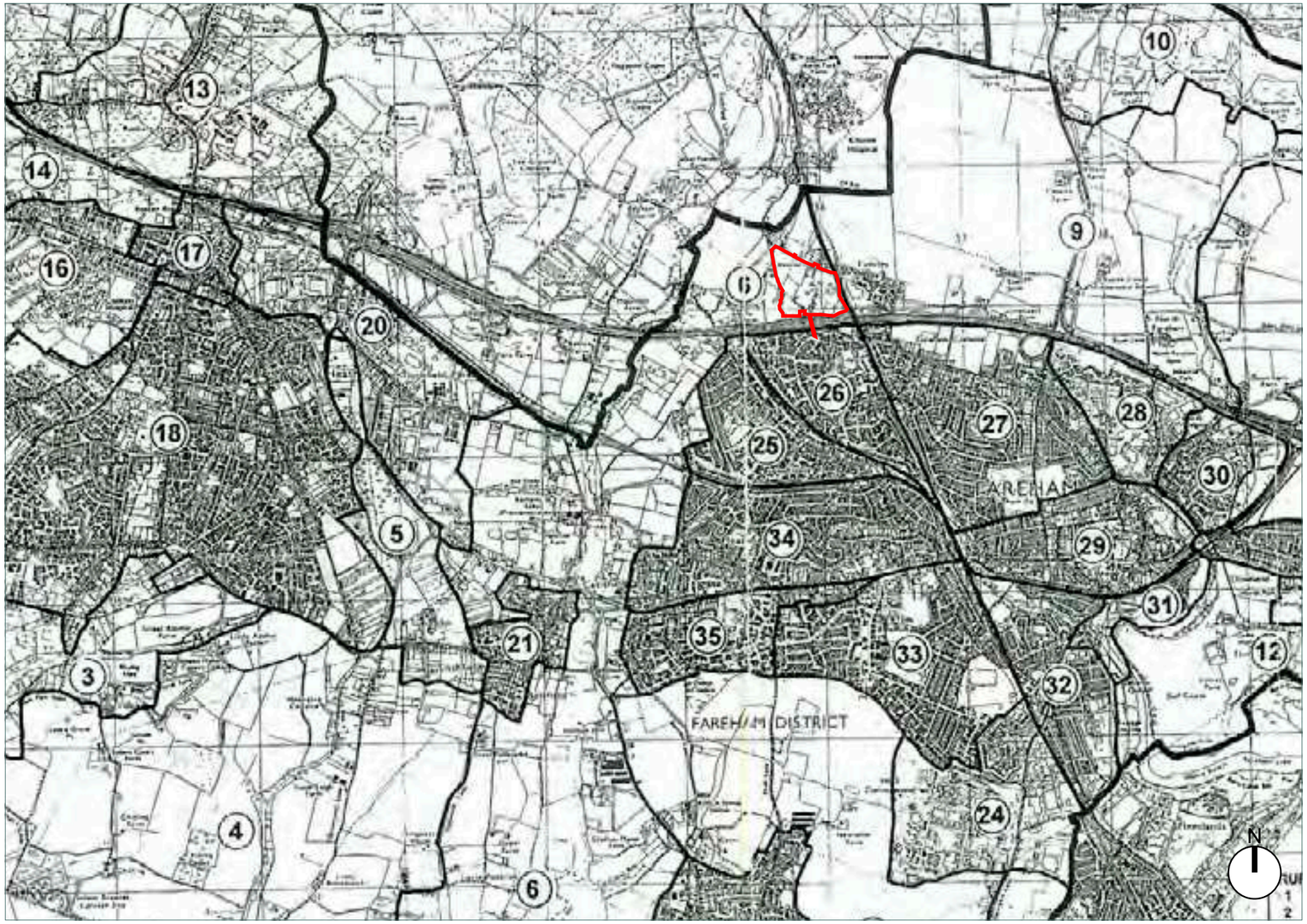
- *" a relatively gentle but distinctive valley landform, running through the Borough from Funtley in the north to the coast at Hill Head; Frequent woodland blocks;*
- *distinct valley floor characterised by small-scale pasture and variable cover of trees (typically willow and alder) in the narrower, upper reaches and broadening into open floodplain pasture and complex of wetland communities to the south at Titchfield Haven, where the natural qualities of the valley and maritime influences are most strongly evident;Small copses add to wooded character;*
- *restricted vehicular access to the valley floor resulting in a generally quiet and intimate character in the northern and southern sections of the valley, making it attractive for quiet recreation and for wildlife;*
- *a mosaic of open farmland (part of the wider coastal plain farmland), minor wooded valleys and smaller, enclosed pastures bordering the valley to the south of Titchfield, the latter helping to buffer the intrusion of adjacent urban development and fringe farmland to the east on the setting of Titchfield Haven;*
- *a more fragmented character and stronger influences of urban development and roads within the central section of the valley, resulting in some damage to the integrity of the valley form and a more suburban character;*
- *garden centre and horticultural activity around Titchfield Abbey which detract from the setting of the historic Abbey and associated buildings (a Conservation Area);*
- *dense mosaic of wooded farmland mainly to the north of the railway which provides an intimate, rural context for the river valley, but with localised intrusion of the M27 motorway bridge."*

In terms of enhancement opportunities, the assessment at para 4.27 states that: "... the Meon Valley is comparatively unspoilt and of a high quality but it is affected by roads, commercial horticultural activities and urban intrusions, particularly the central section. The emphasis should be to protect the important landscape and ecological resources of the river corridor, mitigate the effects of intrusive activities and undertake measures to reinforce the river valley character and strengthen its overall integrity."

The priorities for enhancement, relative to the Application Site include:

- *"to protect the important landscape, ecological and historical resources... the pastoral character and features of the valley floor, the complex of wooded farmland...*
- *to protect the overall integrity of the valley system from further fragmentation;*
- *to resist changes that would have an adverse impact on the rural character of the valley;*
- *to reduce the impact of roads, urban edges and horticultural development, possibly through new planting."*

2. Baseline Conditions



Legend

Application Site Boundary

Figure 2.12 – Extract from Fareham Borough Landscape Character Assessment (May 1996) illustrating character areas.

2. Baseline Conditions

2.9 Landscape Character Context (continued)

Landscape Assessment (August 2017) Evidence Base to the Fareham Borough Council Local Plan 2036

As part of the evidence base to the emerging Local Plan, the Landscape Character Assessment has been updated. Part 1 includes the character assessment, with a landscape Sensitivity Assessment at Part 2.

In the updated assessment, the Application Site continues to be located in LCA 6: Meon Valley and within the Mixed Farmland and Woodland: Small Scale landscape type. The following extract is pertinent to the Application Site:

"The Meon Valley character area embraces the whole length of the valley within the Borough, from Funtley in the north to the coast at Titchfield Haven. Although the immediate floor and valley sides are quite narrow in places, the character area embraces a wider swathe of landscape on either side of the valley that broadly defines the extent of open countryside within the corridor between the urban edges of Stubbington, Hill Head and Fareham to the east and Titchfield Village and Titchfield Park to the west.

The Meon Valley is characterised by:

- *A relatively gentle but distinctive valley landform, running through the Borough from Funtley in the north to the coast at Hill Head;*
- *Distinct valley floor characterised by small-scale pasture and variable cover of trees (typically willow and alder) in the narrower, upper reaches and broadening into open floodplain pasture and complex of wetland communities to the south at Titchfield Haven...;*
- *A mosaic of open farmland (part of the wider coastal plain farmland), minor wooded valleys and smaller, enclosed pastures...;*
- *A more fragmented character and stronger influences of urban development and roads within the central section of the valley, resulting in some damage to the integrity of the valley form and a more suburban character;*
- *Dense mosaic of wooded farmland mainly to the north of the railway which provides an intimate, rural context for the river valley, but with localised intrusion of the M27 motorway bridge."*

In Part 2 of the LCA, in the Sensitivity Assessment, the Application Site lies within Area 6.2 and sub section b, which is described as where: *"...built development also screens public views in from the edge of the Fareham urban boundary to the east.... The motorway cutting and railway corridors prevent views into the northern part of this area from the edge of Fareham and from the main village of Funtley. Wider views from the countryside areas to the north-west of this area are also screened by extensive vegetation cover and intervening landform, road and rail corridors etc...*

Within the area, there are no views from the motorway or rail corridors that cross the valley, and views from much of the road network within the area (including Southampton Road, Segensworth Road and Titchfield Road), are also substantially screened by roadside vegetation or buildings, with only very occasional glimpses. There are, however, some more open views through or over the roadside hedgerows into the river floodplain from Mill Lane, the lower part of Fishers Hill and from Bridge Street, which forms the southern boundary, and from Funtley Road and River Lane in the north.

The main views of the area are obtained from the extensive public rights of way network that runs through the valley landscape... Further routes run parallel to the railway embankment that divides areas 6.2a and 6.2b, and along the valley sides and disused railway line in the vicinity of Funtley to the north. These routes are generally well connected, and offer an appreciation of the various landscape, ecological and historic features within the valley and an opportunity to experience its unspoilt qualities and underlying sense of seclusion. Overall the quality and value of the available views and visual amenity is high, although affected in places by the influence of built development or unsightly land uses....

The main people who could potentially be affected by changes in views would therefore be local residents, users of the PRoW network within the valley... and users of the local road network within the area itself."

In terms of Visual Sensitivity and Development Potential, the assessment identifies that: *"There are a few small pockets of land which are enclosed by strong hedgerows or vegetation an less visible, and/or lie within areas where views are already affected by built development or intrusive/ unsightly land uses (e.g. small pockets of undeveloped land within existing residential areas off the Funtley Road...) In all cases, any development would need to be small scale and sensitively integrated within the existing or new vegetation structure to avoid adverse visual impacts. Measures to improve the quality of views through the removal of intrusive or unsightly features... should be encouraged."*

The assessment identifies the following relative to the Contribution to Green Infrastructure Network: *"This area makes a significant contribution to green infrastructure, particularly in respect of the riparian habitats and extensive areas of semi-natural woodland and tree cover within the river corridor (designated as SINCs) which are valuable ecological and landscape features. It also makes a significant contribution through the network of public rights of way that provide access for quiet recreation and appreciation of landscape, ecological and heritage assets... Crucially, this network provides both cross-valley links with the surrounding urban areas and links along the valley to the north and south. In addition to the PRoW network, the area includes a few areas of publicly accessible open space, including a recreation ground to the north of the Southampton Road near Titchfield and playing fields, woodlands and the corridor of a disused railway line in the northern part of the area. The Meon Valley*
2.9 Landscape Character Context (continued)

Landscape Assessment (August 2017) Evidence Base to the

2. Baseline Conditions

Fareham Borough Council Local Plan 2036

is identified in the PUSH GI strategy as a 'sub-regional scale blue corridor' and project C6 of the strategy applies to the Upper Meon Valley and seeks "to conserve and enhance this area to ensure continued contribution to sense of place, climate change adaptation, providing open space close to urban areas for recreation and tourism".

The Fareham GI Strategy 2014 proposes a number of GI enhancement projects across the area, the majority of which form part of larger "borough wide" projects that will enhance the area's contribution to the wider GI network. These include:" (relevant to the local area and the Application Site)

"BW6 – General programme for the improvement/ repair of bridges within the rights of way network to ensure the continuation of high quality access to the countryside.

BW10 – Project to create a circular walking route encompassing the Meon Valley Trail, Shipwright's Way and South Down's Way, linking these existing routes together while enhancing their connectivity with the settlements of Fareham and Titchfield and the wider PRoW network.

BW13 – Same as the PUSH Project C6 which applies to the whole of the Meon Valley LCA.

In terms of Sensitivity and Development Potential relative to GI the assessment states that: *"Existing GI assets (e.g. the mosaic of riparian, grassland and woodland habitats as well as existing PRoW and areas with public access) should be protected and, where possible, enhanced to maximise their ecological, landscape and amenity value, and development that would adversely affect them should be avoided. The emphasis in this area is more on making further improvements to the existing access and habitat links along the valley to the north and south, and the GI infrastructure within the urban areas to the east and west."*

The conclusions of the study for the 6.2 area are set out under a sub-section, Development Criteria and Enhancement Opportunities. Those aspects pertinent to the Application Site state that: *"This is an area of high overall sensitivity, particularly in respect of the character and quality of the landscape resource, the abundance of valued landscape, ecological and heritage features across a large proportion of the area, its role in preventing the coalescence of settlements and maintaining their distinctive separate identities and landscape settings, and its significant contribution to green infrastructure, particularly in respect of ecological and landscape assets and the extensive network of public rights of way and access routes within the area.*

This wide range of sensitivities mean that development potential is highly constrained across the entire valley landscape and any significant development is likely to have unacceptable impacts upon one or more of the area's important attributes. The only opportunity may be to accommodate development within small pockets of undeveloped land within existing residential areas, e.g. off the Funtley Road..., as long as it is of a similar character and scale to other dwellings within the locality and can be sensitively integrated within the landscape to avoid adverse impacts.

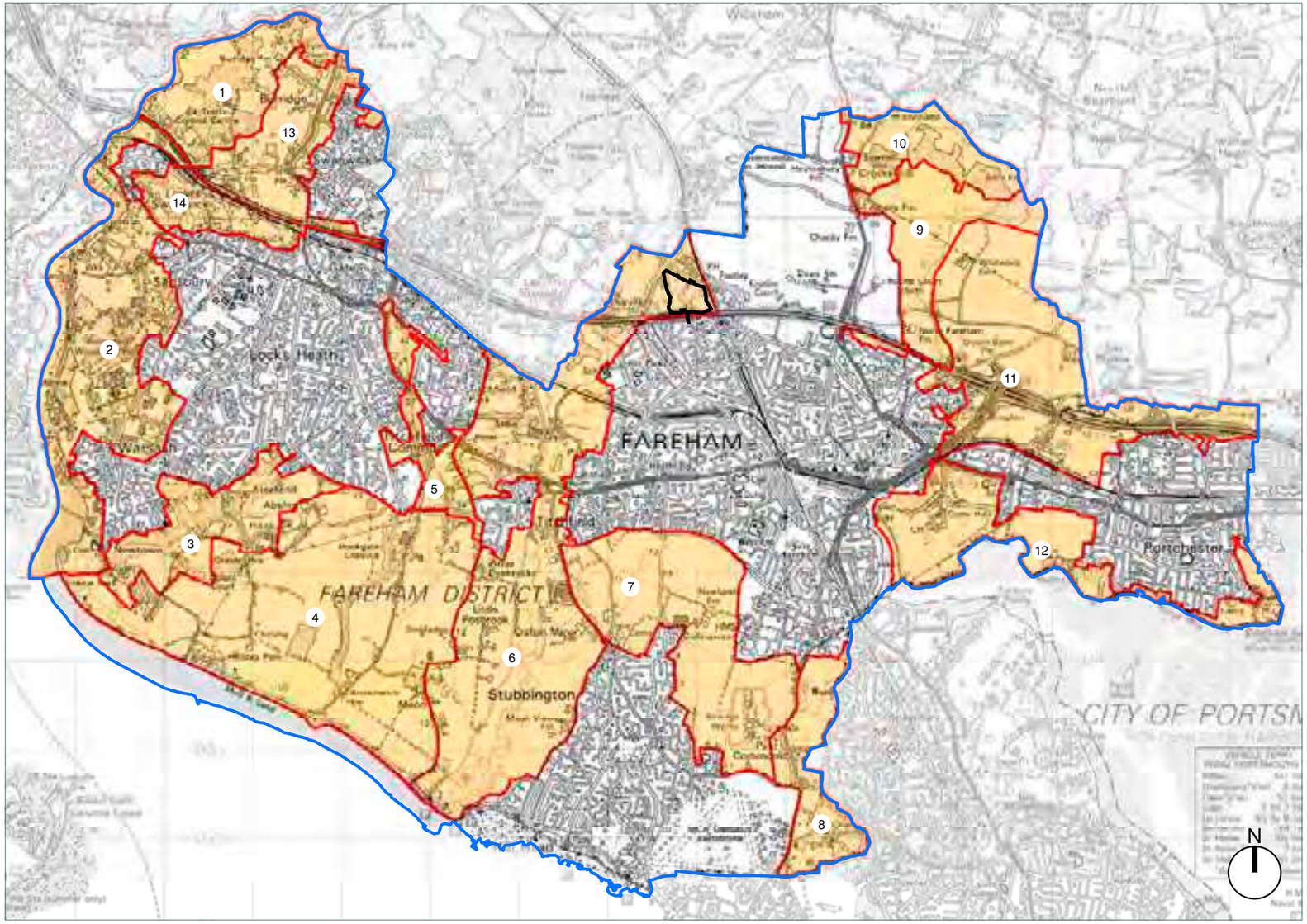
In order to protect and enhance the character and quality of landscape resources, views and visual amenity, urban character and green infrastructure, development proposals would need to:

- *Protect and enhance features of recognised landscape, ecological, heritage or amenity value within the area as a whole, and the extensive network of public rights of way and other access routes within the valley...*
- *Protect and enhance the existing cover of woodland, trees, hedgerows and other mature vegetation along field boundaries, watercourses and roadsides, to maximise its screening, landscape and wildlife potential;*
- *Maintain the essentially secluded, rural and unspoilt countryside character of the valley landscape, and the local lanes and access routes within the area, avoiding intrusive or inappropriate urban styles of lighting, signage, paving etc. and other intrusive features;*
- *Be of a small-scale and located only in places where it can be carefully integrated within well-treed, strongly enclosed plots of land in association with existing development, fits within the existing field pattern and is of a similar character and scale to similar built development within the locality;*
- *Maintain and enhance the function and quality of the existing GI network (in accordance with the PUSH and Fareham GI strategies) and take advantage of opportunities to strengthen and extend access and habitat links within the area, in particular with other parts of the Meon Valley and the urban areas on either side of the valley;*
- *Provide enhancement of the valley landscape... through removal or mitigation of intrusive or unsightly features, and restoration of field boundaries and other landscape features within 'denuded' or degraded landscapes (e.g. areas used for horse grazing or horticulture with a weak hedgerow structure and 'fringe' characteristics)."*

The Site is largely typical of the description for the borough LCA, forming part of a valley with pasture, open farmland, urban development and areas of woodland. The M27 motorway results in some intrusion, and this, and the woodland and landform limit views. As described by the LCA, the Site forms a pocket of land that is enclosed by vegetation and is already somewhat affected by existing residential areas off Funtley Road. Vegetation within the Site is also important to the green infrastructure network of the character area. Significant development is inappropriate but small pockets of development such as off Funtley Road may be accommodated if of a similar scale or character to other dwellings.

The value of the landscape character area are assessed as being Low - **Medium**.

2. Baseline Conditions



Legend

Application Site Boundary

Figure 2.13 – Extract from Fareham Borough Landscape Character Assessment (2017) illustrating character areas.

2. Baseline Conditions

Table 2.1 Summary of Contextual Landscape Receptors and Value	
Landscape Receptors	**Value**
Heritage Assets	Medium
Topography	Low - Medium
Land Use	Low - Medium
Transport Links	Low - Medium
Public Rights of Way	Medium - High
Landscape Character	
National	Low - High
County	Low - High
Local	Low - Medium

2. Baseline Conditions

2.10 Existing Landscape Conditions at Site Level

Figure 2.14 illustrates the existing landscape elements within the Application Site.

Landscape Designations

The Application Site lies wholly in an Area Outside of the Defined Urban Settlement. The north-western section of the Application Site is designated as Existing Open Space. However, the emerging local plan proposes deletion of this existing open space and the incorporation of the site within the Funtley settlement boundary.

Great Beamond Coppice in the eastern part of the Application Site is an Ancient Re-planted Woodland, which together with the tree blocks within central northern and south-western sections of the Application Site are also designated as a SINC and are covered by a TPO.

Heritage Assets

There are no heritage designations on or adjacent to the Application Site, nor does it sit within or adjoin a Conversation Area.

Within the context to the Site is the Grade II Listed buildings of the Church of St Francis (to the east on Funtley Road). A Scheduled Ancient Monument, the site of Funtley Iron Works together with a group of Grade II Listed buildings including Ironmaster's House and Funtley House are situated approximately 500m to the south west of Application Site, along the Ironmill Lane.

As such, at the site level, the value of this receptor is **Low.**

Topography

The Application Site lies on a north east facing slope with the localised steep ridgeline forming the southern boundary. The landform reaches approximately 52.98m AOD in the south west corner and falls towards a low point of approximately 18.77m AOD to the north-western corner of the Site.

The landform around the existing stables and built form within the north-eastern and southern part of the Application Site have been modified and where there is a level change of approximately 2m.

The value of this landscape receptor is assessed as **Medium** overall.

Land Use and Vegetation

The Application Site lies on the south-western fringe of the village of Funtley and is bound by Funtley Road to the north, Honey Lane to the west (and the elevated disused railway beyond) and the M27 to the south. There is currently no public access into the Site from the M27 and the footbridge. The Application Site is currently accessed from Funtley Road (opposite Stag Way).

The land use within the Application Site is predominantly pasture land (at the time of the assessment used as horse paddocks) bound by in the main by fencing comprising of timber post and rail, with additional wire in places. Woodland or hedgerows form some external and all external boundaries. There are also fences at the outer boundaries, within the vegetation. Access to the paddock is provided via a series of informal, mainly grassed private routes with the Site. Some hard surfacing occurs along the main access drive and parts of two tracks running west of this.

Small areas within the Application Site have been historically used as brick pit and brick yard. These have been restored back to agricultural use with imported clean soil and proposed planting following by the approval of the reinstatement scheme in April 2003 (Application Reference: P/03/0253/MW).

Great Beamond Coppice, alongside the other informal tree groups and treebelts form significant landscape features of the Application Site.

The value of this landscape receptor is assessed as **Medium** overall.

Landscape Character

The landscape character of the Application Site is described as consisting predominantly of a series of pasture fields with agricultural built form and associated hardstanding. The mature boundary vegetation and Great Beamond Coppice frames the fields and together with the landform, provides significant visual enclosure to the Application Site from the wider landscape.

The immediate setting to the Application Site comprises the predominantly two storey dwellings of Funtley to the north; the M27 motorway and the urban fringe of Fareham to the south; a combination of fields and dwellings to the west which is contained from the wider landscape by the mature tree belt associated with the elevated disused railway line; and to the east by the railway line in cutting and associated vegetation.

The northern section of the Application Site is therefore already influenced by the existing residential edges and is of a typical semi-enclosed character, consistent with the western edge of Funtley.

As set out under the published landscape character assessment section above, the Site is largely typical of the defined borough character area within which it lies.

The value of this landscape receptor is assessed as **Medium**.

Public Rights of Way

There are no public rights of ways located within or along the Site. However, the bridleway 515 (former railway line) is located in close proximity (approximately 38m) to the north-western part of the Site.

The value of this landscape receptor is therefore assessed as **Low**.

2. Baseline Conditions

Legend

- Application Site Boundary
- Ancient Re-planted Woodland (Great Beamond Coppice)
- Existing woodland blocks
- Existing individual trees
- Existing boundary vegetation / hedgerow
- Existing pasture grassland
- Existing built form / stables
- Existing hardstanding / tarmac
- Internal access road / path
- Direction of Slope
- Bridleway

Figure 2.14 – Plan showing the existing landscape conditions within the Site (fabrik, 2018)

2. Baseline Conditions

Table 2.2 Summary of Landscape Receptors and Value within Site	
Landscape Receptors	**Value**
Landscape Character	Medium
Heritage Assets	Low
Topography	Medium
Land Use and Vegetation	Medium
Landscape Character	Medium
Public Rights of Way	Low

2. Baseline Conditions

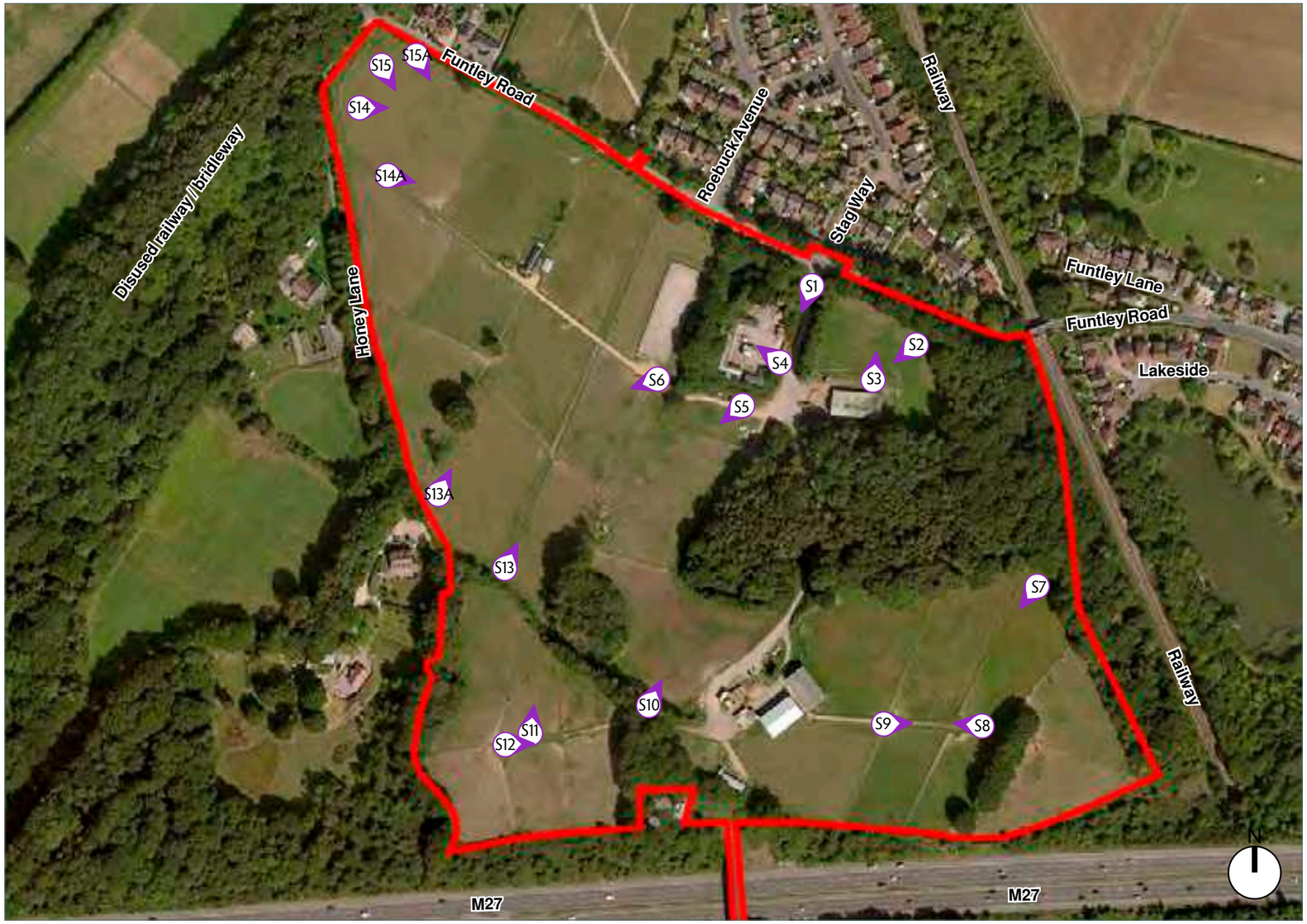
2.11 Internal Visual Survey

A visual inspection of the Application Site was conducted on 7th June 2017. A winter visual appraisal was carried out on 5th January 2018.

Figure 2.15 on the following page illustrates the location of the internal photographic viewpoints to the Site. Photos 1- 15 which follow, illustrate the existing Application Site conditions. Photos 14A and 15A are taken from slightly different positions to the summer photos. Photo 13A is taken from inside the Site, adjacent to the boundary, representing a winter view that is similar to summer external viewpoint 4.

While the summer and winter views show slight differences in the position of the viewpoint and focal lengths of camera lens used, there are otherwise, no material differences in the view.

2. Baseline Conditions



Legend

Application Site Boundary

Viewpoint location

Figure 2.15 – Plan illustrating locations of internal photographs within the Site (fabrik, 2018)

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site

Summer Views

Photograph – Viewpoint S1
View looking south from Funtley Road towards the northern portion of the Application Site. The existing tarmacadam access road is visible centrally within this view. The access road is lined by mature trees and established vegetation, which largely obscures views into the internal ground plane of the Site.

Photograph – Viewpoint S2
View looking south west across the eastern portion of the Application Site from north-eastern corner. The existing pasture land dominates the foreground with topography rising towards the south. The existing built form is apparent in the middle distance with the Ancient Re-planted Woodland of Great Beamond Coppice evident in the distance. Views out to the east, west and south are obscured by the intervening mature boundary vegetation and landform.

Photograph – Viewpoint S3
View looking north towards the northern Site boundary from the north-eastern part of the Application Site. The existing pasture grassland dominates this view with topography sloping towards the northern boundary. The mature tree belt lines along the north-eastern boundary obscure views out of the Application Site from this location.

Photograph – Viewpoint S4
View looking west towards the western boundary of the Application Site. The existing hardstanding forms the foreground of this view, interspersed with existing stable units in the middle distance. The existing mature trees and vegetation are apparent behind the existing stable blocks and obscure views out to the west from this location.

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site

Winter Views

Photograph – Viewpoint S1 Winter View
There is little change to the visibility across the Site in winter.

Photograph – Viewpoint S2 Winter View
There is little change to the visibility across the Site in winter.

Photograph – Viewpoint S3 Winter View
There is slightly increased visibility towards vehicles on Funtley Road and of dwellings to the north of the Site, in winter.

Photograph – Viewpoint S4 Winter View
There is little change to the visibility across the Site in winter.

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site (Continued)

Summer Views

Photograph – Viewpoint S5
View looking south west across paddocks within northern cental section of the Application Site. The existing pasture grassland dominates the foreground, set on rising ground. Due to a section of lower hedging along the south-western Application Site boundary, the existing built form along southern section of Honey Lane is apparent in the distance.

Photograph – Viewpoint S6
View looking south west across paddocks within northern central section of the Application Site. The existing pasture grassland dominates the foreground with topography rising to meet the southern and south-western Site boundaries in the distance. Due to a section of lower hedging along the south-western Application Site boundary, the existing built form along southern section of Honey Lane is apparent in the distance.

Photograph – Viewpoint S7
View looking south west across paddocks within the south-eastern section of the Application Site. The existing pasture grassland dominates the foreground with topography rising towards the ridgeline in the middle distance. The existing vegetation is apparent in the distance, however, glimpsed views of the roofline of the existing residential built form along Lechlade Gardens (south of the M27) are apparent from this location.

Photograph – Viewpoint S8
View looking west across paddocks within the south-eastern part of the Application Site. The existing grass path and pasture grassland dominates this view with topography gently rising to meet the existing barns in the distance. The existing mature vegetation along the southern part of the Application Site and Great Beamond Coppice is evident in the distance and along with topography, obscures views out to the west and south from this location.

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site (Continued)

Winter Views

Photograph – Viewpoint S5 - Winter View
Visibility across the Site remains largely the same in winter.

Photograph – Viewpoint S6 - Winter View
Visibility across the Site remains largely the same in winter, albeit there is slightly increased visibility of the property along Honey Lane. The landform prevents significant views beyond the Site boundary despite reduced leaf cover.

Photograph – Viewpoint S7 - Winter View
Visibility across the Site remains largely the same in winter. There is however, slightly increased visibility of existing dwellings south of the M27, without leaf cover to vegetation.

Photograph – Viewpoint S8 - Winter View
Visibility across the Site remains largely the same in winter. The landform prevents significant views beyond the Site boundary despite reduced leaf cover.

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site (Continued)

Summer Views

Photograph – Viewpoint S9

View looking east across paddocks within the south-western section of the Application Site. The existing pasture grassland dominates the foreground with the landform falling towards the mature tree line in the middle distance. The existing mature vegetation along the south east section of the Application Site is apparent in the distance and obscures the majority of views out to the east and south. However, glimpsed views of rooflines of the existing residential built form within Funtley beyond the site, are apparent in the distance.

Photograph – Viewpoint S10

View looking north east within the central part of the Application Site. The existing understorey vegetation dominates the foreground with mature trees along the internal field boundaries. The existing topography slopes towards the north with views of Great Beamond Coppice apparent in the middle distance. Due to the existing landform, the roofline of existing residential built form along Funtley Road and Roebuck Avenue are apparent in the distance. Glimpsed views of an existing 3 storey built form within neighbouring village of Knowle are also evident in the far distance, through gaps within the existing boundary vegetation and landform.

Photograph – Viewpoint S11

View looking north across paddocks within the south-western section of the Application Site. The existing pasture grassland dominates this view with topography rising to meet the field boundary. Existing vegetation along the western boundary and trees to the east are apparent and with landform, limits views out to the west and east. However, glimpsed views of a wider elevated landscape are evident in the distance to the north.

Photograph – Viewpoint S12

View looking north across paddocks within the south-western section of the Application Site. The existing pasture grassland dominates this view with the existing topography falling steeply towards the north. An existing tree line to the east is evident in the distance and obscures views out to the east from this location. However, views of wider landscape to the north are evident with existing built form along Funtley Road visible due to existing landform.

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site (Continued)

Winter Views

Photograph – Viewpoint S9 - Winter View
There is slightly increased visibility beyond the Site, including of dwellings within Funtley, in winter.

Photograph – Viewpoint S10 - Winter View
The photo is taken standing slightly closer to the fenceline than in summer. The lack of leaf cover allows increased visibility across the Site and to existing dwellings within Funtley and within Knowle village.

Photograph – Viewpoint S11 - Winter View
The viewing position is from a slightly higher point, allowing views across the Application Site as it slopes down to the north, and of existing properties just north of the Site, the disused railway line to the west, and wider elevated landscape beyond the built form at Funtley. Parts of built form at Knowle village and pylons form part of the scene to the north.

Photograph – Viewpoint S12 - Winter View
There is slightly increased visibility within the Site in winter, with glimpses of the barns in the south-eastern part area. The glimpses of Funtley and Knowle village (to left, beyond edge of photo) remain in winter.

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site (Continued)

Summer Views

Photograph – Viewpoint S13
View looking north east across paddocks within the western part of the Application Site. The existing pasture grassland dominates this view with topography falling steeply towards the northern boundary. Partial views of hardstanding within the northern part of the Application Site are evident in the distance to the north east. Due to the existing topography, views of wider landscape beyond the Application Site are evident with existing built form along Funtley Road and Roebuck Avenue apparent from this location.

Photograph – Viewpoint S14
View looking east across paddocks within the north-western part of the Application Site. The existing pasture dominates this view with existing undulating topography rising towards to east and south west. The existing vegetation along northern boundary of the Application Site is visible with views of Great Beamond Coppice evident in the distance. Views out to east and south are obscured by the dense vegetation within Application Site. However, views of roof and upper storey of existing two storey built form along western part of Funtley Road are apparent through gaps within vegetation and landform.

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site (Continued)

Winter Views

Photograph – Viewpoint S13 Winter View
In winter, the reduced leaf cover reveals more of the existing built form to the north of the Site.

Photograph – Viewpoint S14A Winter View
The viewpoint is taken from the access path south of the paddock from which summer view 14 was taken. In winter, there is slightly increased visibility of existing built form at Funtley to the north of the Site.

Photograph – Viewpoint S13A additional Winter View
View looking north to north-east from the south-western edge of the Site, by the boundary hedge which separates the Site from the existing property at the southern end of Honey Lane. This photo also provides a winter equivalent of external viewpoint 4. Existing built form at Funtley and further north of the village is visible beyond the Site. Existing outbuildings and part of Great Beamond Coppice are visible to the right in the photo.

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site (Continued)

Summer and Winter Views

Photograph – Viewpoint S15

View looking south east across paddocks from the north-western part of the Application Site. The existing pasture dominates this view with existing undulating topography rising towards the south. The existing vegetation along the western Application Site boundary is visible with views of Great Beamond Coppice evident in the distance. The dense vegetation within the Application Site obscures views out to the west and south.

Photograph – Viewpoint S15A Winter View

The viewpoint is taken from the access path north of the paddock from which summer view 15 was taken. The landform and dense vegetation within the Site and at its boundaries mean that visibility beyond the Site remains similar in winter. There is a very limited glimpse of the roof of the building at the south end of Honey Lane (adjacent to the Site) and of the roof of a vehicle parked within its curtilage.

3. Visual Baseline Conditions and Sensitivities

3.1 Introduction

The extent to which the internal ground plane and vegetation associated with the Application Site are visible from the surrounding landscape is based on grading degrees of visibility. It is determined from a visual inspection of the land within the Site and its context from roads, public rights of way and properties.

Seasonal change in existing evergreen and deciduous plant material will affect the available views. Typically views will be different through the seasons with a greater sense of enclosure in the summer months when deciduous trees are in leaf.

The plans that follow show the actual visual summary of the Application Site from the immediate environs. The photographs 1-19 then describe each of these views.

No winter views were taken for photo viewpoints 15-19 due to the significant level of visual screening by vegetation and in places, by landform.

3.2 Visual Appraisal

The plans on the following pages (Figures 3.1 and 3.2) illustrate the visual summary of the land within the Application Site from the surrounding landscape.

Views of the internal ground plane and vegetation of the Application Site are limited to the immediate local landscape due to the undulating topography and intervening layers of vegetation and build form.

Residential Receptors

Views from residential receptors are limited to those located in close proximity to the Site along the Funtley Road, Roebuck Avenue, Stag Way and Honey Lane. Refer to photographs 4 - 8.

There is slightly increased visibility of the Site in winter, in particular for properties along the south sides of Funtley Road which have windows facing in the direction of the Site.

The value of the residential receptors is judged to be **medium**.

Historic Receptors

There are no views from the Listed Buildings and Scheduled Ancient Monument located in the study area - along the Ironmill Lane and Skylark Meadows within Skylark Golf and Country Club. Refer to photographs 11 and 19. There is no significant change in the visibility in winter, and these receptors are not considered as part of the visual impact appraisal.

Transport Corridors

There are open and partial views of the internal ground plane and landscape features of the Application Site from Funtley Road, Roebuck Avenue and southern section of Honey Lane. Views are only from those parts of these roads in close proximity to the Site. Views from the wider road network are truncated. Refer to photographs 4 - 8.

There are slightly increased views into the Site in winter from Funtley Road and Roebuck Avenue, without leaf cover. Views from Honey Lane remain largely obscured except for two sections to the north and south where there is a gap in the vegetation (north) and a low hedge (south) at the boundary with the Site.

The value of the transport corridors is judged to be **low**.

Public Rights of Way

The majority of receptors from the public rights of ways within the local, middle distance and wider landscape are truncated due to intervening topography, vegetation and built form. Refer to photographs 1, 2, 11 - 19.

In winter, from viewpoint 2 (path around the lake by Lakeside) within Funtley, there are increased glimpses through the vegetation along the railway embankments. As the ground plane of the Site is not discernible, it is not possible to distinguish any vegetation within the Site from the general dense vegetation visible around the railway line from this location.

Reduced leaf cover to vegetation along the disused railway line to the west of the Site (Bridleway 515) allows glimpses through to the ground plane of the Site, but only from positions in close proximity to the crossing over Funtley Road (photographs 12A and 14A). In these views, existing built form at Funtley is also visible.

The highest part of the Site to the south, around the existing telecommunications mast is visible as a part of panoramic views looking back to Funtley village from two Public Rights of Way to the east - see photographs 9 and 10 (from Footpaths 88 and 89 respectively).

From viewpoint 9 in winter, the ground plane of a small part of the south-eastern part of the Site, the telecomms mast and nearby existing barns are visible, together with Great Beamond Coppice and other boundary vegetation within the south astern area of the Site.

From viewpoint 10 in winter, the upper part of the mast, barns and small part of the Copse are visible above existing dwellings and vegetation at the edge of Funtley. The ground plane of the Site is obscured, even in winter.

No extensive views across the ground plane of the Site are available from these locations.

The existing southern boundary vegetation is visible from the M27 footbridge to the immediate south (photograph 3) however, this vegetation in turn obscures internal views of the land within the Application Site.

The value of the users of the public rights of way is judged to be **medium**.

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3. Visual Baseline Conditions and Sensitivities

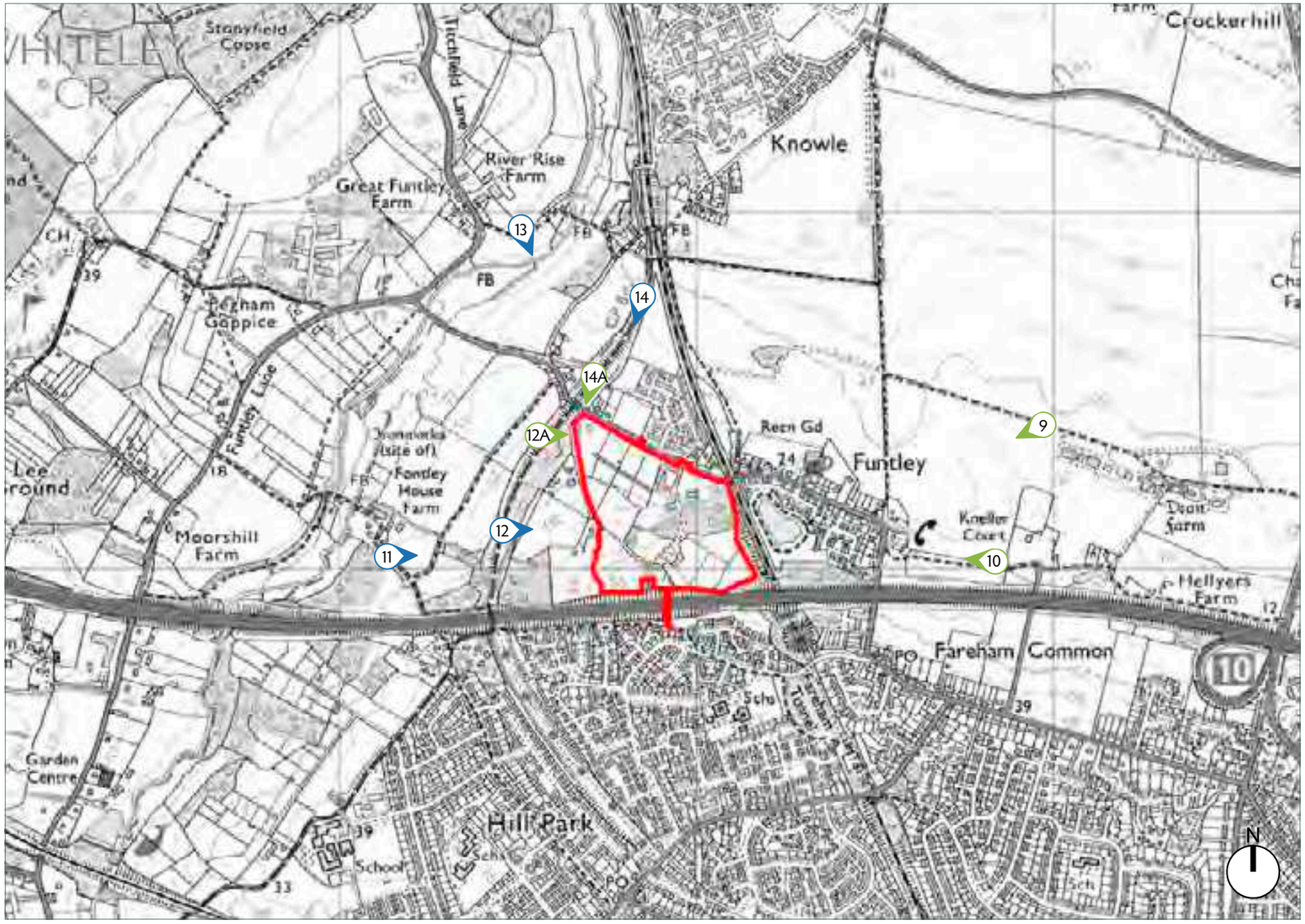


Figure 3.1 – Location Plan showing Visual Summary from the local area (fabrik, 2018)

Legend

Application Site Boundary

1 Location of Photographic viewpoint – Open View (An open view of the whole of the Site or open view of part of the Site).

2 Location of Photographic viewpoint – Partial View (A view of the Site which forms a small part of the wider panorama, or where views are filtered between intervening built form or vegetation).

3 Location of Photographic viewpoint – Truncated View (Views of the Site are obscured by the intervening built form and / or vegetation, or is difficult to perceive).

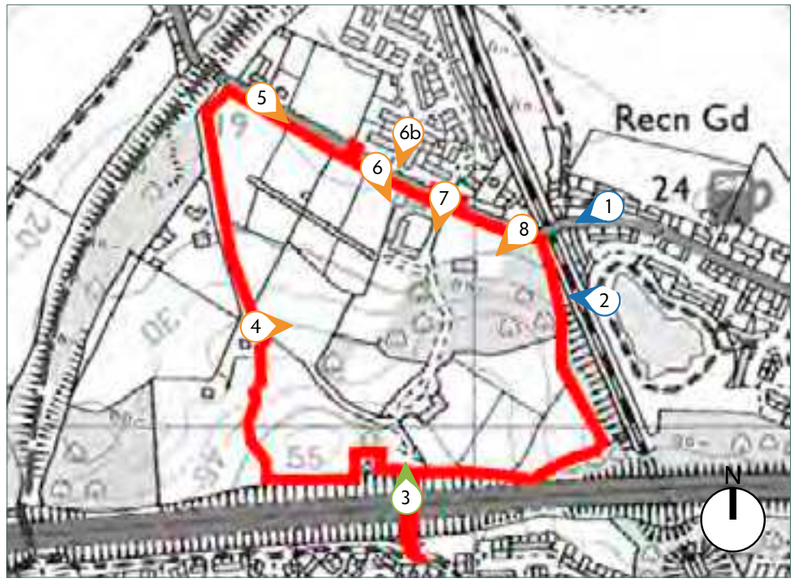


Figure 3.2 – Location Plan showing Visual Summary in close proximity to the Site (fabrik, 2017)

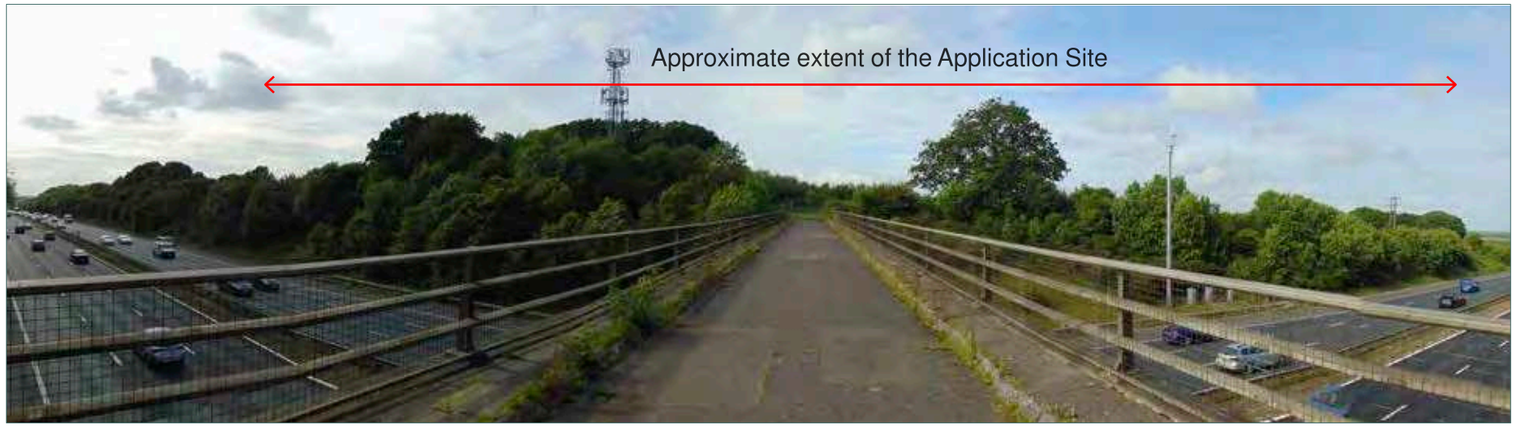
3. Visual Baseline Conditions and Sensitivities

3.3 Visual Appraisal from the Local Area

Summer Views

Photograph – Viewpoint 1
View looking south west towards the Application Site from the eastern section of Funtley Lane (Footpath 85). The existing residential built form along Funtley Lane dominates this view with mature hedgerow forming a vegetated edge along this part of the lane. Glimpsed views of the top section of Great Beamond Coppice along the north-eastern edge of the Application Site is apparent. Views of the internal ground plane within the Application Site are truncated.

Photograph – Viewpoint 2
View looking west towards the Application Site from an informal footpath at the edge of the lake to the south west of Lakeside (south of Funtley Road). Mature trees and vegetation dominate this view and forms a green corridor along the path. The intervening vegetation, which includes that alongside the live railway (right, truncates any views of the internal ground plane within the Application Site from this location.



Photograph – Viewpoint 3
View looking north towards the Application Site from the footbridge to the south of the Application Site over the M27. The footbridge and the mature tree belt planted along the motorway edge dominates this view. Partial views of the existing mature trees and vegetation along the southern Application Site are evident behind the existing vegetation that lines the motorway. Views into other areas across the Application Site are truncated by the intervening vegetation and topography from this location.

3. Visual Baseline Conditions and Sensitivities

3.3 Visual Appraisal from the Local Area

Winter Views

Photograph – Viewpoint 1 Winter View
The photo is taken from a position standing slightly further west along Funtley Lane (due to the presence of a large vehicle on the road). However, in winter, there is no significant change in the visibility of the Site in winter from any section of this lane.

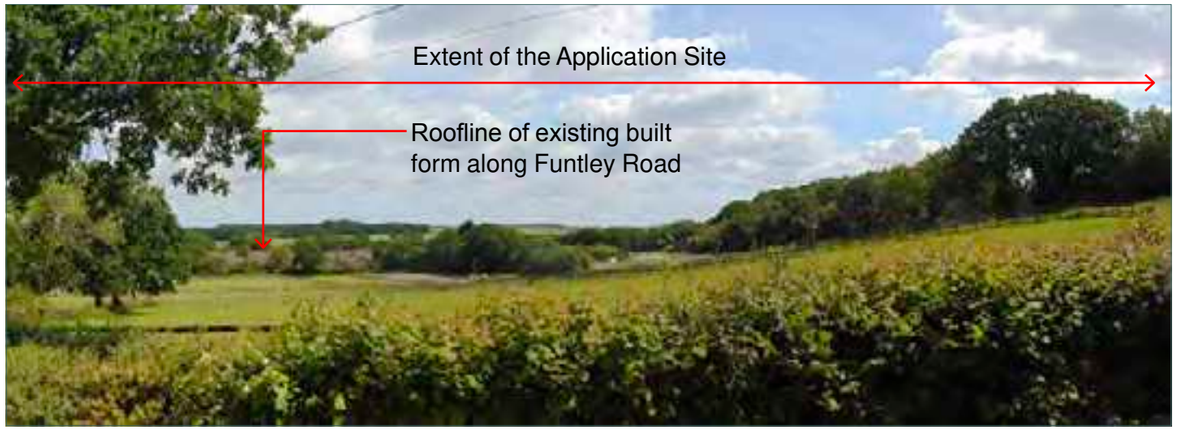
Photograph – Viewpoint 2 Winter View
There is no significant change in the visibility of the Site in winter.

Photograph – Viewpoint 3 Winter View
There is no significant change in the visibility of the Site in winter.

3. Visual Baseline Conditions and Sensitivities

3.3 Visual Appraisal from the Local Area

Summer Views



Photograph – Viewpoint 4
View looking east towards the Application Site from the existing hardstanding area associated with the private dwelling 'Bramleigh' located on Honey Lane. The existing boundary vegetation and pasture grassland within the Application Site dominates the view. Open view of the internal plane, boundary vegetation and the Great Beamond Coppice are apparent from this location.

Photograph – Viewpoint 5
View looking south east towards the Application Site from Funtley Road (by properties just east of the disused railway bridge). Views of existing residential built form along Funtley Road dominate the foreground with mature trees and vegetation along the northern Application Site boundary apparent. Views of the internal ground plane within the Site are truncated due to intervening boundary vegetation.

Photograph – Viewpoint 6
View looking south east towards the Application Site from the junction of Roebuck Avenue and Funtley Road. Views of existing residential built form around the entrance of Roebuck Avenue and mature trees and vegetation along the northern Site are apparent. Views of the internal ground plane within the Application Site are truncated due to intervening boundary vegetation.

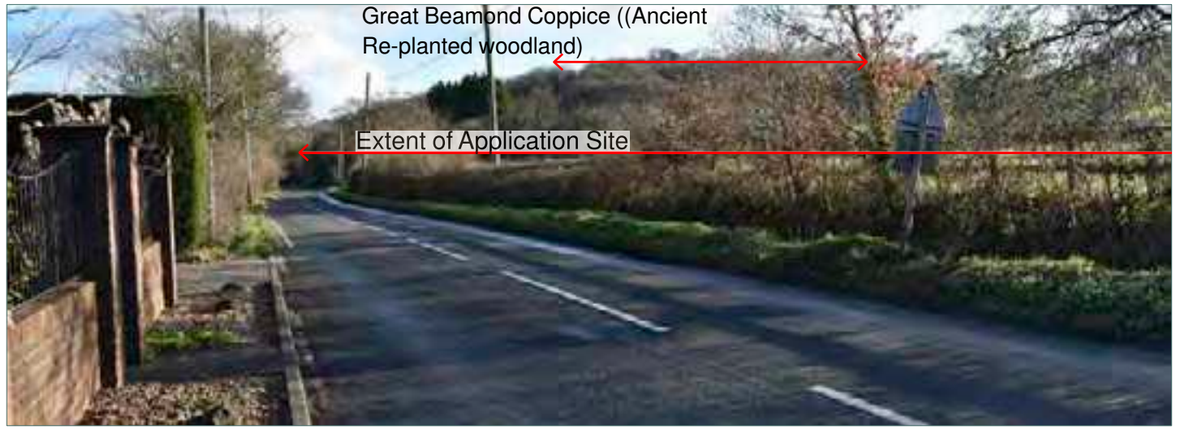
Photograph – Viewpoint 6b
View looking south east towards the Application Site from Roebuck Avenue. The residential built form with its associated private garden along Roebuck Avenue dominates this view with the topography within the Application Site rising towards the local ridgeline. Open views of the central part within the Application Site occur, funnelled along the road with mature vegetation evident in the distance. Views into other areas within the Application Site are truncated by intervening vegetation, topography and built form from this location.

3. Visual Baseline Conditions and Sensitivities

3.3 Visual Appraisal from the Local Area

Winter Views

Note: For the winter photo relating to Viewpoint 4 (taken from curtilage to Bramleigh), refer to internal winter viewpoint 13A (above) which is taken from the Site-side of the hedge at the boundary with the property Bramleigh.



Photograph – Viewpoint 5 Winter View
In winter, the ground plane of the Site becomes apparent without leaf cover to the northern boundary vegetation.

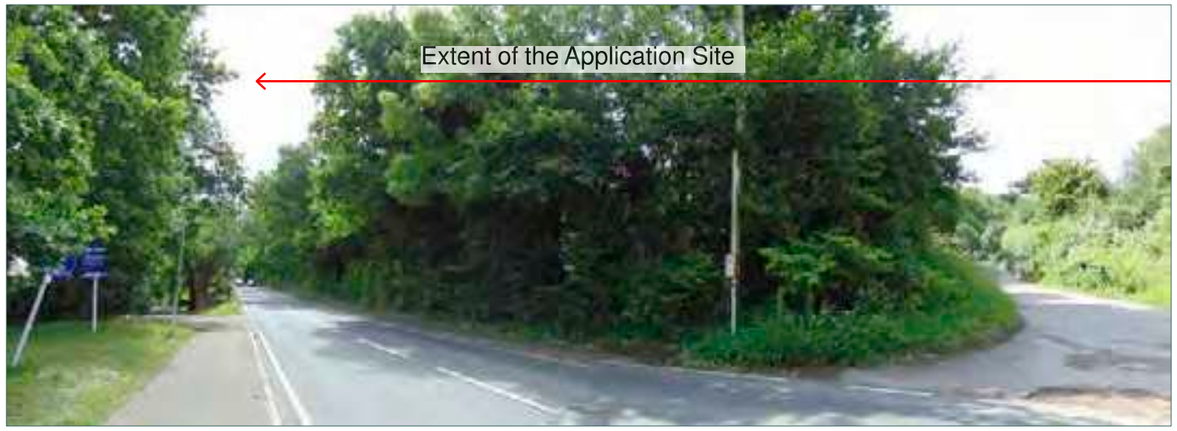
Photograph – Viewpoint 6 Winter View
There is little change in the visibility of the Site in winter.

Photograph – Viewpoint 6b Winter View
There is slightly increased visibility of the Site in winter.

3. Visual Baseline Conditions and Sensitivities

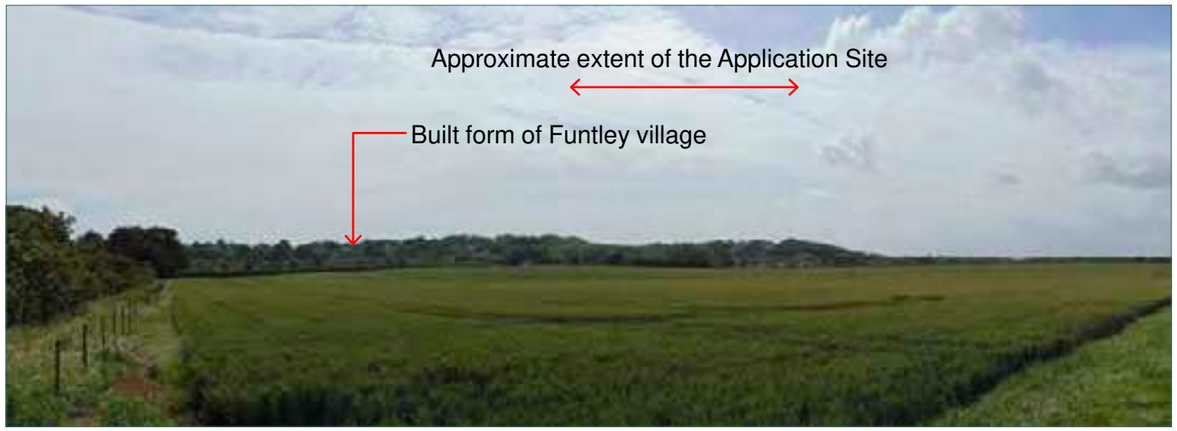
3.3 Visual Appraisal from the Local Area

Summer Views



Photograph – Viewpoint 7
View looking south west towards the Application Site from the junction of Stag Way and Funtley Road. Views of mature trees and boundary vegetation along the northern Site boundary dominate this view and form a green corridor along Funtley Road. Views of the existing access road and entrance gate within the Application Site are apparent. Views of the ground plane within the Application Site are, however, truncated by the intervening vegetation.

Photograph – Viewpoint 8
View looking south west towards the Application Site from Funtley Road. Views of mature boundary vegetation and tree planting along the northern boundary of the Application Site dominate this view and form a green corridor along Funtley Road. Views of the internal ground plane of the Application Site are in turn truncated due to intervening boundary vegetation.



Photograph – Viewpoint 9
View looking south west towards the Application Site from Footpath 88. Open views of arable land dominate the foreground. The existing settlement of Funtley is evident in the distance with the topography rising sharply towards the ridgeline to the south west. Partial views of the mature vegetation along the southern boundary of the Application Site are evident. Glimpsed views of small sections of existing pasture grassland and the roof section of the existing built form within the southern section of the Application Site are also apparent in the far distance. Views of other parts within the Application Site are truncated due to intervening vegetation and landform.

Photograph – Viewpoint 10
View looking west towards the Application Site from Footpath 89. Open views of grassland dominates this view with mature trees and vegetation that define localised field boundaries in the middle distance. Glimpsed views of the top section of an existing mobile communication mast helps to identify the location of the Application Site in the wider landscape. Due to intervening vegetation and landform, views of the Application Site are truncated from this location.

3. Visual Baseline Conditions and Sensitivities

3.3 Visual Appraisal from the Local Area

Winter Views

Photograph – Viewpoint 7 Winter View
There is slightly increased visibility into the Site in winter.

Photograph – Viewpoint 8 Winter View
There are glimpses of the ground plane of the Site in winter without leaf cover.

Photograph – Viewpoint 9 Winter View
There is slightly increased visibility of the south-eastern part of the Site in winter - existing vegetation (including Great Beamond Coppice), small part of the ground plane, southern barns and telecommunications mast. Existing built form at Funtley is also more apparent.

Photograph – Viewpoint 10 Winter View
There is very slightly increased visibility of the south-eastern part of the Site in winter, the existing vegetation, southern barns and telecommunications mast. Existing built form at Funtley is also more apparent.

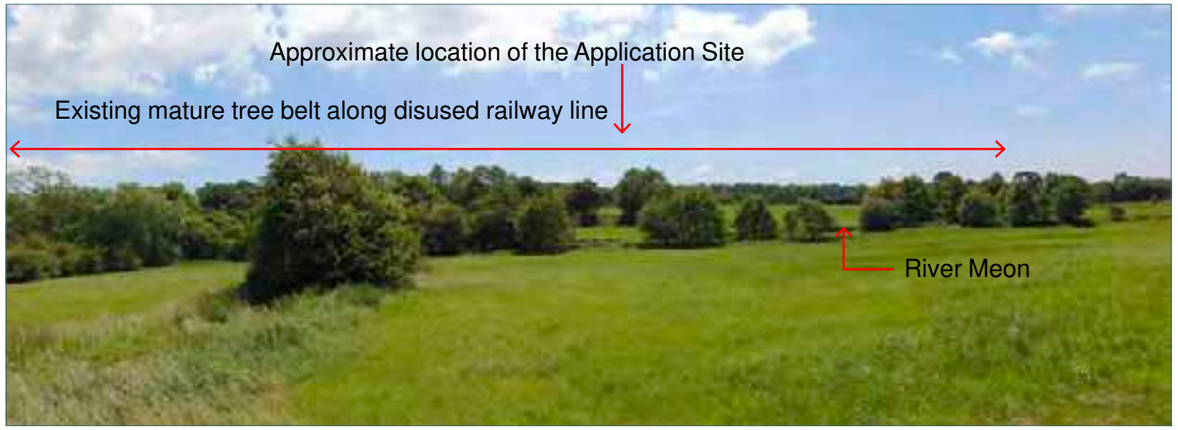
3. Visual Baseline Conditions and Sensitivities

3.3 Visual Appraisal from the Local Area

Summer Views

Photograph – Viewpoint 11
View looking east towards the Application Site from Footpath 83a near a group of Listed Buildings (Ironmaster's House and Funtley House) and the Scheduled Monument (Site of Funtley Iron Works). Views of pasture land with existing mature boundary vegetation dominate the foreground of this view. Views of the Application Site are truncated due to intervening vegetation and land form.

Photograph – Viewpoint 12
View looking east towards the Application Site from the southern section of Bridleway 515. Views of existing mature trees and vegetation dominate this view and form a green corridor along the footpath. Due to intervening vegetation, views of the Application Site are truncated from this location.



Photograph – Viewpoint 13
View looking south east towards the Application Site from footpath 16. Views of pasture land dominate the foreground with topography gently falling to meet the River Meon in the distance. Views of the existing tree belt along Mayles Lane and River Lane are apparent in the distance and obscure any views of the Application Site from this location.

Photograph – Viewpoint 14
View looking south towards the Application Site from the northern section of Bridleway 515. Views of existing mature trees and vegetation dominate this view and form a green corridor along the footpath. Due to intervening vegetation, views of the Application Site are truncated.

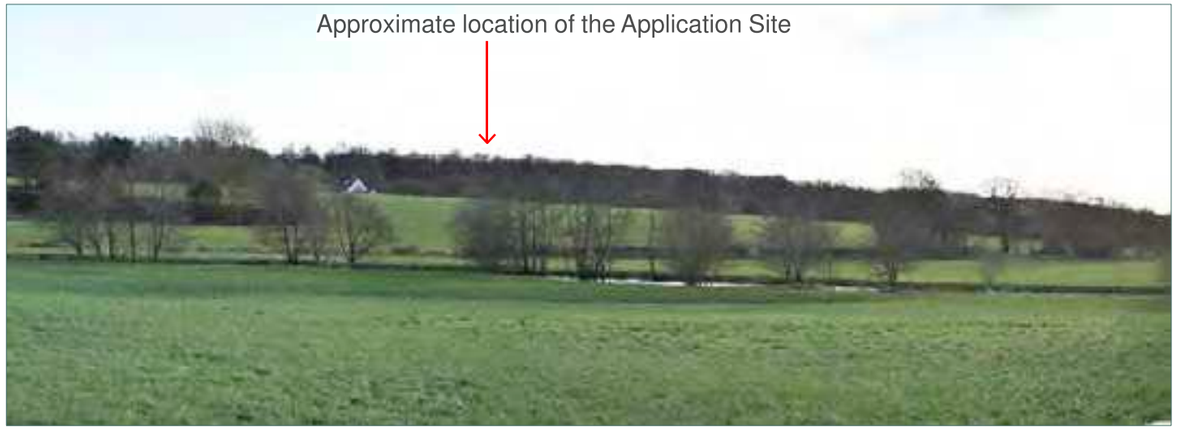
3. Visual Baseline Conditions and Sensitivities

3.3 Visual Appraisal from the Local Area

Winter Views

Photograph – Viewpoint 11 Winter View
There are no views towards the Site in winter.

Photograph – Viewpoint 12 Winter View
There are no views towards the Site in winter.



Photograph – Viewpoint 13 Winter View
There are no views towards the Site in winter. From a short section of Titchfield Lane just south-east of this viewpoint, there is a brief glimpse of the upper part of the telecommunications mast on the southern part of the Site, however, the Site and vegetation within it remains fully truncated from view due to the disused railway line and mature vegetation along it.

Photograph – Viewpoint 14 Winter View
There are no views towards the Site in winter.

3. Visual Baseline Conditions and Sensitivities

3.3 Visual Appraisal from the Local Area

Additional Winter Views

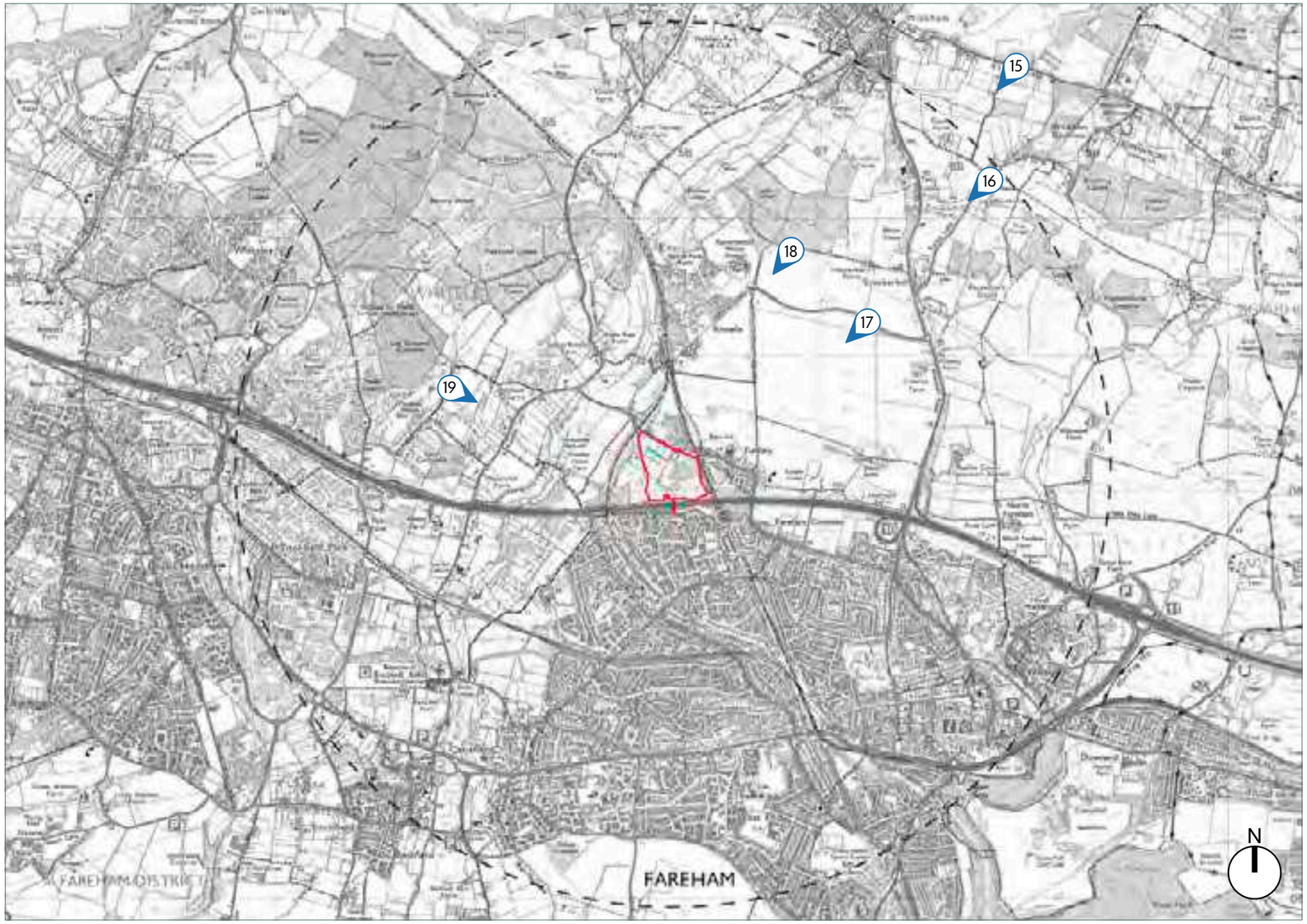
Photograph – Viewpoint 12A Additional Winter View

Winter view located near to the bridge crossing over Funtley Road. There are glimpses into the north-western part of the Site and of part of Great Beamond Coppice. Funtley Road and existing dwellings within the village are also glimpsed beyond vegetation along the disused railway line / Bridleway 515.

Photograph – Viewpoint 14A Additional Winter View

Winter view located near to the bridge crossing over Funtley Road. There are glimpses into the westerns part of the Site. Existing dwellings within the village are also glimpsed beyond vegetation along the disused railway line / Bridleway 515.

3. Visual Baseline Conditions and Sensitivities



Legend

Application Site Boundary

Location of Photographic viewpoint – Open View (An open view of the whole of the Site or open view of part of the Site).

Location of Photographic viewpoint – Partial View (A view of the Site which forms a small part of the wider panorama, or where views are filtered between intervening built form or vegetation).

Location of Photographic viewpoint – Truncated View (Views of the Site are obscured by the intervening built form and / or vegetation, or is difficult to perceive).

Figure 3.3 – Location Plan showing Visual Summary from the wider area (fabrik, 2018)

3. Visual Baseline Conditions and Sensitivities

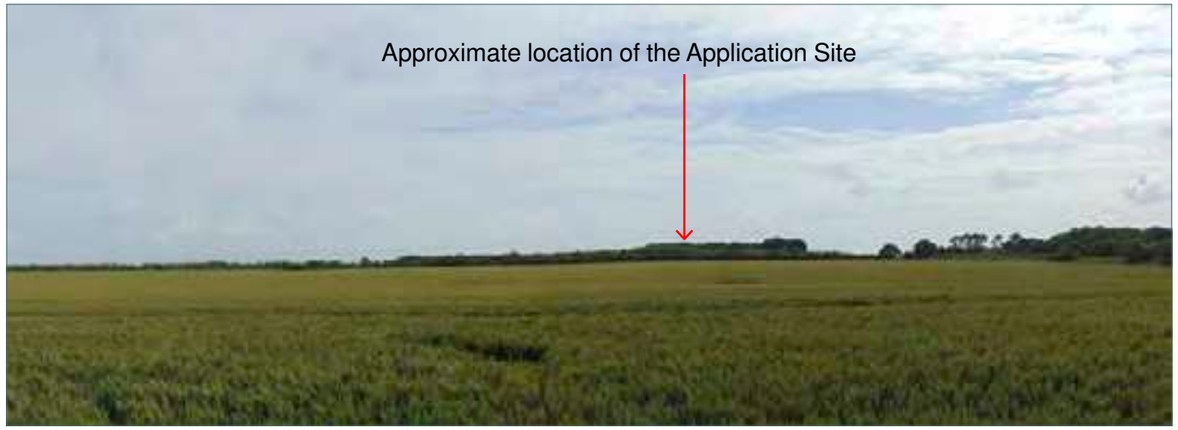
3.4 Visual Appraisal from the Wider Study Area

Summer Views

Photograph – Viewpoint 15
View looking south west towards the Application Site from Footpath 11 adjacent to Wickham Road (southern boundary of South Downs National Park). Views of existing mature vegetation along either side of the footpath dominates this view and obscures any views towards the Application Site from this location.

Photograph – Viewpoint 16
View looking south west towards the Application Site from the junction of Footpath 10 (Castle Farm Lane) and Forest Lane. Mature trees and vegetation along the lane dominate this view and create a green corridor along the lane. Views of the Application Site are wholly truncated by the intervening vegetation and topography.

Photograph – Viewpoint 17
View looking south west towards the Application Site from the cycle and footpath along the eastern section of Knowle Road. The cycle / footpath is apparent centrally within this view with mature hedgerows and vegetation evident on either side of the path. Due to intervening vegetation, views of the Application Site are wholly truncated from this location.



Photograph – Viewpoint 18
View looking south west towards the Application Site from Footpath 23b located along the southern part of Aylesbury Copse. Views of arable fields dominate this view with topography gently sloping towards the west. The existing tree belt to the south of Knowle Road is apparent in the distance from this location. Any views of the Application Site are truncated due to intervening topography and vegetation.

3. Visual Baseline Conditions and Sensitivities

3.4 Visual Appraisal from the Wider Study Area

Summer Views

Photograph – Viewpoint 19

View looking south east towards the Application Site from Bridleway 26b located in close proximity to a barn 20 metres south of Lee Ground (Grade II Listed Building) and Skylark Golf and Country Club. Mature trees and vegetation define the localised field boundaries and create a green corridor along the bridleway. Views of the Application Site are wholly truncated by the intervening vegetation and land form.

3. Visual Baseline Conditions and Sensitivities

Table 3.1 – Summary of Visual Receptors

Representative Visual Receptor Viewpoint No.	Landscape Designation	Receptors	Extent of the land visible within the Application Site	Character and Amenity of the View	Elevation	Distance to Site	Value
1	Public footpath 85	Residential; Transient receptors on foot and bike and vehicle.	The internal ground plane within the Application Site is truncated from this location. However, the glimpsed view of top section of Great Beamond Coppice along the north-eastern is evident from this location.	View looking south west towards the Application Site from the eastern section of Funtley Lane (Footpath 85). The existing residential built form along Funtley Lane dominates this view with mature hedgerow forming a vegetated edge along this part of the lane. Glimpsed views of the top section of Great Beamond Coppice along the north-eastern edge of the Application Site is apparent. Views of the internal ground plane within the Application Site are truncated. There is no significant change in the visibility of the Site in winter.	Approximately 20m AOD	Approximately 174m	Medium - Low
2	Existing Open Space	Transient receptors on foot	The internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking west towards the Application Site from an informal footpath at the edge of the lake to the south west of Lakeside (south of Funtley Road). Mature trees and vegetation dominate this view and forms a green corridor along the path. The intervening vegetation, which includes that alongside the live railway (right, truncates any views of the internal ground plane within the Application Site from this location. There is no significant change in the visibility of the Site in winter.	Approximately 20m AOD	Approximately 122m	Medium
3	Area Outside of Defined Urban Settlement Boundary	Transient receptors on foot	The internal ground plane within the Application Site is truncated from this location. However, partial views of the existing tree and vegetation across the southern section of the Application Site are evident from this location.	View looking north towards the Application Site from the footbridge to the south of the Application Site over the M27. The footbridge and the mature tree belt planted along the motorway edge dominates this view. Partial views of the existing mature trees and vegetation along the southern Application Site are evident behind the existing vegetation that lines the motorway. Views into other areas across the Application Site are truncated by the intervening vegetation and topography from this location. There is no significant change in the visibility of the Site in winter.	Approximately 50m AOD	Approximately 285m	Medium - Low

3. Visual Baseline Conditions and Sensitivities

Table 3.1 – Summary of Visual Receptors

Representative Visual Receptor Viewpoint No.	Landscape Designation	Receptors	Extent of the land visible within the Application Site	Character and Amenity of the View	Elevation	Distance to Site	Value
4	Area Outside of Defined Urban Settlement Boundary	Residential; Transient receptors on foot and vehicle.	Open views of existing vegetation and built form within the Application Site occur from this location. Open views of existing boundary vegetation, built form and ground plane of the Application Site are visible from this location	View looking east towards the Application Site from the existing hardstanding area associated with the private dwelling 'Bramleigh' located on Honey Lane. The existing boundary vegetation and pasture grassland within the Application Site dominates the view. Open view of the internal plane, boundary vegetation and the Great Beamond Coppice are apparent from this location. For the winter view see Site Internal Viewpoint 13A, which is taken from the Site-side of the hedge at the boundary with the property. Existing built form at Funtley and further north of the village is visible beyond the Site. Existing outbuildings and part of Great Beamond Coppice are visible to the right in the photo.	Approximately 35m AOD	Approximately 176m	Medium
5	Area Outside of Defined Urban Settlement Boundary	Residential; Transient receptors on foot and bike and vehicle.	Open views of existing boundary vegetation associated the Application Site occur from this location.	View looking south east towards the Application Site from Funtley Road (by properties just east of the disused railway bridge). Views of existing residential built form along Funtley Road dominate the foreground with mature trees and vegetation along the northern Application Site boundary apparent. Views of the internal ground plane within the Site are truncated due to intervening boundary vegetation. In winter, the ground plane of the Site becomes apparent without leaf cover to the northern boundary vegetation.	Approximately 18m AOD	Approximately 230m	Medium
6	Area Outside of Defined Urban Settlement Boundary	Residential; Transient receptors on foot and bike and vehicle.	Open views of existing mature tree and vegetation along the northern boundary of the Application Site occur from this location.	View looking south east towards the Application Site from the junction of Roebuck Avenue and Funtley Road. Views of existing residential built form around the entrance of Roebuck Avenue and mature trees and vegetation along the northern Site are apparent. Views of the internal ground plane within the Application Site are truncated due to intervening boundary vegetation. There is little change in the visibility of the Site in winter.	Approximately 19m AOD	Approximately 22m	Medium

3. Visual Baseline Conditions and Sensitivities

Table 3.1 – Summary of Visual Receptors

Representative Visual Receptor Viewpoint No.	Landscape Designation	Receptors	Extent of the land visible within the Application Site	Character and Amenity of the View	Elevation	Distance to Site	Value
6b	Area Outside of Defined Urban Settlement Boundary	Residential; Transient receptors on foot and bike and vehicle.	Open views of central part of internal ground plane within the Application Site occur with mature vegetation evident in the distance.	View looking south east towards the Application Site from Roebuck Avenue. The residential built form with its associated private garden along Roebuck Avenue dominates this view with the topography within the Application Site rising towards the local ridgeline. Open views of the central part within the Application Site occur, funnelled along the road with mature vegetation evident in the distance. Views into other areas within the Application Site are truncated by intervening vegetation, topography and built form from this location. There is slightly increased visibility of the Site in winter.	Approximately 20m AOD	Approximately 59m	Medium
7	Area Outside of Defined Urban Settlement Boundary	Residential; Transient receptors on foot, bike and vehicle.	Open views of existing mature tree and vegetation and the entrance access road along northern boundary of the Application Site occur. A small section of the existing northern boundary vegetation within the Application Site occur, evident in the middle distance.	View looking south west towards the Application Site from the junction of Stag Way and Funtley Road. Views of mature trees and boundary vegetation along the northern Site boundary dominate this view and form a green corridor along Funtley Road. Views of the existing access road and entrance gate within the Application Site are apparent. Views of the ground plane within the Application Site are, however, truncated by the intervening vegetation. There is slightly increased visibility into the Site in winter.	Approximately 20m AOD	Approximately 8m	Medium
8	Area Outside of Defined Urban Settlement Boundary	Residential; Transient receptors on foot, bike and vehicle.	Open views of existing mature tree and vegetation along north-eastern boundary of the Application Site occur from this location.	View looking south west towards the Application Site from Funtley Road. Views of mature boundary vegetation and tree planting along the northern boundary of the Application Site dominate this view and form a green corridor along Funtley Road. Views of the internal ground plane of the Application Site are in turn truncated due to intervening boundary vegetation. There are glimpses of the ground plane of the Site in winter without leaf cover.	Approximately 23m AOD	Approximately 60m	Medium

3. Visual Baseline Conditions and Sensitivities

Table 3.1 – Summary of Visual Receptors

Representative Visual Receptor Viewpoint No.	Landscape Designation	Receptors	Extent of the land visible within Application Site	Character and Amenity of the View	Elevation	Distance to Site	Value
9	Welborne Policy Boundary	Transient receptors on foot.	Glimpsed views of small section of existing pasture grassland and the roof section of the existing built form within southern section of the Application Site occur set within the wider panorama.	View looking south west towards the Application Site from Footpath 88. Open views of arable land dominate the foreground. The existing settlement of Funtley is evident in the distance with the topography rising sharply towards the ridgeline to the south west. Partial views of the mature vegetation along the southern boundary of the Application Site are evident. Glimpsed views of small sections of existing pasture grassland and the roof section of the existing built form within the southern section of the Application Site are also apparent in the far distance. Views of other parts within the Application Site are truncated due to intervening vegetation and landform There is slightly increased visibility of the south-eastern part of the Site in winter - existing vegetation (including Great Beamond Coppice), small part of the ground plane, southern barns and telecommunications mast. Existing built form at Funtley is also more apparent.	Approximately 23m AOD	Approximately 940m	Medium
10	Welborne Policy Boundary	Transient receptors on foot.	Glimpsed views of the top section of existing mobile mast adjacent to southern boundary of the Application Site occur with existing mature boundary vegetation evident, set within the wider panorama.	View looking west towards the Application Site from Footpath 89. Open views of grassland dominates this view with mature trees and vegetation that define localised field boundaries in the middle distance. Glimpsed views of the top section of an existing mobile communication mast helps to identify the location of the Application Site in the wider landscape. Due to intervening vegetation and landform, views of the Application Site are truncated from this location. In winter, there is very slightly increased visibility of the south-eastern part of the Site in winter, the existing vegetation, southern barns and telecommunications mast. Existing built form at Funtley is also more apparent.	Approximately 840m AOD	Approximately 15m	High

3. Visual Baseline Conditions and Sensitivities

Table 3.1 – Summary of Visual Receptors

Representative Visual Receptor Viewpoint No.	Landscape Designation	Receptors	Extent of the land visible within Application Site	Character and Amenity of the View	Elevation	Distance to Site	Value
11	Area Outside of Defined Urban Settlement Boundary; Strategic Gap	Transient receptors on foot, bike and vehicle.	Views of the internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking east towards the Application Site from Footpath 83a near a group of Listed Buildings (Ironmaster's House and Funtley House) and the Scheduled Monument (Site of Funtley Iron Works). Views of pasture land with existing mature boundary vegetation dominate the foreground of this view. Views of the Application Site are truncated due to intervening vegetation and land form. . There are no views towards the Site in winter.	Approximately 15m AOD	Approximately 540m	High
12 and 12A	Existing Open Space	Transient receptors on foot.	Views of the internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking east towards the Application Site from the southern section of Bridleway 515. Views of existing mature trees and vegetation dominate this view and form a green corridor along the footpath. Due to intervening vegetation, views of the Application Site are truncated from this location, including in winter. From 12A (winter view) located near to the bridge crossing over Funtley Road, there are glimpses into the north-western part of the Site and of part of Great Beamond Coppice. Funtley Road and existing dwellings within the village are also glimpsed beyond vegetation along the disused railway line / Bridleway 515.	Approximately 30m AOD	Approximately 240m	High

3. Visual Baseline Conditions and Sensitivities

Table 3.1 – Summary of Visual Receptors

Representative Visual Receptor Viewpoint No.	Landscape Designation	Receptors	Extent of the land visible within Application Site	Character and Amenity of the View	Elevation	Distance to Site	Value
13	Outside of Fareham Borough Council's local policy boundary	Transient receptors on foot.	Views of the internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking south east towards the Application Site from footpath 16. Views of pasture land dominate the foreground with topography gently falling to meet the River Meon in the distance. Views of the existing tree belt along Mayles Lane and River Lane are apparent in the distance and obscure any views of the Application Site from this location.. There are no views towards the Site in winter. From a short section of Titchfield Lane just south-east of this viewpoint, there is a brief glimpse of the upper part of the telecommunications mast on the southern part of the Site, however, the Site and vegetation within it remains fully truncated from view due to the disused railway line and mature vegetation along it.	Approximately 15m AOD	Approximately 745m	High
14 and 14A	Existing Open Space; Public bridleway 515	Transient receptors on foot.	Views of the internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking south towards the Application Site from the northern section of Bridleway 515. Views of existing mature trees and vegetation dominate this view and form a green corridor along the footpath. Due to intervening vegetation, views of the Application Site are truncated, including in winter. From 14A (winter view) located near to the bridge crossing over Funtley Road, there are glimpses into the westerns part of the Site. Existing dwellings within the village are also glimpsed beyond vegetation along the disused railway line / Bridleway 515.	Approximately 25m AOD	Approximately 488m	High
15	Outside of Fareham Borough Council's local boundary, but is adjacent southern boundary of South Downs National (along Wickham Road)	Transient receptors on foot and bike and vehicle.	Views of the internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking south west towards the Application Site from Footpath 11 adjacent to Wickham Road (southern boundary of South Downs National Park). Views of existing mature vegetation along either side of the footpath dominates this view and obscures any views towards the Application Site from this location.	Approximately 45m AOD	Approximately 3.74km m	Medium - High

3. Visual Baseline Conditions and Sensitivities

Table 3.1 – Summary of Visual Receptors

Representative Visual Receptor Viewpoint No.	Landscape Designation	Receptors	Extent of the land visible within Application Site	Character and Amenity of the View	Elevation	Distance to Site	Value
16	Area Outside of Defined Urban Settlement Boundary; Public footpath 10	Transient receptors on foot and bike and vehicle.	Views of the internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking south west towards the Application Site from the junction of Footpath 10 (Castle Farm Lane) and Forest Lane. Mature trees and vegetation along the lane dominate this view and create a green corridor along the lane. Views of the Application Site are wholly truncated by the intervening vegetation and topography.	Approximately 55m AOD	Approximately 3km	Medium - High
17	Welborne Policy Boundary	Transient receptors on foot and bike.	Views of the internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking south west towards the Application Site from the cycle and footpath along the eastern section of Knowle Road. The cycle / footpath is apparent centrally within this view with mature hedgerows and vegetation evident on either side of the path. Due to intervening vegetation, views of the Application Site are wholly truncated from this location.	Approximately 45m AOD	Approximately 1.62km	Medium
18	Welborne Policy Boundary	Transient receptors on foot.	Views of the internal ground plane and the existing vegetation within the Application Site truncated from this location.	View looking south west towards the Application Site from Footpath 23b located along the southern part of Aylesbury Copse. Views of arable fields dominate this view with topography gently sloping towards the west. The existing tree belt to the south of Knowle Road is apparent in the distance from this location. Any views of the Application Site are truncated due to intervening topography and vegetation.	Approximately 42m AOD	Approximately 1.74km	Medium - High
19	Public bridleway 26b; in close proximity of Barn 20m south of Lee Ground (Grade II Listed Building) and Skylark Golf & Country Club	Transient receptors on foot and horseback.	Views of the internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking south east towards the Application Site from Bridleway 26b located in close proximity to a barn 20 metres south of Lee Ground (Grade II Listed Building) and Skylark Golf and Country Club. Mature trees and vegetation define the localised field boundaries and create a green corridor along the bridleway. Views of the Application Site are wholly truncated by the intervening vegetation and land form.	Approximately 35m AOD	Approximately 1.72km	Medium - High

4. Landscape Constraints and Opportunities

4.1 Introduction

The following landscape elements form a series of constraints and opportunities that will inform future development proposals:

4.2 Constraints

- The Ancient Woodland is to be retained and protected by a 15m buffer, with no development within this zone.
- Existing tree groups designed as SINC and TPO within the Site are to be retained and protected.
- Retention of the majority of the existing hedgerows along the ownership boundaries, with limited removal required to facilitate safe access into and out of the Site.
- The rooting zones and canopies of existing trees and hedges to be retained would be protected during construction works in accordance with the recommendations of the project arboriculturist and ecologist.
- While land within north-eastern part of the Site is designated as open space within the Core Strategy (adopted August 2011) in fact this is privately owned pasture land used for horse keeping and is not currently accessible to the public. The area is also proposed for deletion in the emerging local plan. The proposed development explores options to relocate this elsewhere within the Site, so that development within this less sensitive location near to the road and existing settlement may be developed.
- The existing topography within the northern section of the ownership is gently sloping towards Funtley Road. However, the undulating topography then rises sharply from the central part of the Site to meet the southern western boundary, and then falls again towards the south-eastern boundary. This restricts development to the area of land in the vicinity of Funtley Road.
- Timber pylons carrying overhead wires within the north-western part of the Site may be undergrounded where practicable.
- Due to the existing land form and close proximity to the neighbouring residential built form, there are a number of open views of the boundary vegetation, or views of the internal ground plane within the Site evident from neighbouring houses and the transient receptors in vehicles / on foot using Funtley Road and Honey Lane.

4.3 Opportunities

- Existing access into the Site (opposite Stag Way) to be retained and enhanced for vehicular and pedestrian access into the future development parcels.
- Bus route along Funtley Road passing by the Site.
- Large mature trees surrounding and within the Site present an opportunity to create a mature, well-established green structure.
- The potential to create green buffers with the opportunity for additional tree planting around future development parcels to provide an improved green settlement edge.
- To create a positive interface with the landscape where development parcels front the green infrastructure.
- Potential to create areas of public open space with pedestrian links within the development and to the wider landscape beyond. This may include opening up access to the bridge crossing over the M27.
- Potential to create a well-designed, discrete and accessible urban extension to Funtley and Fareham, rounding off the settlement, which is well contained by the existing boundary vegetation and topography of the Site.
- Land within the Site historically subject to excavation has been since reinstated back to agricultural use (as discussed in section 2.10). Therefore this land does not pose a constraint to development in terms of further excavation.

4. Landscape Constraints and Opportunities

Legend

- Application Site boundary
- Existing ancient replanted woodland (Great Beamond Coppice) retained
- Existing tree block within the ownership boundaries to be retained
- Existing trees within the ownership boundaries retained (subject to tree survey)
- Existing hedgerow within the ownership boundaries retained
- Site of Importance for Nature Conservation (designated within the Core Strategy adopted August 2011)
- Existing open space (designated within the Core Strategy adopted August 2011)
- Tree Preservation Order within the Site to be retained
- Railway line
- Bridleway
- Existing contours (1m interval)
- Direction of slope
- Existing access into the Site
- Opportunities for landscape buffer along the Site
- Views of the internal ground plane of the Site from adjacent built form
- Partial views out to the local residential built forms

Figure 4.1 – Plan showing the landscape constraints and opportunities (fabrik, 2018)

5. Illustrative Proposed Development Parameters

5.1 Landscape Development Parameters

The landscape development parameters illustrated on **Figure 5.1** have been prepared by considering the landscape features of the Site and other areas within the Site along with landscape policy, landscape character and the visual constraints associated with the local landscape.

The parameters therefore seek to:

- Locate the development parcels on the lower slopes of the Site to the north to minimise cut and fill as well as in-keeping within the local residential character of Funtley and the northern fringe of Fareham.
- Minimise the visual impact of the future development by providing landscape buffer planting along the development boundaries.
- Maintain and enhance the existing landscape features of the Site by retaining, where possible, existing trees and supplementing with additional trees, woodland and hedgerow planting.
- Make use of the existing access to the Site for access to the proposed development, and provide replacement and enhancement planting within this area. A secondary emergency access from Funtley Road may also be required to the north-west of this.
- Where appropriate, contribute to an improved ecological value of the Site through the incorporation of native species within the landscape planting and grassland proposals.
- Make use of any sustainable drainage features to integrate a more diverse range of plant species, suited to temporary flooding.
- Provide public open space within the development and to the south. Incorporate pedestrian links to serve the new residents and the wider community within Funtley and Fareham. This would provide an alternative option to the existing designated open space within the north-western part of the Site (Core Strategy 2011). Pedestrian links may extend to the south through the opening up of the M27 footbridge.

5. Illustrative Proposed Development Parameters

Legend

- Application Site Boundary
- Existing designated woodland retained
- Existing tree groups (including SINC/TPOs) within the ownership boundaries to be retained
- Existing trees within the Site retained (subject to tree survey findings)
- Existing hedgerow along the Site to be retained
- Railway Line
- Bridleway
- Opportunities for development parcels
- Opportunities for green infrastructure and new public open space
- Opportunities for landscape buffer along development parcels to provide a improved green settlement edge
- Opportunities for existing entrance be improved to provide vehicular access links within the development (a secondary emergency vehicular access may also be provided north-west of this point)
- Opportunities for pedestrian routes within public open space
- Opportunities for pedestrian links to beyond the development parcel
- Opportunity for a public open space within the built area
- Existing Site contours

Figure 5.1 – Plan showing the illustrative landscape development parameters (fabrik, 2018)

6. Appraisal of Landscape and Visual Effects

6.1 Effects on Heritage Assets

The Site does not contain nor is adjacent to any heritage assets (such as Listed Building, Scheduled Ancient Monument and Conservation Areas). Therefore, there will be no change to the character of the landscape around these assets, and no views towards the proposed development are predicted from them (**neutral** effect).

6.2 Effects on Topography

Study area topography:

There will be no physical change to the existing topography across the wider study area since the changes will occur at Site and immediate Site level only.

The value is low - medium; susceptibility is low; and sensitivity is low. The magnitude of change would be neutral. Therefore the effect on the topography at the study area level is **neutral**.

Site topography:

The proposed development parcels have been carefully located on the lower slopes within northern part of the Site. Some limited regrading where the Site meets the public highway may be required to facilitate ease of access for all. There may be some localised modifications to the existing landform within the proposed development parcels, to facilitate access and to form effective development platforms. In addition, localised excavations would be made to create sustainable drainage features. It is expected that suitable excavated material would be retained on Site and reused in the open spaces where grassed areas and planting are proposed. Care would be taken to avoid impacts on the rooting zones of existing vegetation. Any inert spoil excavated may be suitable for reuse within areas of proposed hardstanding, subject to confirmation by the project engineer.

The value is medium; susceptibility is low - medium; and sensitivity is low - medium. The magnitude of change would be low - medium. Therefore, the effects on this receptor is likely to result in **minor - moderate** adverse effects at the construction phase. Since no further earthworks would occur beyond the construction stage, the operational phase effects on the Site topography would be **neutral**.

6.3 Effects on Land Use

Study area land use:

Farmland

At wider landscape level, there will be no direct change to the wider arable and pasture lands across the study area as the proposed changed to the existing land use will occur at Site level only. Furthermore, existing areas of farmland are largely separated from the Site by existing settlement, the existing and disused railway lines and mature vegetation.

During construction, there may be some views of construction plant / structures from elevated areas of private farmland north of Funtley, up to Knowle village (indirect effect). During operation, there may be some partial views of the upper elements of the built form (namely rooflines) from this private farmland, seen in context with existing built form within the valley through which Funtley Road passes. Any views of open and planted land south of the proposed development would remain. This is also an indirect effect and no direct changes to these farmed areas would occur.

Settlement and transport corridors

The Site forms a context and setting to a small part of the existing Funtley village and a short section of Funtley Road. This would change through the introduction of built development within the northern part of the Site. This would result in a limited change to the settlement pattern and character of the road corridor by extending built form to the south of Funtley Road. A broad context of open, unbuilt land would remain to the south of the proposed built area. In addition, longer views towards the elevated land within the southern parts of the Site from existing built areas and of the canopy of mature trees and woodland in these parts of the Site, are likely to be maintained. The road corridor would become more enclosed by built form, albeit this is proposed to be set well back from the existing Site boundary hedge, incorporating open space, sustainable drainage features and additional planting.

The settlement pattern of Fareham would remain unchanged, and there would be no change to the pattern of roads around the Site or wider study area.

Open spaces

There would also be no physical change to existing open spaces across the study area, including that at Lakeside to the east of the Site.

Appraisal of study area land use effects

The value of the land use at study area level is low - medium; susceptibility is low; and sensitivity is low - medium. The magnitude of change would be low - medium, with the greatest level of change experienced by those land uses within very close proximity to the Site (Funtley Road and a part of Funtley village). A number of areas would experience no change (Fareham and rural landscapes east and west of the Site). Limited indirect visual change may be experienced from farmland further north of Funtley up to Knowle village. Therefore, the effect on land use at the study area level would be at worst, **minor** negative, with the effects being very localised to the Site.

The many areas of mitigation planting associated with the proposed development would reduce the effects to at worst **minor** negative to **neutral** in the long term (year 15). Other positive benefits are predicted through the creation of new public open spaces that would be accessible to both existing and new residents.

There would therefore be a **neutral** effect to the settlement pattern of Fareham, existing open spaces and the existing transportation network.

6. Appraisal of Landscape and Visual Effects

6.3 Effects on Land Use (continued)

Site land use:

The areas within the Site would be permanently changed from privately owned pasture land to a residential development. The new uses would include associated green infrastructure incorporating, retained vegetation and woodland; new trees and boundary buffer planting; planting throughout the built areas; sustainable drainage features and a series green, open spaces within the built area and to the south of it.

The Site lies entirely within the landscape designation of Area Outside Of Defined Urban Settlement within the Core Strategy (adopted August 2011) and a part of the Site to the north-west is designated as existing open space within the Core Strategy. The latter is not currently accessible to the public and the land is within private ownership for equestrian uses.

The changes to incorporate a built development and new publicly accessible open spaces within these areas is consistent with Local Plan Part 2 Policy DSP40 Housing Allocations, and with emerging the emerging Local Plan 2036, which allocates the Site for residential development. In addition, the supporting Landscape Assessment update (part of the evidence base to the Plan) indicates that small scale and sensitively integrated development may be appropriate in this location, given the existing residential areas of Funtley Road.

At enabling construction stage, the existing uses of the Site would change, particularly in the areas proposed for built development and new access. However, change would be limited within the proposed open spaces of the community park to the south, except for the creation of new paths, and implementation of green infrastructure such as sustainable drainage, new grasslands and planting.

The construction site would gradually change to a built development, with associated landscape planting. The built element, while wholly changing land use, would only occur in a part of the Site to the north. The proposed community park would retain a largely open character to land to the south, and would incorporate new paths for walkers. This park, together with further linear greenspaces and an open space incorporating play features, would be provide facilities for use by new and existing residents.

The value of the land use at Site level is medium; the susceptibility is medium - high; and sensitivity is medium - high. The magnitude of change would be medium - high at the enabling, construction and early years operational stages. Therefore, as with any greenfield site, the level of effects would be **moderate** - **major** negative, arising principally from the introduction of built form to the paddocks In addition, the provision of publicly accessible open spaces would result in a **minor** - **moderate** positive effect from completion of development (Year 1).

By Year 15, mitigation planting would further temper the effects on the Site land use, so that at worst, **minor** negative effects are predicted. The positive effects of the open spaces would remain, while the many new areas of planting within the Site, and management of existing vegetation are also expected to give rise to positive effects (see para. 6.4).

6.4 Effects on Existing Vegetation

Study area vegetation:

There are expected to be no physical changes to the existing vegetation across the wider study area since the changes are proposed at Site level only. Existing vegetation along the north side of Funtley Road is not expected to be affected by the provision of new access into the Site.

The value is low - medium; susceptibility is low; and sensitivity is low. The magnitude of change would be neutral. Therefore the effect on the vegetation at the study area level is **neutral**.

Site vegetation:

The Great Beamond Coppice, the existing tree groups near the existing access entrance and the tree blocks within the south-western part of the Site are designated as Sites of Importance for Nature Conservation in the Core Strategy. The mature vegetation and trees within these areas are to be retained and protected during the construction works, with careful consideration given to the recommendations of the project ecologist and arboriculturist.

The proposed development would protect and retain the Ancient Replanted Woodland of Great Beamond Coppice and majority of mature trees and boundary vegetation within the Site. A 15m buffer would be retained to the Coppice.

There is expected to be some loss of existing trees and boundary vegetation within the Site to accommodate the proposed development parcels and access roads. A part of this includes dense, ornamental conifers of limited value to landscape character. Further arboricultural works may be undertaken to other vegetation within the wider Site area, if deemed necessary by the relevant professional for health and safety reasons, to remove any dead, dying, diseased or dangerous parts of the retained vegetation.

The value of the vegetation at Site level is medium; susceptibility is medium; and sensitivity is medium. The magnitude of change arising from the limited necessary vegetation loss at enabling / construction stage is predicted to be medium, giving rise to at worst, **moderate** negative effects. However these effects would be localised to the northern part of the Site where built form is proposed.

Effects on the majority of the vegetation within the Site are expected to be **neutral** or potentially positive, where management of vegetation would ensure its retention and longevity.

There is ample opportunity within and around the proposed built area and proposed community park, for replacement and additional tree, hedge, shrub and other planting, including landscape buffer planting, making use of species appropriate to the space, position and function. This would mitigate for and improve, the visual and landscape effects of the vegetation removal required to facilitate effective development.

Further details are set out in the Design and Access Statement (DAS) accompanying the planning application.

6. Appraisal of Landscape and Visual Effects

6.4 Effects on Existing Vegetation (continued)

The planting would be implemented during the construction stage with the effects in place by Year 1 of the operational stage. The low magnitude of change would give rise to **minor** positive effects. The positive effects of this planting on the landscape assets of the Site, and views within and towards the built area, would further increase over time, as this matures. The effect on the Site vegetation by Year 15 would therefore be **moderate** positive.

6.5 Effects on Public Rights of Way

Study area public rights of way:

There would be no physical change to the existing public rights of way network during construction or operation. Visual effects are considered separately.

The value is medium - high; susceptibility is low; and sensitivity is medium. The magnitude of change would be neutral. Therefore the effect on the topography at the study area level during construction and operation is **neutral**.

There are opportunities to provide pedestrian connections between the proposed development and existing Bridleway 515 (along the disused railway line) to the immediate west. It may also be possible to open up a connection to Fareham via the footbridge over the M27 to the immediate south of the Site. This in turn could facilitate access by existing residents in this location to the open space and rights of way network north of the motorway.

As such, at the operational stage, the magnitude of change is predicted to be low, with effects the effects being **minor** - **moderate** positive in Years 1 and 15.

6.6 Effects on Landscape Character

National and county landscape character:

There would be **negligible** effects to the landscape character at national character level (NCA128 South Hampshire Lowlands) and county character level (LCA 3E Meon Valley). This is because the limited scale of the proposed development, and relatively high level of physical and visual enclosure of the Site, would result in changes that occur principally at the Site, and immediate local level.

There would be no change to the Portsdown Hill chalk ridge or Meon River described at NCA level, and the proposed development would form a very small part of NCA128 that is described as being dominated by large towns and with fragmentation by major transport links including the M27.

At county level, the proposed development would not affect the recreational route along the disused railway line to the west, and would retain a significant area of unbuilt land to the south, separating it from the motorway and Fareham settlement. Vegetation within the Site would be retained and protected as far as is practicable and potential adverse effects on the SINCs and Ancient Replanted woodland within the Site have been designed out of the development proposals.

The value of the national and district character varies from low - high; susceptibility is low; and sensitivity is low - medium. The magnitude of change would be negligible, and therefore the effects would be **negligible**.

Borough and Site landscape character:

At Fareham Borough level, the Site lies within LCA 6: Meon Valley. While the Site comprises of pasture land, it is nonetheless subject to the nearby influences of relatively recent built form at Funtley, the live railway to the east and M27 and Fareham urban fringe to the south. The proposed development would form a limited addition to this existing built context.

The proposed development is set out to closely follow the parameters for the Site allocation set out in the emerging Local Plan. Thus, there would be built form in the northerly, lower lying and more level parts of the Site, forming a limited extension to the existing Funtley village. Like the existing residential development north of Funtley Road, development would be set back to allow a leafy green and spacious character to be retained along the road. Development is not proposed on the steep slopes or high ground of the Site.

In accordance with the LCA, the proposal protects the important landscape features of the Site - the steeply sloping landforms, unbuilt skyline, mature vegetation and openness to the south; while proposing to integrate many new areas of planting, including in association with new sustainable drainage features.

Development would, like the existing village, be kept to the relatively low lying part of the valley within which it lies, limiting the potential for widespread visual effects.

The proposed built form would respond to the positive aspects of existing built form both north of Funtley village and within the wider settled areas. A generous network of green infrastructure and open spaces are proposed. Further details are set out in the DAS accompanying the planning application.

The value of the borough character varies from low - medium; susceptibility is medium; and sensitivity is low - medium. The magnitude of change would be medium - high at the Site level only, reducing to negligible - low with distance across LCA6 from the Site. Therefore, the effects would be at worst, **moderate** - **major** negative for the parts of the Site proposed for built development at the construction and operational stage (Year 1). This is due to the change in character from semi-enclosed pasture fields to a residential development.

The changes beyond the proposed built area, would be at worst, **minor - moderate** negative (Year 1) for those areas immediately around the proposed built area - the existing village to the north and open land retained to the south - due to changes to the context and setting of these areas.

6. Appraisal of Landscape and Visual Effects

6.6 Effects on Landscape Character (continued)

However, further afield, the effects would be at worst, **minor** or **negligible,** due to the physical and visual separation of the Site from most of the area of Fareham borough LCA 6: Meon Valley.

As the planting associated with the green infrastructure areas matures through time, the landscape and visual effects would improve, so that at Site level, these are expected to be no greater than **minor** negative (on a clear day in winter) and at best, **minor** - **moderate** positive (Year 15) due to the additional physical enclosure, landscape integration and visual softening and screening provided by the proposed planting. In turn, the effects on the parts of the character area surrounding the Site would also be further tempered in the medium to long terms.

6.7 Effects on Visual Receptors

Residential Receptors

The residential receptors that will experience the most direct and proximate views of the construction site and emerging built development would be occupants of the few dwellings to the north side of Funtley Road, just east of the railway Bridge (Viewpoint 5).

Some additional residents along the north side of Funtley Road would also experience direct views, albeit with filtering of views through tall vegetation along both sides of Funtley Road - see Viewpoints 6, S13A, and winter views S3 and 7. This vegetation becomes more of a screen in summer views (with leaf cover). However, parts of this may require removal to facilitate access into the Site from Funtley Road and the built development, which in turn, may further increase visibility into the Site in the short term.

Further visual receptors along Roebuck Avenue and Stag Way may experience some partial and oblique views of the construction site and emerging built form where the roads themselves allow visibility toward parts of the Site - see Viewpoints 6b and 7 (winter view). The Site boundary vegetation provides a greater level of visual screening to some views in summer. As above, some loss of vegetation may be required to facilitate access into the Site and the development itself, which may further increase visibility into the Site in the short term.

In all of these views, construction hoardings may partially obscure views.

There would also be oblique and more distant views of the construction site and emerging built development from the property (Bramleigh) at the south end of Honey Lane, due to its position on elevated ground and the relatively low level hedge at the boundary with the Site (Viewpoints S5, S6 and S13A, and summer Viewpoint 4). The views would be in context with existing views towards built form north of Funtley Road. While built form would be brought forward in the view, existing longer distance views towards the lower Downs, part of Knowle village and other built areas to the north of Funtley would be largely retained.

The completed development and newly implemented planting would create a new element in these views, replacing part of existing views of pasture fields. The areas of the Site remaining unbuilt would appear as a park with new areas of planting.

The value of the residential receptors is medium; susceptibility is medium - high; and sensitivity is medium - high. The magnitude of change at the construction and Year 1 operational stage would be medium - high, and therefore the effects would be at worst, **moderate** - **major** negative (Year 1), for the relatively limited number of residents with potential views towards the proposed development. The many areas of mitigation planting would contribute to some visual softening of the built areas in the early years. However in the mid to long terms this is predicted to create a significant amount of visual softening and screening, and therefore a bettering of the visual effects. Thus by Year 15, the effects are predicted to reduce to at worst, **minor** negative (the greater effects being on a clear day in winter).

Views from the dwelling at the south end of Honey Lane would retain long views out to the distant countryside to the north, albeit beyond additional areas of built form and planting within the valley. Views from dwellings to the north side of Funtley Road are likely to retain some partial views of the higher, southern parts of the Site, as a backcloth to the built form in the foreground.

Receptors using Roads

The views would be very similar to those described for the residential receptors above, and therefore includes parts of Funtley Road, Honey Lane, Roebuck Avenue and Stag Way (see Viewpoints 4-7, 8 and S13A). In all cases, the views would be transitory and Site hoardings may partly screen views.

Views from the western part of Funtley Road are likely to be more open due to the more limited nature of existing vegetation here, albeit the necessary vegetation removal to facilitate access and development to the east may also increase visibility into the Site in the short term.

Views from Honey Lane are rather more limited by existing vegetation at the boundary with the Site, even in winter. Visibility is mainly from two gaps in this vegetation at the north and south ends of the lane.

The value of the receptors using the roads is low; susceptibility is low; and sensitivity is low. The magnitude of change at the construction and Year 1 operational stage would be medium - high, and therefore the effects would be at worst, **minor**- **moderate** negative (Year 1). The setback of development from the roads edging the Site and landscape buffer planting would contribute to mitigating effects in the short to medium terms. By year 15, the landscape buffers would provide more robust visual softening and screening, reducing the effects to at worst, **minor** negative.

6. Appraisal of Landscape and Visual Effects

6.7 Effects on Visual Receptors (continued)

Receptors using Public Rights of Way and M27 footbridge

There is a slight possibility that users of Public Footpaths 88 and 89 to the east of Funtley (Viewpoints 9 and) may be aware of tall construction plant within the Site, should this be required to facilitate development. There may also be some awareness of works to provide the proposed community park in the south-eastern part of the Site. Any potential views to the construction site would be distant and form part of a wide panorama that includes parts of Funtley, the telecommunications mast on the Site and pylons carrying overhead wires, as well as farmland and vegetation in the intervening areas. The construction effects are therefore predicted to be **negligible**.

Due to the landform of the Site and vegetation and built form in the intervening areas, no notable views of the proposed development or associated proposed community park are predicted from these two footpaths. The operational effects are therefore predicted to be **neutral**.

From Public Bridleway 515 to the immediate west of the Site, walkers and equestrians in the vicinity of the bridge crossing over Funtley Road are likely to gain glimpsed views of the construction site and emerging built form. Views would be filtered by existing vegetation along the disused railway embankment and less apparent from the section north of Funtley Road than from that to the south - see winter Viewpoints 12A and 14A. By the operational stage, these glimpses would be replaced by a completed development, seen in context with existing partial views through the vegetation of existing dwellings north of Funtley Road.

The value of the receptors using Bridleway 515 is medium; susceptibility is medium; and sensitivity is medium. The magnitude of change at the construction and Year 1 operational stage would be medium, and therefore the effects would be at worst, **moderate** negative (Year 1). The setback of development from the western and northern edges of the Site and landscape buffer planting here and to the south would contribute to mitigating effects in the short to medium terms. By year 15, the landscape buffers would provide more robust visual softening and screening, reducing the effects to at worst, **minor** negative. In summer, views to the proposed development are likely to be less evident as existing vegetation would reduce visibility towards the Site.

From the bridge crossing over the M27, there is little opportunity for views into the Site and no notable views of the construction phase for the southern community park are proposed. The land proposed for the built development would not be visible either during or following construction. Therefore effects are judged to be **minor** for this receptor.

Discounted Visual Receptors

No views during construction or operation are predicted from the following middle distance and wider area locations as the views are truncated by landform, vegetation and / or built form: Viewpoints 1 and 2 - Funtley Lane and Lakeside; summer Viewpoints 12 and 14 from Bridleway 515, to the west; and more distant Viewpoints 11, 13 and 19 (from the west / north-west) and 15 - 18 (from the north-east). No views towards the Site were identified from the South Downs National Park.

7. Policy Compliance

7.1 Emerging Fareham Local Plan 2036 (Draft Consultation Version)

The proposed development is consistent with the Development Allocation for the Site (Policy HA10), set out in the emerging Fareham Local Plan 2036 (see Figure 2.4). It confines the proposed development to the northern parts of the Site; and creates new public open space in the form of parkland with paths to the south. It respects a 15m buffer to Great Beamond Coppice and protects the majority of the existing vegetation within and bounding the Site. The proposal creates new public open space with play elements in the north, incorporating existing vegetation designated as a SINC. The proposed open spaces more than compensate for the loss of the existing designated open space land within the Site (which is not currently accessible to the public).

Access is proposed to be taken from Funtley Road, making use of the existing access track into the Site. Green corridors, buffers and spaces are integral to the proposed built and green infrastructure areas. Sustainable drainage features are proposed, potentially contributing to the biodiversity and landscape value of the Site. View corridors would be retained between development blocks, allowing views towards the undeveloped southern slopes from Funtley Road to be retained. In accordance with emerging Policy CF6, the open space provision would more than compensate for the change of use of the existing open space designation with the Site (which is not currently accessible to the public).

A total of 55No dwellings are proposed in accordance with the Site allocation. The built form would respect the positive aspects of existing settlement character, and further details on this, and the proposed landscape mitigation are set out in the DAS. Community facilities and pedestrian and cycle links to surrounding areas to the north, south, west and east are also proposed (Policy D1).

The setbacks of the proposed development from the Site boundaries to the north and west, and proposals for landscape buffers with many new areas of planting here and to the south, would create a significant landscape framework that together with the retained vegetation would contribute to effective landscape integration of the built areas.

In turn, this planting, as well as planting within the built areas would contribute to meaningful visual softening and partial screening of the development from surrounding built areas, while partial views of the higher, undeveloped slopes of the Site would be retained. This is consistent with the aims of the policy.

The confinement of the proposed built area to the existing, developed valley floor (through which Funtley Road runs) would limit the extent to which the proposals would impact on the character of the Site and wider surrounding landscape (Policies NE1 and D1). This is because this part of the Site already benefits from a high degree of landscape and visual containment, by surrounding landform (including railway embankments), built form and existing mature and dense vegetation. The higher slopes of the Site, which are intervisible with elevated farmland north of Funtley and up to Knowle village, would remain undeveloped and additional planting is proposed in these locations.

7.2 National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG)

In terms of section 7 of the NPPF and NPPG section ID 26 relating to design, the proposed development seeks to provide attractive, high quality and inclusive design; with a strong sense of place, that is integrated with and respectful to the character and pattern of the local area. The proposed provision of a community building, community park and public open space with play areas provide opportunities for social interaction and active lifestyles. The built areas would be developed on the basis of perimeter blocks with good natural surveillance to all public areas. Adaptability and efficiency of the built environment would be important considerations. The proposed development carefully considers the topography of the Site and potential impact on views in the layout and form of the built areas.

In accordance with sections 8 (healthy communities) and 10 (climate change) of the NPPF, the areas of green and blue infrastructure would support action to combat effects of climate change through provision of shading, water attenuation, and carbon absorption. Consistent with section 10 of the NPPF. Regarding NPPF section 11 (natural environment) the proposals protect the undulating landform of the Site and the majority of the existing vegetation, and seek to improve the biodiversity of the Site by creating further diversity to the range of planting and grassland types within it.

In accordance with NPPG Paragraphs 009 and 015 the proposed development promotes green infrastructure including a number of open and green public spaces; it respects natural features, and promotes a high quality landscape with many areas of planting that contributes to the quality of the local area. By placing development in the lower parts of the Site, and in association with existing built form, the wider landscapes of the Site would be maintained as open, while there would be negligible impact on surrounding areas (NPPG section ID 8).

7.3 Fareham Local Development Framework, Core Strategy (Adopted August 2011)

In turn, these proposals for the Site are consistent with the Fareham Core Strategy (2011) Strategic Objectives SO10 (to manage, maintain and improve the built and natural environment to deliver quality places, taking into account the character and setting of existing settlements); SO11 (to protect sensitive habitats and maintain separate settlement identity); as well as Policy CS4 (protection of habitats important to biodiversity and provision of accessible green space for informal recreation); Policy CS14 (to protect countryside from adverse effects on landscape, character and function arising from development); Policy C17 (to create high quality development that adheres to good urban design and sustainability principles, that is respectful of landscape, scale, form and spaciousness, and that includes greenways and trees within the public realm); Policy CS21 (to seek to provide alternative, and better public open space provision to replace the designated area of open space within the Site); and, Policy CS22 (the proposal does not affect the Strategic Gap located west of the disused railway line).

7. Policy Compliance

7.4 Fareham Borough Local Plan Part 2: Development Sites and Policies (Adopted June 2015))

Referring to the Fareham Borough Local Plan Part 2 (2015), the proposed development:

- Seeks to mitigate and improve any potential impacts on neighbouring development and adjoining land, through respectful layout and provision of a robust landscape framework (In accordance with Policies DSP2 and DSP40);
- Does not adversely affect heritage assets (In accordance with Policies DSP5 and DSP40);
- Lies outside of the Defined Urban Settlement Boundary, but is located close to and would be in keeping with the character, scale and appearance of surrounding areas; is sited and designed to integrate with the existing settlement and prevent detraction from existing landscape; and is laid out to respect views into and out of the Site and to the elevated land to the south (In accordance with Policies DSP6 and DSP40);
- Protects designated nature conservation sites and provides additional planting within or around these; provides a wide range of new grassland, herbaceous, aquatic, shrub, hedge and tree planting, including native species and species supporting potential habitat creation, nectar and pollen provision; and retains the majority of the existing vegetation on the Site, providing a number of new landscape buffers and other areas of planting, as well as sustainable drainage ponds that would contribute to maintaining and reinforcing the biodiversity network (In accordance with Policies DSP13 and DSP40); and
- Does not adversely affect a Strategic Gap (In accordance with Policy DSP40).

In terms of the Planning Obligations Supplementary Planning Document for the Borough of Fareham (Excluding Welborne) Adopted April 2016, the proposed development provides a village green integrating play features to the north; and a community park to the south. In total, over 53% of the Site area (8.62ha out of 16.18ha) would remain undeveloped, for use as open spaces and for green and blue infrastructure.

7.5 Landscape Character

In accordance with Statement of Opportunity 1 (SEO1) set out in the profile for **National Character Area 128: South Hampshire Lowlands**, the proposed development promotes creative and effective sustainable development, including a well-connected network of high-quality greenspace, which would benefit local communities, protect local distinctiveness, encourage public understanding and enjoyment of the natural environment, and help to mitigate the impacts of climate change.

In addition, in accordance with SEO2, the proposed development would protect, manage and enhance the area's historic well-wooded character – including its ancient semi-natural woodlands and hedgerows – to link and strengthen habitats for wildlife, and improve recreational opportunities.

There is also opportunity, in accordance with SEO3 to diversify the grassland habitats with the Site, providing recreational opportunities and potential improved biodiversity.

In accordance with the opportunities for **Hampshire County Landscape Character Area 3E: Meon Valley**, the proposed development:

- Keeps development within the valley bottom and avoids building on the slopes and elevated parts of the Site;
- Retains the majority of the existing vegetated boundary structure to the Site;
- Provides many areas of green infrastructure with retained and new planting; and
- Creates potential pedestrian / cycle links to existing settlements and public rights of way.

In accordance with the priorities for enhancement for F**areham Borough Landscape Character Area 6: Meon Valley,** the proposed development:

- Protects important landscape and ecological resources, woodland and the slopes and ridge of the Site, which form part of the valley within which it lies;
- Creates a development that is limited in extent and which relates well to the existing Funtley village, maintaining an informal, rural character to the southern parts of the Site (community park);
- Provides opportunity to remove unslightly features from the Site;
- Sets development away from the Site boundaries, providing space to reinforce existing boundary vegetation with additional landscape buffers, that protect the character of the nearby roads and settlement. Where vegetation removal is required to facilitate safe access and egress from the Site, this would be minimised as far as possible, with new planting provided within the Site, outside of visibility splays; and
- Reinforces the retained green infrastruture network with many new areas of planting, including as part of the sustainable drainage strategy.

8. Summary and Conclusions

8.1 Summary of the baseline conditions

The Site is located at south-western edge of Funtley village in Hampshire and is bound by Funtley Road to the north and Honey Lane to the west.

The Site lies wholly within the landscape designation of 'Areas outside of Defined Urban Settlement' as defined in the proposal map of the Fareham Borough Core Strategy (adopted August 2011), whilst the area within north-western part of the Site is also designated as 'Existing Open Space' albeit this is not currently accessible to the public. The Ancient Woodland of Great Beamond Coppice is also located within the north east of the Site.

The Great Beamond Coppice is designated as a Site of Importance for Nature Conservation together with the existing tree groups located near the existing access entrance along the northern boundary and south-western boundary as shown on Figures 2.1 and 4.1. There are no other landscape designations within the Site. The Site is also subject to the influences of the nearby M27 motorway, settlement at Funtley village and the live railway to the east; with the addition of a telecommunications mast and timber poles carrying overhead lines within the Site. Therefore, the existing Site is considered to have a medium landscape value overall.

The Site is allocated for residential units in the emerging Fareham Local Plan 2036, subject to Policy HA10. In addition, the updated Borough Landscape Assessment (part of the Local Plan evidence base) indicates that small scale and sensitively integrated development could be accommodated in this location. The development allocation would remove the open space designation within the Site, albeit other existing policy provision seeks the provision of alternative or better uses. Several new, publicly accessible open spaces are therefore included as part of the scheme proposals.

Across the study area, there are a number of heritage assets comprising of Listed Buildings, Scheduled Ancient Monuments and local non-designated heritage asset Historic Parks and Gardens. There are no heritage assets located within or adjacent to the Site and none would be affected by the proposed development.

Views of the Site from the wider landscape (including the South Downs National Park) are truncated due to the undulating landform and intervening vegetation, whilst open and partial views of the internal ground plane and vegetation within and along the Site are apparent from the receptors located within close proximity of the Site - along parts of Funtley Road, Stag Way, Roebuck Avenue, Honey Lane; along part of Bridleway 515 to the west, near the bridge crossing over Funtley Road; and from parts of Public Footpaths 88 and 89 to the east of Funtley.

8.2 Summary of the landscape effects

The proposed development within the Site would not noticeably alter the landscape character at the national or county levels as discussed in this LVIA (**negligible** effects).

It is predicted that there would be, at worst, a **moderate** - **major** negative effect on land use landscape character at Site level - that is, the parts of the Site proposed for built development, due to the change in character from semi-enclosed pasture fields. Beyond this built area, the effects on the character of the wider Site and immediate context is predicted to be at worst, **minor** - **moderate** negative, but on the wider Borough character area, effects would be no greater than **negligible** or **minor**. Nevertheless, the proposed development is sited in close proximity to existing settlement and would not affect separate settlement identity or gaps.

Some modifications to landform would be required within the Site to provide safe access into, out of and within the proposed development, and to provide effective development platforms. The more steeply sloping and elevated parts of the Site would not be built on, with localised ground modelling only required to construct new pedestrian and cycle paths.

The effect on the Site landform is predicted to be at worst, **minor - moderate** negative at the construction stage only. Vegetation removal within the Site would be limited to that essential to facilitate effective development, to provide a safe area for new residents, or for other arboricultural or ecological reasons as identified by the relevant project specialists. The effects are predicted to be at worst, **moderate** negative at the construction stage, albeit these effects would be largely localised to the area proposed for built form.

The proposed development would, from the outset, be contained within an existing landscape framework of retained and protected mature hedges, trees, tree belts and woodland. There would also be retained open land (for community park uses) to the south. The proposed village green open space to the north would include play facilities and incorporate the retained SINC.

As the many areas of proposed landscape mitigation planting mature, the short term negative effects on land use and landscape character identified above would improve considerably with time, further reinforcing landscape integration, visual softening and partial screening.

Thus the effects on Site character and the immediate context would reduce by Year 15 to at worst **minor** negative (a clear day in winter) to at best **minor** - **moderate** positive, due to the ongoing positive management of the existing vegetation within the Site, and reinforcement of this with an additional robust network of varied landscape planting, diverse grasslands and planting associated with the proposed sustainable drainage features.

The many new areas of planting proposed would replace vegetation lost, while providing a considerable additional resource to the Site. Therefore, the effect on the Site vegetation is predicted to be **minor** positive in Year 1 and **moderate** positive by Year 15 when this is maturing.

8. Summary and Conclusions

8.2 Summary of the landscape effects (continued)

In terms of land use and the designated open space area of the Site, the provision of a total of 8.62ha of new publicly accessible open space with the proposed development is predicted to give rise to **minor** - **moderate** positive effects from Year 1 of operation. This would mean that over 53% of the total Site area of 16.18ha) would remain undeveloped and semi-rural in character.

Furthermore, the potential to provide pedestrian and cycle links to existing settlement north of Funtley Road, to Bridleway 515 to the west, and to Fareham to the south (by opening up the bridge link over the M27), the proposed development is predicted to give rise to **minor** - **moderate** positive effects on the public rights of way network from Year 1.

8.3 Summary of the visual effects

Regarding visual effects, the most noticeable visual change arising from the proposed development would be for the road users of Funtley Road and residents along the north side of the road, including a few residents of Stag Way and Roebuck Avenue. The views would be direct and in close range of the Site, albeit some views would be partly filtered by existing boundary vegetation.

Residents of Bramleigh at the south end of Honey Lane would have more distant and elevated views to the proposed development, seen in context with existing development at Funtley, and the farmland, and built areas including part of Knowle village to the north of Funtley. While development would be brought forward in these views, overall, the character and amenity of the panoramic views would be retained.

The construction and Year 1 operational effects are predicted to be at worst, **moderate** - **major** negative for residents along Funtley Road / Stage Way / Roebuck Avenue / Honey Lane; and **minor** - **moderate** negative for the transient receptors using Funtley Road. The mitigation planting associated with the built development would reduce these visual effects to at worst, **minor** negative for Funtley Road residents and road users by Year 15. The scheme proposes to retain views beyond the built area to the elevated and more open higher ground within the community park to the south.

No notable visual effects are predicted from Public Footpaths 88 and 89 to the east of Funtley, due to the limited areas of the Site visible, and screening by landform, built form at Funtley and vegetation in the intervening areas.

From Bridleway 515 to the west, some partial views and glimpses of the proposed development would be seen beyond existing vegetation along the embankments of the disused railway line. These views would be in context with partial views and glimpses of existing built form to the north of the Site, and would be in context with retained semi-open parkland with additional planting south of the built area. The Year 1 effects are predicted to be at worst, **moderate** negative, and only from a short section of the Bridleway in the vicinity of the bridge crossing over Funtley Road. By Year 15, the softening and enclosing effect of mitigation planting is predicted to reduce the visual effects to at worst, **minor** negative There would be no views of the development from most sections of the Bridleway due to physical and visual separation by dense vegetation in the intervening areas.

8.3 Conclusions

It is considered that the proposed development, which is subject to an allocation in the emerging Fareham Local Plan 2036, would represent a relatively limited and logical extension to an existing settlement. No widespread landscape or visual effects are predicted, and those effects predicted to occur at a Site and immediate site context level can be effectively mitigated and compensated for. The proposed development also offers opportunity for long term management of the Site and its mature vegetation (including Ancient Replanted Woodland); and provision of an additional robust structure of green infrastructure incorporating a diverse range of planting and grasslands, including within the areas of sustainable drainage. There would be the provision of a considerable area of new publicly accessible open space. The development is proposed to be well connected to existing settlement and public rights of way. In conclusion, therefore, with careful consideration of the constraints and opportunities of the Site, an appropriate development can be provided without substantial harm to landscape or views, but which provides a number of community and landscape benefits.

Appendix 1 – fabrik LVA Methodology

A1.1 Introduction

The methodology employed in carrying out an LVA or LVA with an impact statement of the Site, is drawn from the Landscape Institute and the Institute of Environmental Management and Assessment's "Guidelines for Landscape and Visual Impact Assessment" (GLVIA) Third Edition (Routledge 2013).

The term landscape is defined as an area perceived by people, whose character is the result of the action and interaction of nature and / or human factors. It results from the way that different components of our environment – both natural and cultural / historical interact together and are perceived by us. The term does not mean just special, valued or designated landscapes and it does not only apply to the countryside. The definition of landscape can be classified as:

- All types of rural landscape, from high mountains and wild countryside to urban fringe farmland (rural landscapes);
- Marine and coastal landscapes (seascapes); and
- The landscape of villages, towns and cities (townscapes).

An LVA with an impact statement provides a description of the baseline conditions and sets out how the study area and site appears, or would appear, prior to the proposed development. The baseline assessment is then used to predict the landscape and visual impacts arising from the proposed development. The assessment of impact is carried out as part of the iterative design process in order to build in mitigation measures to reduce the impacts as much as possible. The impact assessment will identify and assess effects during the construction and operational stages of the proposed development.

A1.2 Summary Overview of LVA Methodology

The LVA baseline assessment describes:

- Each of the landscape elements which then collectively inform landscape character for the contextual area to the site and the site itself;
- The character, amenity and degree of openness of the view from a range of visual receptors (either transient, serial or static views);
- The current baseline scenarios;
- The value of each of the landscape and visual receptors.

Landscape effects derive from changes in either direct or in-direct changes to the physical landscape, which may give rise to changes to the individual landscape components which in turn effects the landscape character and potentially changes how the landscape is experienced and valued.

Visual effects relate to the changes that arise in the composition, character and amenity of the view as a result of changes to the landscape elements.

The assessment of effects therefore systematically:

- Combines the value of the receptor with the susceptibility to the proposed change to determine the sensitivity of the receptor;
- Combines the size, scale, geographic extent, duration of the proposals and its reversibility in order to understand the magnitude of the proposal.
- Combines the sensitivity of the each of the receptors and the magnitude of effect to determine the significance of the effect.
- Presents the landscape and visual effects in a factual logical, well-reasoned and objective fashion.
- Indicates the measures proposed over and above those designed into the scheme to prevent/avoid, reduce, offset, remedy, compensate for the effects (mitigation measures) or which provide an overall landscape and visual enhancement;
- Sets out any assumptions considered throughout the assessment of effects.

Effects may be positive (beneficial) or negative (adverse) direct or indirect, residual, permanent or temporary short, medium or long term. They can also arise at different scales (national, regional, local or site level) and have different levels of significance (major, moderate, low, negligible or neutral / no change). The combination of the above factors influences the professional judgement and opinion on the significance of the landscape and visual effect.

The following sections sets out in more detail the assessment process employed.

A1.3 Establishing the Landscape Baseline

Desk and Field Studies: The initial step is to identify the existing landscape and visual resource in the vicinity of the proposed development – the baseline landscape and visual conditions. The purpose of baseline study is to record and analyse the existing landscape, in terms of its constituent elements, features, characteristics, geographic extent, historical and cultural associations, condition, the way the landscape is experienced and the value / importance of that particular landscape. The baseline assessment will also identify any potential changes likely to occur in the local landscape or townscape which will change the characteristics of either the site or its setting.

An desk study is carried out to establish the physical components of the local landscape and to broadly identify the boundaries of the study area. Ordnance survey (OS) maps and digital data is used to identify local features relating to topography/ drainage pattern, land cover, vegetation, built developments/settlement pattern, transport corridors/definitive public rights of way and any historic or prominent landscape features, which together combine to create a series of key characteristics and character areas. Vertical aerial photography will be used, to supplement the OS information. At this stage, any special designated landscapes (such as Areas of Outstanding Natural Beauty, National Parks, Green Belt, Conservation Areas, Listed Buildings, Areas of Special Character); heritage or ecological assets are identified. A review of information available in terms of any published historic landscape characterisation together with any other landscape / capacity / urban fringe and visual related studies is carried out at this stage.

Landscape character assessment, is the tool for classifying the landscape into distinct character areas or types, which share common features and characteristics. There is a well established methodology developed in the UK by the Countryside Agency and Scottish Natural Heritage in 2002, with further guidance published by Natural England in 2014. The national and regional level character assessments are often available in published documents, however the local / district or site levels may need to be set out based on a combination of desk studies and field survey work. The character assessment will also identify environmental and landscape opportunities, recent changes, future trends and forces for change where they may be important in relation to the proposal, especially considering how the landscape appears, or would appear prior to the commencement of development. The condition of the landscape, i.e. the physical state of an individual area of landscape, is described as factually as possible. The assessment of landscape importance includes reference to policy or designations as an indicator of recognised value, including specific features or characteristics that justify the designation of the area. The value of that landscape by different stakeholders or user groups may also influence the baseline assessment.

If published local / site level landscape character assessments are not available, the landscape is to be classified into distinctive character areas and / or types, based on variations in landform, land cover, vegetation / settlement pattern, field pattern, enclosure, condition, value and etc. The classification will take into account any National, County/District and Parish level landscape character assessments.

These desk based studies are then used as a basis for verification in the field.

Judgements on the value of both the landscape and visual receptor are made at the baseline stage.

Landscape Value

Value is concerned with the relative value or importance that is attached to different landscapes. The baseline assessment considers any environmental, historical and cultural aspects, physical and visual components together with any statutory and non-statutory designations and takes into account other values to society, which may be expressed by the local community or consultees. These tables are considered a starting point for consideration in the field. The landscape designations are to be considered in terms of their 'meaning' to today's context. The following table sets out the criteria and definitions used in the baseline assessment to determine landscape value at the local or site level (in addition to condition / quality as set out on the previous page). Wherever possible information and opinions on landscape value is to be sought through discussions with consultees, stakeholders and user groups.

Table A1.1 sets out the criteria used to determine landscape condition / quality and value at the local or site level in the field.

Table A1.1 – Landscape Value Criteria

Criteria
High (Very Good / Good Condition) International - National - Regional Scale
• Exceptional landscape with outstanding perceptual qualities. Very attractive, intact, natural, scenic, rare, wild and tranquil. The landscape may include World Heritage Sites, National Parks, Areas of Outstanding Natural Beauty or Heritage Coast or key elements/features within them; together with any non-statutory designations. Alternatively, the landscape may be un-designated but is valued as set out in published landscape character assessments and which, for example, identify and artistic and literary connections which assist in informing the identify of a local area (such as 'Constable Country'); • Recognisable landscape or townscape structure, characteristic patterns and combinations of landform and landcover are evident, resulting in a strong sense of place; • No or limited potential for substitution and which is susceptible to small changes; • A landscape that contains particular characteristics or elements important to the character of the area; • A valued landscape for recreational activity where the experience of the landscape is important; • Good condition with -appropriate management for land use and land cover, or with some scope to improve certain elements; • Distinct features worthy of conservation; • Unique sense of place; • No or limited detracting features.

Criteria
Medium (Good - Ordinary Condition) Regional - Local Scale
• Ordinary landscape and perceptual qualities. The landscape may include local designations such as Special Landscape Areas, Areas of Great Landscape Value, Strategic or Local Gaps; or un-designated but value expressed through literature, historical and / or cultural associations; or through demonstrable use by the local community; together with any non-statutory designations. Alternatively, the landscape may be valued through the landscape character assessment approach. • Distinguishable landscape or townscape structure, with some characteristic patterns of landform and landcover; • Potential for substitution and tolerant of some change; • Typical, commonplace farmed landscape or a townscape with limited variety or distinctiveness; • A landscape which provides recreational activity where there are focused areas to experience the landscape qualities; • Scope to improve management; • Some dominant features worthy of conservation; • Some detracting features.
Low (Ordinary - Poor Condition) Local /Site Scale
• Poor landscape and perceptual qualities. Generally un-designated. Certain individual landscape elements or features may be worthy of conservation and landscape either identified or would benefit from restoration or enhancement (such as local parks and open spaces). Alternatively, the landscape may be valued through the landscape character assessment approach. • Monotonous, weak, uniform or degraded landscape or townscape which has lost most of it's natural or built heritage features and where the landcover are often masked by land use; • Tolerant of substantial change; • A landscape which provides some recreational activities with limited focus on the landscape attributes; • Lack of management and intervention has resulted in degradation; • Frequent dominant detracting features; • Disturbed or derelict land requires treatment.

A1.4 Establishing in the Visual Baseline

Desk and Field Studies: The visual baseline will establish the area in which the site and the proposed development may be visible, the different groups of people who may experience the views, the places where they will be affected and the nature, character and amenity of those views.

The area of study for the Visual Assessment is determined through identifying the area from which the existing site and proposal may be visible (the Zone of Theoretical Visibility or ZTV). The baseline ZTV of the site is determined through either manual topographical analysis (a combination of desk and field based analysis which are considered appropriate for Landscape and Visual Appraisals and projects below the EIA threshold) or digital mapping based on bare earth modelling, (which do not take account of features such as vegetation or built form) constructing a map showing the area where the proposal may theoretically be visible. The extent of the mapping will depend on the type of proposal. The actual extent of visibility is checked in the field (both in the summer and winter months if the project timescales allow) to record the screening effect of buildings, walls, fences, trees, hedgerows and banks not identified in the initial bare ground mapping stage and to provide an accurate baseline assessment of visibility. Viewpoints within the ZTV should also be identified during the desk assessment, and the viewpoints used for photographs selected to demonstrate the relative visibility of the site (and any existing development on it and its relationship with the surrounding landscape and built forms). The selection of a range of key viewpoints will be based on the following criteria for determination in the field:

- The requirement to provide an even spread of representative, specific, illustrative or static / kinetic / sequential / transient viewpoints within the ZTV and around all sides of the Site.
- From locations which represent a range of near, middle and long distance views (although the most distant views may be discounted in the impact assessment if it is judged that visibility from this distance will be extremely limited).
- Views from sensitive receptors within designated, historic or cultural landscapes or heritage assets (such as from within World Heritage Sites; adjacent to Listed Buildings - and co-ordinated with the heritage consultant - Areas of Outstanding Natural Beauty or Registered Parks and Gardens) key tourist locations and public vantage points (such as viewpoints identified on OS maps).
- The inclusion of strategic / important / designed views and vistas identified in published documents.

Views from the following are to be included in the visual assessment:

1. Individual private dwellings. These are to be collated as representative viewpoints as it may not be practical to visit all properties that might be affected.
2. Key public buildings, where relevant (e.g. libraries; hospitals, churches, community halls etc)
3. Transient views from public viewpoints, i.e. from roads, railway lines and public rights of way (including tourist or scenic routes and associated viewpoints);
4. Areas of open space, recreation grounds and visitor attractions; and
5. Places of employment, are to be included in the assessment where relevant.

A1.4 Establishing in the Visual Baseline (continued)

The final selection of the key viewpoints for inclusion in the LVA will be based proportionately in relation to the scale and nature of the development proposals and likely significant effects and in agreement with the LPA.

The visual assessment should record:

- The character and amenity of the view, including topographic, geological and drainage features, woodland, tree and hedgerow cover, land use, field boundaries, artefacts, access and rights of way, direction of view and potential seasonal screening effects will be noted, and any skyline elements or features.
- The type of view, whether panoramas, vistas or glimpses.

The baseline photographs are to be taken in accordance with the Landscape Institutes technical guidance on Photography and Photomontage in LVIA (Landscape Institute 2011). The extent of visibility of the range of receptors is based on a grading of degrees of visibility, from a visual inspection of the site and surrounding area. There will be a continuity of degree of visibility ranging from no view of the site to full open views. Views are recorded, even if views are truncated of the existing site, as the proposed development may be visible in these views. To indicate the degree of visibility of the site from any location three categories are used:

a) **Open View:**
An open, unobstructed and clear view of a significant proportion of the ground plane of the site; or its boundary elements; or a clear view of part of the site and its component elements in close proximity.

b) **Partial View:**
A view of part of the site, a filtered or glimpsed view of the site, or a distant view where the site is perceived as a small part of the wider view;

c) **Truncated View**:
No view of the site or the site is difficult to perceive.

Following the field survey (which should cover ideally both winter and summer views) the extent to which the site is visible from the surrounding area will be mapped. A Photographic Viewpoint Plan will be prepared to illustrate the representative, specific and illustrative views into / towards and within the Site (if publicly accessible) and the degree of visibility of the site noted. This Plan will be included in a Key Views document for agreement with the Local Planning Authority and any other statutory consultees as part of the consultation process. The visual assessment will include a series of annotated photographs, the location and extent of the site within the view together with identifying the character and amenity of the view, together with any specific elements or important component features such as landform, buildings or vegetation or detracting features which interrupt, filter or otherwise influence views. The photograph will also be annotated with the Value attributed to the receptor or group of receptors.

By the end of this stage of the combined landscape and visual site study, it will be possible to advise, in landscape and visual terms, on any specific mitigation measures required in terms of the developments preferred siting, layout and design.

Value of Visual Receptors

Judgements on the value attached the views experienced are based on the following criteria.

Table A1.2 – Value Attached to Views

Value	Criteria
High	Views from landscapes / viewpoints of national importance, or highly popular visitor attractions where the view forms an important part of the experience, or with important cultural associations. This may include residential receptors in Listed Buildings where the primary elevation of the dwelling is orientated to take advantage of a particular view (for example across a Registered Park and Garden or National Park).
Medium	Views from landscapes / viewpoints of regional / district importance or moderately popular visitor attractions where the view forms part of the experience, or with local cultural associations. This may include residential receptors where the primary elevation of the dwelling is orientated to take advantage of a particular view.
Low	Views from landscapes / viewpoints with no designation, not particularly important and with minimal or no cultural associations. This may include views from the rear elevation of residential properties.

Susceptibility of the Visual Receptor to the Proposed Change

The susceptibility to the proposed changes in views and visual amenity occur as a result of the occupation or activity of people experiencing the view and the extent to which their attention or interest may be focused on the views and the visual amenity they experience. The grouping of susceptibility of the visual receptors is set out later in this document.

A1.5 Predicting and Describing the Landscape and Visual Effects

An assessment of visual effect deals with the change on the character and amenity arising from the proposal on the range of visual receptors.

The assessment of effects aims to:

- Identify systematically and separately the likely landscape and visual effects of the development;
- Identify the components and elements of the landscape that are likely to be affected by the scheme;
- Identify interactions between the landscape receptors and the different components of the development at all its different stages (e.g. enabling, construction, operation, restoration etc);
- Indicate the secondary mitigation measures over and above those already designed into the scheme proposed to avoid, reduce, remedy or compensate for these effects;
- Estimate the magnitude of the effects as accurately as possible and considering this in relation to the sensitivity of the receptor; and
- Provide an assessment of the significance of these effects in a logical and well-reasoned fashion.

Having established the value of the landscape and visual receptor, the effects are then considered in relation to the magnitude of change, which includes the size / scale, geographical extent of the areas influenced and the duration and reversibility.

Wherever possible tables or matrixes will be used, linked with the illustrative plans, so that the landscape and visual effects are recorded and quantified in a systematic and logical manner. Consideration is given to the impacts on completion of development at Year 1 and at maturity (Year 15) (to represent short, medium and long term effects) so that the effects of the development after mitigation has matured are identified. Assumptions or limitations to the assessment will also be set out.

Effects will include the direct and/or indirect impacts of the development on individual landscape elements / features as well as the effect upon the general landscape character and visual receptors.

Landscape Susceptibility

Landscape susceptibility is evaluated by its ability to accommodate the proposed change (i.e. the degree to which the landscape is able to accommodate the **proposed** change without undue consequences for the maintenance of the baseline situation and / or the achievement of landscape planning policies and strategies) as set out in Table A1.2.

As part of the assessment of the landscape character and its component parts, conclusions will be drawn as to the overall susceptibility of the landscape / landscape elements and visual environment to the type of development proposed. Existing landscape capacity assessments may form a starting point for the refinement of the assessment of landscape susceptibility at the local and site level.

Table A1.3 – Landscape Susceptibility Criteria

Susceptibility	Criteria
High	A landscape or townscape particularly susceptible to the proposed change, which would result in significant negative effects on landscape character, value, features or individual elements.
Medium	A landscape or townscape capable of accepting some of the proposed change with some negative effects on landscape character, value, features or elements.
Low	A landscape or townscape capable of accommodating the proposed change without significant negative effects on landscape character, value, features or elements.

Landscape Sensitivity

The assessment of landscape sensitivity is then combined through a judgement on the value attributed to that landscape receptor / component and the susceptibility of the landscape receptor to the proposed change using the following matrix.

Table A1.4 - Landscape Sensitivity

		Landscape Receptor Susceptibility		
		High	**Medium**	**Low**
Landscape Value	**High**	High	High - Medium	Medium
	Medium	High - Medium	Medium	Medium - Low
	Low	Medium	Medium - Low	Low - Negligible

Visual Susceptibility

The susceptibility of the different types of people to the changes proposed is based on the occupation of the activity of the viewer at a given location; and the extent to which the persons attention or interest may be focussed on a view, considering the visual character and amenity experienced at a given view. The criteria used to assess the susceptibility of a visual receptor are summarised below.

Table A1.5 – Visual Susceptibility Criteria

Susceptibility	Criteria
High	People with particular interest in the view, with prolonged viewing opportunity, including: Residents where views contribute to the landscape setting enjoyed by the community; those engaged in outdoor recreation, such as those using public rights of way; views from within the designated landscapes and heritage assets where the views of the surroundings are an important contributor to the experience; travellers along scenic routes.
Medium	People with moderate interest in the view and their surroundings, including: Communities where the development results in changes in the landscape setting or value of views enjoyed by the community; people travelling through the landscape, where the appreciation of the view contributes to the enjoyment and quality of that journey; people engaged in outdoor recreation, where their appreciation of their surrounding and particular view is incidental to their enjoyment of that activity.
Low	People with momentary, or little interest in the view and their surroundings, including: People engaged in outdoor sport; People at their work place; Travellers where the view is fleeting or incidental to the journey.

Visual Sensitivity

The sensitivity of visual receptors in views is based on the professional judgement combining the value and susceptibility to change on that visual receptor.

Table A1.6 - Visual Sensitivity

		Visual Receptor Susceptibility		
		High	**Medium**	**Low**
Value of Visual Receptor	**High**	High	High - Medium	Medium
	Medium	High - Medium	Medium	Low
	Low	Medium	Low	Low - Negligible

A1.6 Magnitude of Effects

In determining the magnitude of landscape effects, this will consider:

1. Scale and size of the change in the landscape (considering the changes to individual components and the effect this has on contribution to landscape character; the degree to which aesthetic or perceptual aspects of the landscape are altered; whether the effect changes the key characteristics of the landscape);
2. Geographic extent over which the landscape effects will be experienced (effects limited to the site level; effects on the immediate setting; effects relating to the scale of the landscape type or character area; effects on a larger scale such as influencing several landscape character areas); and
3. The duration, permanence and reversibility of the proposal.

Similar to landscape effects, the magnitude of visual effects will consider:

1. Scale and size of the change to the view (considering loss or addition of features to the view and proportion of the view occupied by the proposed development; the degree of contrast or integration of any new landscape features or changes in the landscape and characteristics in terms of form, scale, mass, line, height, colour and texture; and the nature of the view of the proposed development relative to the time over which it will be experienced and whether views will be full, partial or glimpses).
2. Geographical extent (including the angle of the view; the distance of the viewpoint to the proposed development; and the extent of the area over which the changes would be visible).
3. The duration, permanence and reversibility of the proposal.

A1.7 Significance of Effects

The two principal criteria determining the significance of effects are the sensitivity of the receptor in relation to the magnitude of effect. A higher level of significance is generally attached to the magnitude of change on a sensitive receptor; for example, a low magnitude of change on highly sensitive receptor can be of greater significance than very high magnitude of change on low sensitivity receptor. Therefore, whilst the table opposite sets out a starting point for the assessment, it is important that a balanced and well reasoned professional judgement of these two criteria is provided and an explanation provided.

In order to develop thresholds of significance, both the sensitivity of receptors and the magnitude of change must be classified for both landscape receptors and visual receptors as set out in the tables below. Where landscape effects are judged to be adverse, additional mitigation or compensatory measures are to be considered. The significant landscape effects remaining after mitigation are then to be summarised as the residual effects.

Magnitude Elements					Overall Magnitude of Change
Size / Scale	**Geographic Extent**	**Duration**	**Permanence**	**Reversibility**	
Major	Wide or Local; Direct and open view	Long - Short Term	Permanent or Temporary	Irreversible or Reversible	**High**
Major	Site Level; Direct and open view	Long - Short Term	Permanent or Temporary	Irreversible or Reversible	**High - Medium**
Moderate	Local / Site Level; Direct or oblique, partial view	Long - Short Term	Permanent or Temporary	Irreversible or Reversible	**Medium - Low**
Minor	Local / Site level; Oblique partial or glimpsed view	Long - Short Term	Permanent or Temporary	Irreversible or Reversible	**Low**
Negligible	All of the above and a truncated view	Long - Short Term	Permanent or Temporary	Irreversible or Reversible	**Negligible**

The criteria for each of the above is to be determined relative to the size and scale of the individual project applying professional judgement and opinion.

However, the following are typically used:

Size and Scale: relates to the combination of the following (and are linked to the descriptions set out under table A1.9):

- extent of existing landscape elements that will lost (to proportion of the total extent that is lost) and the contribution that the element has to landscape character;
- the degree to which aesthetic or perceptual aspects of the landscape are altered (addition or removal of features and elements)
- whether the effect changes the key distinctive characteristics of the landscape;
- size and scale of change in the view with respect to the loss or addition of features in the view and changes to the composition, including the proportion of the view occupied by the proposed development;
- the degree of contrast or integration of any new features or changes in the townscape with the existing or remaining townscape or landscape elements and characteristic terms of form, scale, mass, line, height, colour and texture;
- the nature of the view of the proposed development, in terms of relative amount of time over which it will be experienced and whether views will be open, partial, glimpsed.

Geographic Extent: The geographic area over which the landscape effects will be felt relative to the proposal; and relative to visual receptors is to reflect the angle of the view; the distance of the viewpoint; the extent of the area over which the changes would be visible.

Duration, Permanence and Reversibility: These are separate but linked considerations and are project specific. For example, changes to a brownfield urban site could be reversible. Construction impacts are likely to be short term, temporary, but see the start of a permanent change. Operational effects are likely to be long term, permanent and either irreversible or reversible, depending on the nature of the project.

No change: If there is no change to the landscape or visual receptor then the overall magnitude of change will be **Neutral.**

A1.7 Significance of Effects (continued)

Effects will be described clearly and objectively, and the extent and duration of any negative / positive effects quantified, using four categories of effects, indicating a gradation from high to low.

Table A1.7 - Sensitivity and Magnitude of Effects

		Landscape and Visual Receptor Sensitivity		
		High	**Medium**	**Low**
Magnitude of Change	**High**	Major	Moderate to Major	Moderate
	Medium	Moderate to Major	Moderate	Minor - Moderate
	Low	Moderate to Major	Minor - Moderate	Minor
	Negligible	Negligible	Negligible	Negligible
	Neutral	Neutral	Neutral	Neutral

The degree of effect is graded on the following scale in relation to the significance criteria above:

Table A1.9 - Significance of Landscape and Visual Effects

Effect Significance	Criteria
Substantial negative / adverse effect	Where the proposals would cause the substantial or significant loss of key mature landscape elements and characteristic features / a significant deterioration in the character and amenity of the view in terms of perceptual qualities / or introduce element(s) considered to be wholly and substantially uncharacteristic of the area; and where the proposals would result in a significant change, or more notable change in more distant views, on the character and amenity of the view from the range of visual receptors.
Major negative / adverse effect	Where the proposals would cause the total loss of key mature landscape elements and characteristic features / a major deterioration in the character and amenity of the view in terms of perceptual qualities / or introduce element(s) considered to be wholly and substantially uncharacteristic of the area; and where the proposals would result in a significant change, or more notable change in more distant views, on the character and amenity of the view from the range of visual receptors.
Moderate negative / adverse effect	Where the proposals would cause the loss of some of the key landscape elements and / or particularly representative characteristic features / or introduce elements considered significantly uncharacteristic of the area; and a noticeable deterioration in the character and amenity of the view from the range of visual receptors.
Minor negative / adverse effect	Where the proposals would cause the loss of some landscape elements or characteristic features / introduce elements characteristic of the area; and a barely perceptible deterioration in the character and amenity of the view from the range of visual receptors.
Negligible	Where the proposals would have no discernible deterioration or improvement in the existing baseline situation in terms of landscape elements or view.
Neutral	Where the proposals would result in no change overall (resulting in no net improvement or adverse effect).
Minor positive / beneficial effect	Where the proposals would result in minor loss or alteration or improvement of the key elements and features / provide a small enhancement to the existing landscape elements or characteristic features; and cause a barely perceptible improvement in the existing view for the range of receptors.
Moderate positive / beneficial effect	Where the proposals would cause some enhancement to the existing landscape elements or characteristic features / noticeable improvement in the character and amenity of the existing view from a range of visual receptors.
Major positive / beneficial effect	Where the proposals would cause a major enhancement to the existing landscape elements or characteristic features / noticeable improvement in the character and amenity of the existing view from a range of visual receptors.
Substantial positive / beneficial effect	Where the proposals would cause a significant enhancement to the existing landscape elements or characteristic features / wholesale improvement in the character and amenity of the existing view from a range of visual receptors.

Effects assessed as being greater than moderate are considered to be a significant effect.

A1.8 Effects During Site Enabling and Construction

It is recognised that project characteristics and hence sources of effects, will vary through time. The initial effects arise from the site enabling and construction works. Sources of landscape and visual effects may include:

- The location of the site access and haulage routes;
- The origin and nature of materials stockpiles, stripping of material and cut and fill operations / disposal and construction compounds;
- The construction equipment and plant (and colour);
- The provision of utilities, including lighting and any temporary facilities;
- The scale, location and nature of any temporary parking areas and on-site accommodation;
- The measures for the temporary protection of existing features (such as vegetation, trees, ponds, etc) and any temporary screening (such as hoarding lines); and
- The programme of work and phasing of development.

A1.9 Effects During Operation (at Year 1)

At the operational stage, the sources of landscape and visual effects may include:

- The location, scale, height, mass and design of buildings in terms of elevational treatment; structures and processes, including any other features;
- Details of service arrangements such as storage areas or infrastructure elements and utilities and haulage routes;
- Access arrangements and traffic movements;
- Lighting;
- Car parking;
- The noise and movement of vehicles in terms of perceived effects on tranquillity;
- Visible plumes from chimneys;
- Signage and boundary treatments;
- Outdoor activities that may be visible;
- The operational landscape, including landform, structure planting, green infrastructure and hard landscape features;
- Land management operations and objectives; and
- The enhancement or restoration of any landscape resource of particular view.

A1.10 Mitigation and Compensatory Measures

The purpose of mitigation is to avoid, reduce and where possible, remedy or offset, any significant (major to minor) negative (adverse) effects on the landscape and visual receptors arising from the proposed development. Mitigation is thus not solely concerned with "damage limitation", but may also consider measures that could compensate for unavoidable residual effects. Mitigation measures may be considered under three categories:

- Primary measures that intrinsically comprise part of the development design through an iterative process;
- Standard construction and operational management practices for avoiding and reducing environmental effects; and
- Secondary (or residual) measures designed to specifically address the remaining effects after the primary and standard construction practices have been incorporated.

If planting is required as part of the mitigation measures, it is proposed that areas of planting are introduced as part of the proposed development and the height of this planting will be considered as follows (dependent on plant specification and details of the scheme):

- Planting at completion / short term: 3-5 metres (dependent on plant specification).

Strategies to address likely negative (adverse) effects include:

- Prevention and avoidance of an impact by changing the form of development;
- Reduce impact by changing siting, location and form of development;
- Remediation of impact, e.g. by screen planting;
- Compensation of impact e.g. by replacing felled trees with new trees; and
- Enhancement e.g. creation of new landscape or habitat.

A1.11 Guidelines for Mitigation:

- Consultation with local community and special interest groups, if possible, on the proposed mitigation measures is important;
- Landscape mitigation measures should be designed to suit the existing landscape character and needs of the locality, respecting and building on local landscape distinctiveness and helping to address any relevant existing issues in the landscape;

Many mitigation measures, especially planting, are not immediately effective. Where planting is intended to provide a visual screen for the development, it may also be appropriate to assess residual effects for different periods of time, such as day of opening at Year 1.

- The proposed mitigation measures should identify and address specific landscape issues, objectives and performance standards for the establishment, management maintenance and monitoring of new landscape features.
- A programme of appropriate monitoring may be agreed with the regulatory authority, so that compliance and effectiveness can be readily monitored and evaluated.

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Report presented by

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Report presented by

Rummey environmental

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Technical Note

Site:	HA2
Client:	Bargate Homes and Miller Homes
Job Number:	A097690-2
File Location:	I:\Projects\Projects 097000 on\A097690-2 Newgate Lane East\REPORTS

Introduction

This Technical Note has been prepared to provide support in relation to Ecology to representations to the Fareham Borough Local Plan for the former strategic housing allocation HA2 Newgate Lane South.

This comprises the following three sites within the Strategic Housing and Employment Land Availability Assessment (SHELAA) prepared by Fareham Borough Council:

- Copps Field, Newgate Lane, Peel Common (3028);
- Land East of Newgate Lane, Peel Common (3057); and
- Land East of Newgate Lane East, Peel Common (3002).

The SHELAA includes comments in relation to Ecology and reasons for discounting the sites. For all three sites, the Ecology comments include the following:

> *"The site is a Brent Geese and Solent Waders 'Low Use' site. All such sites have the potential to support the existing network and provide alternative options and resilience for the future network. Therefore proportionate mitigation, off-setting and/or enhancement measures will be required. Natural England should be consulted."*

For Copps Field, it is also stated that:

> *"The hedgerows on site should be retained and protected by a planted buffer. Due to the presence of suitable habitats on site, it is likely that reptiles, Badgers, Water Voles, amphibians, Dormice and bats are present on site."*

For Land East of Newgate Lane it is stated that there is:

> *"Potential for badger, bat, reptile and green sandpiper."*

All three sites share the same reasons for discounting, one of which relates to Ecology. This states that:

> *"Site is designated as a Brent Geese and Solent Waders Low Use site and there is no evidence of a strategy compliant solution."*

Proposed Sites

Land East of Newgate Lane East, Peel Common (3002)

Land East of Newgate Lane East is currently the subject of an outline planning application P/19/1260/OA. As part of this application, a Wader and Brent Goose Mitigation Strategy has been devised by WYG and submitted to Fareham Borough Council and assessed as part of a Report to Inform Habitats Regulations Assessment Stage 1 and Stage 2 prepared on behalf of the applicants. This involves the creation of a mitigation area at Land West of Old Street, Stubbington and is designed to deliver mitigation for a further two sites currently the subject of appeals (Land at Newgate Lane North and Land at Newgate Lane South).

Although this has not yet been formally assessed by Fareham Borough Council through their Appropriate Assessment for P/19/1260/OA, the strategy has been reviewed by the Council's Ecologist for the two appeal sites and is agreed as part of the relevant Statements of Common Ground. Therefore, it is reasonable to conclude that this represents a 'strategy compliant solution' and as such this should not represent a reason to discount the site.

Copps Field (3028) and Land East of Newgate Lane (3057)

These two sites are not covered by the mitigation strategy discussed above, however; the presence of this strategy demonstrates that there are suitable opportunities to deliver mitigation.

The reasons for discounting refer to a 'strategy compliant solution', this in relation to the Solent Waders and Brent Goose Strategy (SWBGS). Under the SWBGS, mitigation for the loss of Low Use sites (such F15 which is covered by HA2) comprises compensatory funding to be used to maintain and enhance the network. The intention of this approach is for funding to be managed by the Local Authority to support schemes across the network, including within neighbouring authorities. In Fareham Borough, there is no scheme or schemes towards which the authority can direct this funding. Where no strategic approach is available, then it is necessary for a suitable mitigation solution to be provided by the applicant. This is confirmed by Natural England's written statement in respect of the above appeals. According to Policy NE5 of the Fareham Local Plan for Low Use sites:

> *"For development proposals of all kinds, proportionate mitigation, enhancement and/or offsetting will be required. Measures should avoid and/or adequately mitigate the impact of development on site in the first instance. However, where it is demonstrated that this is not practical or feasible, off-site options and / or a financial contribution for mitigation should be considered."*

In the case of each of these sites, on site mitigation is not possible (as any areas of open space retained would be unsuitable for waders and brent geese due to the reduces size and proximity of new development). Therefore, a suitable off-site mitigation solution, such as that proposed for Land East of Newgate Lane East, would be policy compliant. In addition to a scheme such as this, we are also aware of other opportunities for mitigation which are likely to be practical during the new plan period. Following discussions with Hampshire and Isle of Wight Wildlife Trust and Hampshire County Council, both bodies are in the process of identifying suitable sites which could be funded by mitigation payments under Policy NE5. Hampshire County Council already own large areas of suitable land within the wader and brent goose network, and the Wildlife Trust are considering acquiring land in a similar manner to their approach to providing mitigation for nitrogen outputs.

Policy NE5 is taken into account as mitigation within the Fareham Local Plan HRA prepared by Urban Edge Consultants which concludes that there will be no adverse effect on the integrity of the Solent and Southampton Water SPA or Portsmouth Harbour SPA (alone or in combination) as a result of site specific impacts (which includes loss of SWBGS sites). It can therefore be concluded that provided any development of these two sites is compliant with Policy NE5 (which it must be in order to be granted consent) there will be no impact on the integrity of the associated European sites or the wader and brent goose network. Given the presence of this policy, it is unreasonable to dismiss the sites on these grounds, or to require detailed mitigation at the plan stage (when Policy NE5 provides sufficient security).

It should also be noted that two proposed allocations within the Local Plan (employment allocations 3113 Farady Business Park and 3114 Swordfish Business Park) are incorrectly stated to have no constraints within the SHELAA. In fact, both these sites lie within a Low Use site (F13) and would also result in an adverse effect. Neither allocation is supported by a site-specific or detailed mitigation strategy and in the Local Plan HRA it is stated that mitigation for these allocations will be meeting the requirements of Policy NE5. On the grounds of consistency, either these two allocations should also be discounted, or a requirement to comply with Policy NE5 should be acceptable for all sites which affect Low Use sites.

Local Plan Policies

As requested, a review has also been undertaken of the proposed Natural Environment policies within the Local Plan relevant to our area of expertise. This includes Policies NE1 – NE5. These are summarised below along with a brief commentary in relation to the HA2 sites.

Policy	Description	Comments
NE1	Protection of Nature Conservation, Biodiversity and the Local Ecological Network	This policy relates to the protection of designated sites which is included within previous plans. It adds protection of the Ecological Network. The Local Ecological Network Map identifies 3028 as a 'Network Opportunity', which means it has been identified as an area which could be improved or managed to achieve measured biodiversity net gain (see NE2). None of the sites within HA2 comprise statutory or non-statutory designated sites.
NE2	Biodiversity Net Gain	This requires 10% gains in biodiversity for all sites and is in line with forthcoming government requirements. It is likely that this requirement can be achieved for HA2 (it has been demonstrated for 3002 in the submission) as a whole.
NE3	Recreational Disturbance on the Solent Special Protection Areas (SPAs)	This policy requires a financial contribution to mitigate recreational disturbance and is consistent with previous local plan policy.

NE4	Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent.	This requires the production of nutrient budgets and delivery of suitable mitigation to make sure that developments result in a net reduction in nitrogen outputs.
NE5	Solent Wader and Brent Goose Sites	Discussed above, this policy requires mitigation where there will be impacts on the wader and brent goose network. Mitigation is proposed for 3002 and suitable mitigation in compliance with NE5 will be required for 3028 and 3057 at the application stage. In Para 9.74, it states that *'off-site options and / or a financial contribution'* are suitable for mitigation, however it then only goes on to discuss financial contributions. In the absence of clear identification of where contributions will be applied, the policy wording should be make it clearer that bespoke mitigation solutions which do not result in such payments are also acceptable (where they satisfy the requirements of the Habitats Regulations).

[redacted]

David West CEnv MCIEEM

Associate Ecologist

Fareham Borough Council Local Plan 2037 Consultation (Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012)

Consultation Response Pinks Hill, Wallington

Prepared on behalf of Vistry Homes Limited December 2020

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Appendices

Appendix 1a – FBC Local Plan Supplement Consultation Response (Feb 2020)

Appendix 1b – FBC Local Plan 2036 Consultation Response (Dec 2017)

Appendix 2 – Hampshire County Council Response to app 19/0894/OA in relation to Pinks Hill road

Appendix 3 – Site Access Drawing SK05

1.0 Introduction

1.1 These representations have been prepared by WYG on behalf of Vistry Group who have an interest in the land at Pinks Hill, Fareham which is in a single ownership. The Group was formed in January 2020 following the successful acquisition by Bovis Homes Group PLC from Galliford Try Plc of Linden Homes and their Partnerships & Regeneration businesses. Vistry Partnerships is the Group's affordable homes and regeneration specialist. Working in close partnership with housing associations, local authorities and government agencies, it is one of the UK's leading providers of affordable housing and sustainable communities.

1.2 This representation follows various previous representations made during the preparation of the Fareham Borough Council (FBC) plan. Most recently this included a representation in relation to the FBC Draft Local Plan 2036 Supplement in January 2020. Our previous representations are appended at Appendix 1. The site has previously also been promoted as part of the Council's Call for Sites and Draft Local Plan Regulation 18 consultation, and these previous representations remain valid.

1.3 This representation relates to Fareham Borough Council's Regulation 19 consultation in relation to the Fareham Borough Council Local Plan 2037 (hereafter referred to as 'the plan').

1.4 The site extends to approximately 5.3 hectares and had, until the publication of the current version of the plan, been proposed by FBC for allocation for residential development, with an indicative capacity of 80 dwellings, in the Fareham Borough Draft Local Plan (2017) under Policy HA8.

1.5 These representations consider the Local Plan and the supporting evidence base, which are the subject of a Regulation 19 Consultation which runs until 18th December 2020, focusing on whether it: has been positively prepared; is legally compliant and sound; and whether the duty to cooperate has been met. This document will demonstrate that the decision to seek to deliver a lower number of houses than the adopted Method for Calculating Housing Need requires is not justified or sound and undermines the Council's Duty to Cooperate. It will then go onto show that the removal of draft policy HA8 is not justified by the sites available, achievable and deliverable status and its highly sustainable location in Wallington, which is borne out by the Council's own evidence.

2.0 Local Plan Housing Strategy

2.1 On the 22nd of October 2020 FBC's Cabinet? approved the publication Local plan for regulation 19 consultation ahead of submission to the Secretary of State for independent examination. The publication of the 'submission' local plan followed several previous iterations, tweaks and consultation on the emerging plan. This included major changes to the plan in 2018 and 2019 to accommodate additional housing to reflect the Government's adopted Method of Calculating Housing Need.

2.2 In August 2020 the Government published a document entitled 'Changes to the current planning system', which proposed an alternative Standard Method for Assessing Housing Numbers in strategic plans (hereafter referred to as the 'SMAHN'). The current iteration of The Plan was subsequently based on the SMAHN.

2.3 On the 16th December 2020 the Government announced their response to the consultation, confirming that they "…have decided the most appropriate approach is to retain the standard method in its current form".[1] Alongside the announcement, the Government published a table confirming the indicative local housing need for Fareham would be 514, the same need as identified by FBC in their Local Plan Supplement. The Planning Practice Guidance has also been updated to reflect the announcement.

2.4 We appreciate the untimely change in approach by central government has placed the council in a difficult position. However, for the plan to be 'sound' the housing requirement will need to be revised to reflect the latest planning practice guidance. Owing to the resultant and significant changes this entails, we are of the view that a further round of consultation should be undertaken prior to The Plan's submission. This representation is made on the assumption that FBC will review their approach in light of the Government announcements and changes to the PPG in relation to calculating housing need made on the 16th December 2020. If the plan is submitted in its current form, we request the opportunity to participate in and comment further on the currently proposed housing requirement and the methodology behind it.

2.5 Vistry Group maintain that site HA8 remains available and deliverable and can help meet the council's housing requirement in the short term.

[1] https://www.gov.uk/government/consultations/changes-to-the-current-planning-system/outcome/government-response-to-the-local-housing-need-proposals-in-changes-to-the-current-planning-system [accessed 16.12.202]

Summary

2.6 In summary, there have been fundamental changes in circumstances since The Plan was produced. As a result The Plan in its current form fails to deliver the housing the area needs owing to the abandonment of the proposed revisions to the SMAHN. Consequentially, Policy H1 relating to the strategy to deliver the housing the area needs is therefore unsound. The current adopted housing method would represent a far more robust starting point to help deliver the housing the Borough requires.

3.0 Sustainable Development at Pinks Hill

3.1 Vistry Group (which encompasses Linden homes) has previously submitted various promotion documents and representations confirming that the site is deliverable, achievable and suitable for development. Our previous site promotion has demonstrated that development of the site represents sustainable development in an accessible location. Until this most recent iteration of the plan, the site had been proposed for allocation with reference HA8, which demonstrates that FBC also considered it a suitable site for development.

Housing Site: HA8	**SHLAA Reference:** 1998
Name: Pinks Hill	**Proposed Use:** Residential & Employment
Location: Wallington	**Indicative Capacity:** 80
Size: 5.3 ha	**Planning Status:** None

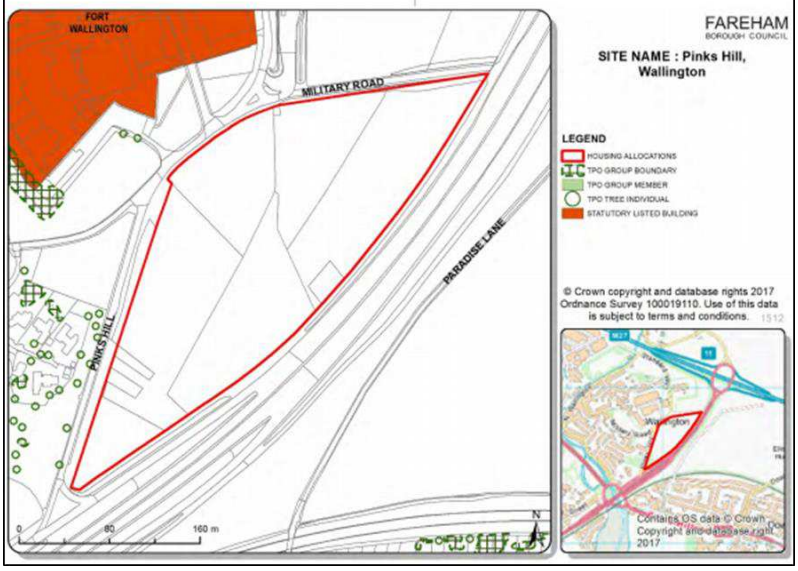

Figure 1 - Extract from Fareham Draft Local Plan (2017)

3.2 The January 2020 consultation on the local plan supplement continued to consider the site in accordance with the Council's intended strategy for development as the extract from the 2036 supplement demonstrates, showing Pinks Hill continuing to be allocated:

Figure 2 - Extract from Fareham Local Plan 2036 Supplement

3.3 However, the regulation 19 plan, subject of this consultation, excludes the site from allocation,. Given the change in circumstances and the resultant uplift in housing requirement, Vistry Group can confirm that site HA8 remains available and developable for reasons set out below.

3.4 Firstly, the site is within walking and cycling distance of a range of facilities, including Fareham Town centre. It also has excellent access to the strategic road network and good access to public transport. There are no overriding technical constraints to its development.

3.5 The site is not considered an area of landscape sensitivity, nor is it in an identified gap where development of the site could physically or visually be considered to result in landscape harm or coalescence. It is also a well contained site with strong defensible boundaries formed by a mixture of existing built form, including the A27 to the south-east, and strong planting.

3.6 In respect of Highways, it has been demonstrated that a suitable access can be provided to the site (see appendix 3). Vistry is committed to providing suitable pedestrian access to the site to provide a safe and convenient route for people to access the facilities and services in Wallington and Fareham. Formal details of pedestrian routes would be submitted with a planning application, but, the adjoining roads are in public ownership and no overriding constraints to their provision are envisaged.

3.7 In terms of traffic impacts of the development on the surrounding road network, and in particular Pinks Hill road, it has been demonstrated that no overriding issues arise. Pinks Hill and Military road, avoiding the site, are not adopted highways managed by the Highways

Authority (HCC) - they are though owned and managed by a public body, Fareham Borough Council, meaning ownership issues are not an overriding constraint. HCC, in its formal responses to extant planning applications in Wallington (P/19/0894/OA), has confirmed that with suitable works to Pinks Hill, the cumulative impacts of development in the area can be appropriately accommodated (Appendix 2). Indeed, upgrading the road to potentially adoptable standard offers an opportunity for FBC, as owners of the road, to potentially remove its liability for maintenance and management through offering it for adoption to the Highways Authority.

3.8 In regards noise from nearby uses and roads, we have also demonstrated that, with suitable mitigation in place, the site can form a suitable living environment for residents.

3.9 The site is also not within an Air Quality Management Area (AQMA) and the proposals are located and will be designed such that sustainable forms of travel, such as walking and cycling, will be prioritised to reduce CO_2 and NO_2 production.

3.10 Our previous submissions in relation to the regulation 18 consultation and supplement consultation are included at Appendix 1 and set out in more detail how the site is suitable, achievable and available when tested against the comments of the SEA and SHELAA. These comments largely remain relevant and demonstrate there are no overriding issues preventing the sites allocation and development.

3.11 The previous allocation of the site by FBC, and its designation in the 2019 SHELAA as a Suitable, achievable and available site proves that the site has no overriding constraints which would prevent its development. This includes matters relating to highways.

3.12 The site also consistently scores well in the most recent SEA. The site is considered in three different ways by the SEA, despite being promoted as a single residential site. Nonetheless, the site consistently scores positively whether appraised as a whole site or in parts.

ID	Fareham Town Centre & other brownfield sites	SA1	SA2	SA3	SA4	SA5	SA6	SA7	SA8	SA9	SA10	SA11
1998	Land at Pinks Hill (south-east part)	++	+/-	+	+	++	+/-	+/-	--	0	0	+
1352	Land at Pinks Hill, Wallington (north-west part)	++	+/-	+	+/-	+	+/-	+/-	--	0	0	-
1998	Pinks Hill, Wallington	++	+/-	+	+/-	+	-	+/-	--	0	0	+

Figure 3 - Extract from the SEA (November 2020)

3.13 Overall, the submission version SEA confirms the site is suitable for development and should be selected.

1998	Pinks Hill, Wallington	Selected - suitable site, low landscape sensitivity

Figure 4 - Extract from Appendix G of the SEA November 2020

3.14 The site also scores comparably, and in some instances better than sites chosen for allocation, including against sites not yet benefitting from planning permission or a resolution to grant.

3.15 The site's sustainability was confirmed by the SHELAA December 2019 which concluded that the site is suitable, available and achievable. However, the latest SHELAA (September 2020) confusingly then suggests the site is not suitable or achievable, despite its previous acceptability in the 2019 SHELAA, and its positive scoring in the latest SA.

3.16 Vistry welcomes the fact that the latest SHELAA now considers the site for a minimum of 130 units and no employment, which we have previously argued is a more appropriate and efficient use of the site and hence this change is supported.

3.17 Furthermore, the latest SA sets out an even more positive appraisal of the site.

3.18 Overall, the site offers an excellent opportunity to deliver at least 130 homes on a sustainable and accessible site. The sites suitability for development continues to be recognised by the evidence published supporting the plan, which ranks the site highly on the majority of SA objectives. Development of the site also continues to cohere with FBC's preferred plan strategy (option 2F). There are also no overriding technical constraints to the site's development. The site should therefore be reincluded for allocation in the plan to make an important and sustainable contribution to FBC's housing need. Failure to include the site in the plan to meet the increase in housing requirement would represent an unsound and unjustified approach to the consideration of sites for development which does not cohere with the requirement that plans be positively prepared to meet the areas housing need.

4.0 Other Policies

Policy HP5 – Affordable housing

4.1 Vistry is committed to providing an appropriate quantum and mix of affordable housing on site to meet local needs.

4.2 Vistry supports the wording of part (iv) of policy HP5 which recognises that local need and site characteristics are key drivers of mix but suggest that Market Signals also be added to the considerations.

Policy HP9 – Self and Custom Build Housing

4.3 Custom build and self-build development is an important part of the Government's agenda to widen the choice of homes and encourage greater variety by supporting small and medium size housebuilders. The need for self and custom build plots is recorded through registers kept by Councils and a duty has been placed on LPAs to grant planning permission to satisfy this need in full. As set out in our regulation 18 representation to the 2017 draft plan, it is considered that the policy is too blunt and fails to account for the particular needs and requirements of potential self and custom home builders. Self/custom building housing is a dynamic housing need that can vary considerably year-on-year and therefore a more dynamic policy is required that enables the requisite amount of self/custom building development land to come forward in places and on sites that reflects the actual need as identified by the local self-build register.

4.4 It is not clear whether the Council has considered alternative approaches to the delivery of self-build plots. It is important that the Council examines all options in line with PPG before placing additional burdens on the development industry. The PPG also sets out at para 025 of the Self build and custom build housebuilding page that the Council should seek to encourage landowners to consider the provision of self-build plots and facilitate access where they are interested. The approach taken by the Council clearly goes beyond encouragement as it requires the provision of plots without site specific prior engagement about was is realistic and achievable on a given site, taking account of its particular context and local circumstances.

4.5 It is also questionable whether there will be a high demand for self-build plots within a wider residential estate. In our experience, self-builders seek either bespoke 'self-build' sites (such as that proposed by application P/19/0130/OA – see below) or individual self-build units, often in the countryside. Provision as part of a larger scale site is hence likely to lead to poor take up of

the self-build plots and not meet the requirements of those on the register, whilst also resulting in additional cost and wasted developable space on sites such as Pinks Hill.

4.6 If the Council considers that a quota-based policy is the preferred approach to satisfying the self/custom build need in Fareham then a more flexible approach should be adopted. For example, the proportion of plots being brought forward as self-build should only reflect the need demonstrated on the register. This should also factor in locational choice as clearly demand exhibited in one part of the Borough is specific to that location and it would be unreasonable to expect those on the register to satisfy their need elsewhere. If a specific quota is applied, then this should be regarded as a starting point for negotiations and with the relevant caveat that such a requirement could be set aside or reduced on the grounds of viability or contextual factors relevant to the site.

4.7 Vistry Group do offer a 'self-finish' product whereby the developer works with the potential home buyer to design the interior layout, fixtures and fitting to provide a bespoke interior product for the purchaser, akin to custom build options. This offers an alternative, more appropriate, route for delivery of a self/custom build type product as part of a larger site, whilst still making the most efficient use of the site and the time and resources required.

4.8 In the case of Pinks Hill, an application for an entirely self-build scheme of 26 dwellings is under consideration adjacent to the site (FBC ref P/19/0130/OA). This would likely take the foreseeable demand within Wallington for Self-build plots on a site designed to cater specifically to the self and custom build market. If further plots where delivered on Pinks Hill, there is a very real risk that these plots could be left empty due to the saturation of self-build plots in the very immediate area. This is a good example of why draft Policy HP9 is too blunt and needs to be made more flexible and dynamic, responding to the actual demand for self-build plots as identified on the register.

4.9 Notwithstanding the above, if the quota-based approach is adopted, Vistry support the inclusion of the 'fall back' that any self-build plots that are not taken up can be developed as standard units as part of the wider site. It is suggested that this fall back be made more agile by reducing the period to six months to reduce potential expensive delays on site. Consideration should also be given to how any self-build plots would fit conveniently and safely within the wider development site as their inclusion introduces logistical and health and safety challenges not recognised by the policy or supporting text.

Policy NE2 – Biodiversity net Gain

4.10 Vistry is committed to protecting and enhancing ecology on the sites it delivers and welcomes efforts to utilise opportunities to improve biodiversity on sites. However, there appears to be inconsistent consideration of the potential affects of imposing a Biodiversity Net Gain (BNG) requirement on the deliverability and viability of sites, which could have implications for site delivery.

4.11 Firstly, in viability terms, we note that a £500 sum per dwelling has been assumed as the 'cost' of implementing BNG, based on figures provided by Natural England. However, the basis on which this 'average' figure has been arrived at by Natural England is not apparent from the published evidence base. The BNG cost is also likely to vary substantially depending on the baseline ecological value of a particular site and the ability to provide enhancements.

4.12 There also does not appear to have been an assessment of how the requirement to provide BNG might affect site capacity. Some habitats which may require enhancement are particularly land intensive and so may reduce the developable area of sites, which in turn may reduce site yields and viability.

4.13 A blanket £500 per dwelling assumption in testing the viability of the policy is therefore too blunt a measure of its affect on viability.

4.14 Finally, recognition, either within the policy or supporting text, should be given to the potential use of 'credits' to achieve BNG where net gains are not achievable on site.

Policy NE8 – Air Quality

4.15 Vistry is pleased that amendments have been made to this policy. However, whilst improved from its original wording, it still remains somewhat ambiguous, particularly the first paragraph of the policy which states that major development "shall…contribute to the improvement of local air quality". It should be made abundantly clear within the policy that this does not mean major developments need to demonstrate they are 'air quality neutral'. This still could have the unintended consequence that, where a development has even a slight negative change to air quality, it could be refused. To reiterate however, that alongside requirements for electric vehicle charging points should be measures to ensure security of supply and sufficient capacity from National Grid and local distribution networks, to support the promotion of, and increased reliance on, electric vehicles. Vistry nonetheless supports the overall principle of the policy and strongly endorses adopting measures to minimise harm to air quality in the area. This will include

imbedding measures in the design of the site that will encourage people to walk and cycle to local facilities and services, reducing the need to travel by car.

5.0 Conclusion

5.1 In conclusion, the Fareham Borough Council draft Local Plan 2037 in its current form is not sound for the reasons set out in this representation. The principal reason the plan is not considered sound and not positively prepared following the abandonment of the SMAHN published by the Government for consultation in August 2020. The Council should instead utilise the adopted methodology as set out by the PPG which indicates a local need of 514 units per annum.

5.2 A reconsideration of the housing numbers upwards to reflect the adopted housing method, the actual sub regional housing shortfall and the historic under delivery in the Borough resulting in affordability issues would allow FBC to plan positively for good growth to positively meet its housing needs. Owing to the significant changes to the Plan this necessitates we would urge the Council to undertake a further round of consultation on a revised plan reflective of housing needs as set out in the PPG. This approach will significantly reduce the risk of The Plan being found unsound at EiP.

5.3 The land at Pinks Hill represents a suitable, achievable and available site, ready for allocation in a revised plan to meet the Council's actual housing need. The site has historically been proposed for allocation, and even on the latest Council Evidence, the site is considered 'suitable' for development due to its sustainable location and in accordance with the Council's chosen strategy. The site can provide new housing supply early in the plan period, within the first 5 years of the plan, which will help mitigate any potential delays to the delivery of larger sites such as but not limited to Welborne. The site should therefore be reallocated for development to help meet the evidenced housing need in the Borough. Vistry look forward to working with the Council to bring forward the site development.

Representations towards the Fareham Borough Draft Local Plan 2036 Publication Draft (Regulation 19) Consultation on Behalf of Persimmon Homes (South Coast)

December 2020

PERSIMMON
Together we make a home

1. Introduction

Persimmon welcomes the opportunity to comment on the Fareham Draft Local Plan 2036 (DLP) Publication (Regulation 19) consultation.

This letter is set out in sections as summarised below:

- Section 2 sets out our response to Duty to Cooperate issues
- Section 3 sets out our policy specific responses
- Section 4 sets out our response in relation to Omission Sites

2. Duty to Cooperate

The Duty to Cooperate places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters, including housing.

Planning Practice Guidance recommends that authorities should produce, maintain, and update one or more Statement(s) of Common Ground, throughout the plan-making process. The Council has unilaterally produced a 'Statement of Compliance with the Duty to Co-operate' which sets out how the Council claims to have addressed the duty to cooperate, including in relation to addressing the unmet housing need of its neighbouring authorities. This is not an agreed Statement. It is noted that there is little to no explanation within the Statement as to what cross boundary discussions have taken place since the Council has significantly altered its approach with regards to housing need (as detailed below). In Persimmon's view, this information is absent because neighbouring authorities, in particular Portsmouth and Gosport, will not be supportive of Fareham's approach.

As mentioned above, the Council's Regulation 19 consultation document is significantly different from the Regulation 18 draft in terms of its approach to housing. This is largely as a result of it applying the lower Local Housing Need (LHN) as derived from the Government's proposed new Standard Methodology, which has not been approved. The Regulation 18 version of the Plan included a number of Strategic Growth Areas that were identified, in part, to meet the housing needs of neighbouring authorities of Gosport and Portsmouth. These Areas have now been deleted, and do not feature in the Publication Plan.

The Council's decision to use the new Standard Methodology LHN in order to take advantage of lower housing numbers is premature, and is at odds with the approach being taken by nearly all other Local Planning Authorities developing Local Plans in the sub-region, including Gosport and Portsmouth.

It is understood that the SGAs would met at least 1,000 dwellings from Portsmouth's unmet needs, alongside a proportion of Gosport's (quantum not published). However, the Publication Plan suggests that unmet need accommodated by the Plan will only equate to 847 dwellings. By Fareham choosing to use the draft new Standard Methodology and reducing its housing site allocations as well, the scope for the Plan to pick up the housing needs of these neighbouring council areas has been significantly curtailed.

It is Persimmon's view therefore that, given the significant change in approach by Fareham Council, the joint working that it has undertaken on housing issues to date has been fundamentally undermined to a point where it can only be concluded that Council has failed the duty to cooperate.

2. Policy Specific Comments

DEVELOPMENT STRATEGY

Strategic Policy DS1 Development in the Countryside

Policy DS1 provides the policy basis for the delineation of settlement boundaries. In the context of our comments below, notably in relation to not meeting housing need, omission sites and the delineation of Strategic Gaps, the Council should amend the settlement boundaries to allow additional development to come forward.

With regards to the criterion d) of Policy DS1, an allowance for new or replacement building, conversion and/or extension of a school is welcomed. However, the Policy appears to limit re-provision to existing sites shown on the Policies Map. As set out in greater detail in the our response to Policy DS2 and the Omission Site section, discussions are on-going with the Meoncross school to facilitate expansion of the car park and/or playing fields in the short term. The potential relocation of the school to other land within Persimmon's interest at Cuckoo Lane over the longer-term is also being explored. As currently drafted, by strictly limiting development to within an existing educational facility, the Policy would prevent such future improvements and the possible relocation of Meoncross School.

Strategic Policy DS2 Development in Gaps

The Council has commissioned Hampshire County Council to review its Strategic Gaps. The County's methodology for this review is set out in the Technical Review of Areas of Special Landscape Quality and Strategic Gaps (September 2020). This applies 'Primary Measures' (i.e. physical and visual separation) and 'Secondary Measures' (i.e. Green Infrastructure Provision) to define the gaps. We support the inclusion of physical and visual separation as a means of determining the gap boundary, but we see no justification for including the secondary measures as this is outside of the scope of the role of a gap. In any case, Green Infrastructure is an issue that is dealt with separately under Policy NE9 of the draft Plan.

The following commentary on this policy considers each of the Strategic Gaps before comments are made on the content of Policy DS2 itself.

<u>The Fareham-Stubbington Gap</u>

As set out in the recommendations of the Gap Review paper (Chapter 4: Conclusions and Recommendations, Paragraph 10): *'there exists some opportunities for development to be absorbed within the Stubbington-Fareham Strategic Gap, subject to scale and future detailed design, without compromising its Gap function…'* It is surprising then that the Council has not examined this potential in greater details as part of its Publication draft Local Plan, particularly given that the most recent Regulation 18 Local Plan consultation proposed a Strategic Growth Area (SGA) within this gap as a means of accommodating growth.

It is also surprising that the Gap Review Paper does not adequately consider the influence of the Stubbington by-pass on the Fareham-Stubbington Gap. Paragraph 3 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap states that*: 'As the Bypass is currently under construction and its alignment marked out, it is possible to see how it might affect the sense of separation between Fareham and Stubbington.'* The report also states that it is too early to understand the full impact that Stubbington Bypass will have on the landscape character and development pressures of the Gap. This second assertion is contested. Given that the by-pass construction has progressed significantly, and that by-pass proposal has been subject to landscape assessment (including through the ES associated with the application), there is sufficient information available to allow for a robust assessment of the impact of the by-pass on the gap and the landscape to be carried out. A review of the landscape and gap evidence should be carried out prior to submission of the Plan for examination.

There can be no doubt that the by-pass will have a considerable influence on the Fareham-Stubbington Strategic Gap - effectively splitting it two. Once the by-pass is complete, it will form a strong defensible boundary, which will make the difference in the character between areas north and south even more apparent than it is already. This difference in the character requires considered in the Local Plan and its evidence base.

Land to the north of the bypass route is considerably more open in character, with large open fields with limited boundary planting providing prominent views north from the bypass toward the southern urban edge of Fareham, which is well defined by Rowan Way. This area is characterised by a strong sense of tranquillity, and is a much more sensitive landscape that is more befitting of Gap designation in accordance with the Council's own methodology. Land to the south of the bypass, however, comprises considerably more urban influences as demonstrated by existing development along Ranvilles Lane / Titchfield Road, the cemetery south of Oakcroft Land and development around May's Lane / Peak land (including where the urban area of Stubbington protrudes into the gap). This observation is supported by the detailed analysis of gap study area 7a (see Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap, para 8) which states that:

'There exists the potential to ***make modifications to the settlement boundary of North Stubbington: to extend the boundary to run along Oakcroft Lane****, as the isolated field that sits aside Crofton Cemetery, does not protrude into the landscape beyond the current Northern and Western edges of Stubbington. Largely sitting behind a mature line of Poplars also helps this isolated field absorb some development (subject to detail design),* ***without risking the integrity of the Gap, as a whole****.'*
(Persimmon's emphasis)

Paragraph 11, Bullet 2 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review evidence reconfirms the limited role that the area to the north west of Stubbington, south of Oakcroft Lane and east of Ranvilles Lane plays as a gap. The Gap study states that this area has *'the ability to absorb development into the landscape exists, without compromising the integrity of the Gap function'.* The Council will be aware of the planning application within this part of the gap (LPA Application Reference: P/20/0522/FP). This application comprises 209 new homes a considerable area of land to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1. The application is a resubmission of a planning application that addresses technical and design issues raised by the Council previously. It is understood that the application is due to be considered by planning committee in January 2021.

One key consideration when reviewing the boundary of a gap is the consideration that no more land should be included in the gap than is necessary (see adopted Core Strategy Policy CS22, Fareham Borough Council Gap Review 2012 and South Hampshire Strategy 2012). This concept is reiterated in the Gap Review Paper as 'minimum land take'. In light of the above, it is Persimmon's view that the gap evidence should be reconsidered with areas north and south of the by-pass assessed separately to take account of the by-pass. For reasons set out above, and in accordance with the Gap Review methodology, it is considered that a review of the evidence would indicate that the land north of the by-pass should be retained as gap and land to the south should be deleted from the gap designation. Retaining a gap to the north would preserve a c. 800m gap between the by-pass and the southern urban edge of Fareham, which is described in the Gap Review Paper as being *'moderate-large gap'* of a 'good distance' that *'gives the traveller time to experience the countryside after leaving one settlement before joining another.'* Retaining a gap of adequate width in this location is particularly important given the role Peak Lane plays in providing a well utilised north-south link between Stubbington and Fareham.

With regards to land to the east of Stubbington, Paragraph 11, of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review indicates that there is very little opportunity to absorb development in this corridor but that advanced planting along the eastern edge of the settlement would be beneficial. Persimmon Homes have interests in this area (as discussed in detail later in these representations). In summary, the proposals include new residential development, significant new strategic planting and open space along the eastern edge of the site. Discussion are on-going with the

Meoncross School to facilitate expansion of the car park and playing fields in the short term and the potential relocation of the school to other land within Persimmon's interests over the longer-term.

In light of the our comments set out above It is considered that the Fareham-Stubbington Strategic Gap should be redrawn so that land to the south and west of the by-pass is removed from the gap.

Whilst not a gap issue per se, the emerging and previous Local Plans, have tended to avoid allocating any significant growth on the periphery of Stubbington. Sensitively redrawing the gap boundary as suggested above will allow for much needed sustainable development housing to come forward to support the housing aspirations of those wish to live in or remain living in Stubbington.

The Meon Strategic Gap

As touched upon above, the function of a Strategic Gap is to prevent the coalescence of separate settlements. Land to the west of Stubbington is identified as a gap but there is no settlement to the west of the Stubbington that requires protection from coalescence. With regards to Strategic Gap Study Area 6, it is noted that the Gap Review study states that this gap is provided to ensure there is no coalescence between Stubbington and Titchfield along Titchfield Road. Whilst this northern most extent of this study area may serve this purpose, the central and southern parts of the Study Area 6 play no role whatsoever in preventing coalescence. This is recognised in Paragraph 13 of Chapter 4: Strategic Gaps SG 1: The Meon Gap of the Gap Review Study. Nonetheless, the Study recommends that the Gap is retained in this area due to: high levels of tranquillity, its role in providing separation of Portsmouth and Southampton, and to recognise the potential longer-term settlement expansion southwards from Titchfield and South Westwards from Hook. Based on the Council's Gap Review methodology, these are not adequate reasons to include this land within the gap.

A more logical delineation of the gap, which would ensure that no more land than necessary is included within it, could be to end its southernmost extent at Crofton Manor Equestrian Centre where the transition from countryside to urban (as part of Stubbington) becomes apparent. As recognised in the Gap review study, much of the land to the south of the Equestrian Centre is subject to protection under draft Policy DS3 (as discussed below), and ecological constraints which provide adequate protection against inappropriate development in this area. A gap is therefore not necessary.

General Comments on Policy DS2

Notwithstanding our comments above, in our considered view, Policy DS2 is too restrictive. There may be a point within the plan period, for example where the Council is unable to demonstrate a sufficient five year housing land supply, where additional housing may be required over and above those sites identified in the Plan. The Council has persistently struggled to demonstrate a sufficient five year housing land supply in recent years so flexibility in the Policy is required.

As demonstrated through the Council's Regulation 18 draft Plan, a sustainable location for such development may be in the Strategic Gap between Stubbington and Fareham. As such, the Policy should include additional wording to allow for appropriate and sustainable development in the Strategic Gap in such circumstances where housing supply needs to be increased.

The Policy also seeks to prevent development in Strategic Gaps that may significantly affect its 'integrity' and the 'distinctive nature of settlement characters'. This is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. The reference to 'integrity' and the 'distinctive nature of settlement characters' should be deleted from the Policy. The function of a Strategic Gap is to prevent the coalescence of separate settlements, which can be achieved through assessment of the impact of a proposed development on the physical and visual separation of settlements. The other policy criteria are superfluous.

In light of the above, it is considered that the Strategic Policy DS2 - Development in gaps and delineation of the Gap as shown on the draft Policies Map, should be redrawn as set out above. If this is not the case the Policy cannot be said to either justified or effective and is therefore unsound.

Strategic Policy DS3: Landscape

Policy DS3: Landscape identifies a number of Areas of Special Landscape Quality (ASLQ), including the Meon Valley. This is new Policy that does not form part of the adopted Local Plan. The first part of this Policy seeks to significantly restrict development in the Meon valley area. However, considering that the Council has successfully defended the Meon Valley area from a number of hostile planning applications in the recent past without this Policy in place, the justification for it is questionable. Given the prohibitive nature of Policy DS3, the development potential of Site 5 (Cuckoo Lane) for housing and new school provision, will unlikely be realised unless the site is allocated for development in the Local Plan and/or the site is excluded from the Meon Valley ASLQ designation.

HOUSING POLICIES

Strategic Policy H1 Housing Provision

As mentioned in the Duty to Co-operate section above, the Council is applying the Government's former draft Standard Methodology to arrive at its LHN (403 dpa) as opposed to the current Standard Methodology (514 dpa). The draft Standard Methodology is not Government Policy, it is only a consultation draft. The Government has recently (16th December 2020) released revised LHN figures that indicate that the Council's baseline LHN will increase to 514dpa. This increase LHN to exactly the same figure as per the current Standard Methodology. This newly published data clearly undermines the Councils premature decision to use the lower LHN figure. It is also noted that when the current and new LHN figures for Gosport and Southampton are considered both Councils are facing an increase in LHN of 106 dpa and 315 dpa, respectively. This is significant as both of these Authorities may need to look to Fareham to accommodate unmet housing needs. This will place even greater pressure on Fareham Borough Council to increase its housing requirement set out in Policy H1. For completeness, Portsmouth's LHN remains unchanged between the two data sets.

Notwithstanding, our concerns that the Council has failed the legal test with regards to the duty to cooperate, Policy H1 cannot be assumed to be sound as undershoots current and emerging LHN. The Plan cannot therefore be considered consistent with national policy and it is not positively prepared. Should the Council seek to amend its housing requirement (for example using the current Standard Methodology) and make consequential changes to its supply sites, re-consultation on a revised Regulation 19 Plan will be necessary.

Policy H1 includes an estimated 1,224 windfall dwellings. The Council's Housing Windfall Projections Background Paper (June 2020) does not provide a detailed breakdown of which sites are being considered as windfall. The Council's figures cannot therefore be scrutinised. Until such time as the Council publishes this detail underpinning the windfall allowance, this element of the supply should not be counted towards the Council's housing requirement.

The Policy also looks to implement a stepped housing requirement, which backloads housing delivery towards the latter part of the Plan period. This approach is at odds with the NPPF's objective to boost the supply of housing and appears not be justified by the expected rate of delivery of sites as site out in the summary housing trajectory in Appendix B of the Plan. For example, in the first period (2021/22 and 2025/26) the Council proposes a requirement of 2,250 dwellings (averaging 450 dwellings per annum). However its housing trajectory suggests that 3,085 dwellings will be delivered, which is equivalent to 617dpa. As such, Policy H1 should be expressed as an average requirement; it should not be stepped.

The Policy also sets out that approximately 428 homes will be delivered on specified brownfield sites and/or regeneration opportunities in Fareham Town Centre. In some cases deliverability, viability availability (i.e. in existing use) is not assured (notably sites FTC2-5). Whilst Local Plans should be aspiration, they should also be deliverable. Allied to above, a further 1,327 homes are identified on Housing Allocation sites (i.e. allocation prefixed with a HA reference). However, a number of these sites are rolled forward allocations from the current adopted Local Plan, and in some cases (i.e. HA29 and HA30) are site that formed part of the Western Wards growth are that were originally identified

in the 1970's, but have failed to be delivered. As such, it is questionable whether the Council has properly assessed deliverability / developability of some of the sites comprising its supply. It is advisable therefore that the quantum of housing expected from some of the questionable supply sites should not be counted against the housing requirement in the Plan, and alternative sites (such as those set out in the Omission Sites section) should be identified to ensure the Council's housing requirements are met. In additional to the above, the deliverability issues associated with Welborne are well documented. Recently it is understood that due to delays in the site coming forward, the Council has lost external funding to deliver critical highway improvement works. This further underscores the challenges associated with this site. The Council would be well advised to take a highly cautious approach when seeking to include housing supply from Welborne. The draft Plan currently includes 4,020 dwellings as part of the housing supply. In light of the above, this figure is considered to be highly optimistic and should be revised downwards.

Notwithstanding, our concerns regarding the Council's choice of LHN, this figure should be regarded as the starting point for developing the Plan's housing requirement. Councils are advised through national planning policy/ guidance to consider whether any adjustments should be made to the LHN figure to account for other factors such as economic growth (which appears to be absent from the Plan) and unmet need from neighbouring authorities (as discussed above). With regards to affordable housing, the Council commissioned a Housing Needs Survey as part of its previous Regulation 18consultation draft Plan in 2017. At the time, the Survey suggested that there is a net affordable housing need of 302 dpa (i.e. nearly ¾ of the overall annual requirement). Whilst the Standard Methodology accounts for affordability (or lack thereof in Fareham's case), actual affordable housing need indicates that a further uplift to its LHN may be necessary.

Policy HP4 Five-Year Housing Land Supply

Policy HP4 states that development 'may be' permitted where a development meet all the criteria in policy HP4. The Policy should be reworded to positively state that a development *'will be'* permitted if it meets the policy criteria. When determining planning applications, the decision maker is required to read the Local Plan as a whole; there is no reason for the Policy to be equivocal on this matter.

With regards to criterion (b) the policy states that a development should be '…integrated with the neighbouring settlement'. Does this mean a physical link between the development and the adjoining settlement or that a development should be integrated in design terms? This needs to be clarified.

Criterion c) seeks to prevent development in strategic gaps that may significantly affect its integrity. As per our comments in respect of Policy DS2, this is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. It is also noted that Policy DS2 sets out different policy requirement with regards to the protection of Strategic Gap (i.e. proposals should not affect the physical and visual separation of settlements). This has the potential to create an internal conflict within the Plan as it is unclear which policy requirements (either HP4 or DS2) would take precedent where the Council unable to demonstrate adequate five year supply. It is suggested therefore that the wording for Criterion c) is deleted or replaced with a cross reference to Policy DS2 (including Permission's suggested amendment to this DS2).

Policy HP5 Provision of Affordable Housing

With respect to the percentages of affordable housing sought at sites, Policy HP5 should include a viability review mechanism to provide flexibility. This will assist with the viability of schemes should there be a fall in market over the lifetime of the Plan and/or in circumstance where unknown development costs are introduced (nitrate mitigation costs associated with the HRA requirements are a case in point having seriously affected the viability of schemes over the past year or so).

As set out in the supporting text to this Policy (paragraph 5.32), the Council publishes on its website the identified affordable housing need by area of the Borough. The Council's website shows considerably different housing need for each area. The affordable tenure mix is therefore too prescriptive and does not reflect the Council's own evidence base. It is advisable therefore that the

Council replaces criteria i-ii with a statement confirming that affordable housing mix and tenure will be negotiated with the Council evidence base set out its webpage used as the starting point.

Further underscoring our concerns with the nature of the tenure mix, the Council should be aware of the potential practical challenges associated such a small percentage of Affordable Home Ownership. The Policy could be interpreted by officer so that Affordable Home Ownership is provided at 10%, which would be a challenge for reasons set out below. Registered Providers are becoming ever specialised with some only dealing with the shared ownership side and others the rented side. Requiring such a small percentage of Affordable Home Ownership products through this Policy may create challenges in terms the viability of tender bids for this type of unit. In addition, Affordable Home Ownership, including shared ownership schemes, have been shown to be an effective means of getting people on the property ladder. As the Council's own evidence shows 10% is considerably below what is actually needed.

The final element of Policy HP5 addresses the market rent of Affordable Rented units, which will be judged as 80% of market rent or the relevant Local Housing Allowance (LHA), whichever is lower. The NPPF only make provision for rent to be set at 80% of market. It does not state that market rents should be benchmarked against LHA. The reference to LHA should be deleted to ensure that HP5 is in conformity with national policy.

It is also noted in Paragraph 5.42 of the supporting text to HP5 that the Council may need review the Affordable Housing Supplementary Planning Document (SPD) to address changes to the affordable housing and mix. SPDs should not be used to review issues that have a direct impact on viability. This should be tested through the Local Plan review process.

Policy HP7 Adaptable and Accessible Dwellings

The PPG sets out a number of tests against which Councils should consider when seeking to introduce M4(2) and M4(3) policies into its Local Plans. The Council's Specialist Housing Background Paper (September 2020) has been produced which shows how the Council claims to have met these tests.

In terms of need, the Background Paper sets out the population with Long Term Health Problem or Disability based on census data. However, this measures population, not households, so should not be assumed to an accurate proxy for need. It should also be noted that some people who state that they may have a Long Term Health Problem or Disability as part of a Census response may not have an illness that would affect mobility and would not therefore not necessarily require M4(2) or M4(3) dwellings. The evidence base should be updated to reflect the above.

With regards to the provision of Category 3 specifically, the Council's evidence of need is weak being based on a national wheelchair usage that may not reflect the level of need in Fareham Borough. Furthermore, with regards to Category 3 affordable housing, from a practical point of view, Registered Providers are less willing to take on wheelchair dwellings as they can be difficult to occupy. If there is no suitable occupier then the unit could be sat empty for a significant period while a suitable occupier is found. During this time the unit is not generating any income, and could have been used to house a family that is in need at the time.

As the Council correctly identifies, a large proportion of older homeowners will seek to remain within their own homes with care provided in situ. Should these owner occupiers need to downsize or relocate they will be able to utilise the equity built up within their dwellings to access products which meet their specific. This may be sheltered or extra care accommodation. Within recent years, as this market has developed, the industry has responded with a number of private sheltered accommodation schemes approved within Fareham. In this context, the Local Plan also looks to facilitate the delivery of specialist housing through Policy HP8 and through specific housing allocations made in the Plan (HA42 – HA43). The Background Paper does not appear to have factored in the supply of specialist homes that may come forward be on allocated sites and windfall sites permissible under Policy HP8.

With regards to the second test relating to location of specialist housing, as set out HP8, this type of accommodation is best located in accessible locations. Given the mobility challenges which some older people face, town and district centres, with their conveniently located services such as shops and health facilities, are ideal locations for older persons housing. Fareham town centre is a highly accessible location where a significant quantum of flatted housing is proposed with the benefit of a reduced affordable housing policy requirement. District Centres are also highly accessible locations where there is a potential for older persons housing could be delivered. The Council should therefore consider restricting this Policy requirement to areas of high accessibility.

Policy HP9 Self Build and Custom Homes

Policy HP9 sets out a policy requirement for 10% of all units on sites over 40 dwellings to provide plots for sale to address local self or custom build need. It is noted, however, that at Paragraph 5.8 of the Council's Self and Custom Build Housing Background Paper (September 2020) it is stated that that the Council has met its past and future self-build requirements – this has been achieved without the need for a specific policy. It is also noted that the adopted Welborne Plan requires some 1% of its housing to be for self / custom build. Set against the current identified need of 35 net plots it would seem excessive to require a policy to further increase self / custom build supply. This could result in significant over provision of a product for which there is no clear market demand. In light of the above, the justification for Policy HP9 is therefore questionable. The policy does include provision for plot to be developed for non-self-build ,should they not be taken up, however, this Local Plan has made no assessment about the extent to which this would affect cash flow and the viability of developments. It is Persimmon's view therefore that this Policy should be deleted.

Notwithstanding our overarching concerns regarding the justification for this policy, there are a number of practical considerations that the Plan fails to adequately acknowledge. Criterion a) for example, sets out that self or custom build plots should be serviced. The Policy needs to clarify what is meant by 'serviced'. Does serviced this relate highway access, gas, water, electricity and/or broadband, and to which point should the plots be serviced? Turning to criterion c) it is not clear who would be responsible for setting out the design parameters. Placing a requirement to conform to set parameters could put off some prospective self / custom builders. The requirement to provide self and custom build plots may also have a number of practical and management issue, such as:

- Phasing and completion of the wider site.
- Section 106 contributions due to the exemption that applies to self-build housing.
- Delivery of housing in accordance with paragraph 59 of the NPPF to boost significantly housing supply, where supply on an ad hoc basic by self-builders is likely to be slow compared with the remainder of the site or even not take place at all.
- The reserve matters period running out and needing to be extended.
- Ad-hoc builders turning up outside specified hours of work.
- Storage of materials as there is limited room on plot and storage spills onto the market housing part of the site.
- Purchasers having to stop building due to unemployment/lack of funds.
- Purchaser dissatisfaction where building continues on a site which was expected to finish when they moved in.

<u>CLIMATE CHANGE</u>

Strategic Policy CC1 Climate Change

This Policy states that the 'Council will promote mitigation and adaptation to climate change through…' It is unclear whether the criteria will be sought as part of development proposals, or whether the criteria relate to development delivered by the Council. This requires clarification. If it is the former, the Policy should make clear that the criteria are not requirements but should only be met where it is possible to do so.

Policy CC2 Managing Flood Risk and Sustainable Drainage Systems

Policy CC2 requires all developments to be designed in accordance with the CIRIA C753 SuDs Manual or equivalent national or local guidance. The SuDS manual is, however, only guidance. In Persimmon's experience, strict adherence to the guidance can be problematic as the design of a SUDS system also need to consider design, aesthetics, engineering etc. It is recommended therefore that the wording for this bullet point is prefixed with 'Where possible,' to provide the necessary flexibility.

NATURAL ENVIRONMENT

Policy NE2 Biodiversity Net Gain

Policy NE2 sets out a requirement for site to deliver 10% net gain for biodiversity. The Local Plan viability assessment assumes a cost of £500 per dwelling. This development cost is based on limited evidence and seems low, particularly for greenfield sites (as opposed to brownfield equivalents) which are likely to require significant more extensive measures to achieve a 10% net gain. In many cases, the requirement to achieve BNG is likely to negatively impact on the developable area, resulting in a loss of revenue that negatively impacts on viability, rather than be a cost associated with each individual units per se. In Persimmon's view, the viability evidence to support the introduction of this Policy is inadequate. As mentioned above, meeting BNG at 10% can require considerable land take; on some sites Persimmon has been involved in, BNG has required around 50% of the gross site area. It is not clear whether or to what extend the Council has factored in this 'land hungry' BNG requirement as part of its housing allocations capacity estimates. It is also noted that BNG should be achieved across a site, it is not a requirement to be met at the individual plot level (although this might form part of the BNG solution). As such, supporting text Paragraph 32 is misleading and should be deleted.

Policy NE4 Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent

This is new Policy which sets out Fareham's policy approach to dealing with excessive nutrient (nitrate) loading on protected European sites of ecological importance. However, the Policy is light on detail with insufficient guidance as to how applicants will be able to demonstrate conformity. Given Persimmon's significant experience in dealing with such matters, the Company is aware of how this Policy can be implemented in practice, but for less informed developers/applicants this may be more challenging.

Notwithstanding the above, the Company is aware that the primary means of determining whether a development proposal will be able to demonstrate nutrient neutrality is by producing a nutrient budget using the Natural England Methodology. Given that the Natural England Methodology provides a key evidence base and is fundamental to the implementation of Policy NE4, it is critical that this document is examined in detailed alongside the Local Plan. Of particularly concern is that Natural England's Methodology includes a number of onerous stages that result in significantly more mitigation being required than is actually necessary. These provisions include, but are not limited to, housing occupancy rates, internal migration (particularly those households that are occupying new affordable housing) and default permit levels. Furthermore, despite many of steps set out Natural England Methodology taking a precautionary approach to nitrate assessment, an arbitrary buffer of 20% increase in nitrate loading is added at the end of the calculator. This buffer is not required and will further exacerbate the issue of overproviding mitigation land that is not necessary. Lastly, it is noted that the Partnership for South Hampshire has updated the Integrated Water Management Study (IWMS). The IWMS provides a key evidence base underpinning the nitrate assessment work, but the Natural England Methodology does not take into account this new evidence.

Policy NE5 Solent Wader and Goose Sites

Policy NE5 sets out the Council approach to protecting area which are used by Solent Waders and/or Brent Geese. The Policy makes reference to such area as shown on the Policies Map. These

designations are, however, informed by an interactive GIS map provided on the Solent Bird Aware website, which forms a critical evidence base to the development of Policy NE5. It is therefore concerning that, on the same webpage as the bird habitat GIS mapping, members of the public can download a form to report bird sightings. It is not clear whether or to what extent these reported sighting are authenticated / scrutinised by a qualified ecologist. There appears to be wide scope for land to be incorrectly identified as a bird site leading to unnecessary cost being expended to mitigate site, and in the worst cases complete sterilisation of that land. This is certainly the case with a number of sites that are with Persimmon Homes' interests (as detailed later in these representations). There is a concern therefore that the mapping evidence base underpinning Policy NE5 is flawed.

The Policy also does not set provision with regards to bird surveys. The methodology for bird sites allows sites to be identified as habitat even if they are not actually being used by birds. It would seem logical that the policy makes provision for applicant to undertake ecology survey and assessment of bird sites in order to demonstrate the absence or presence of a species. We would recommend that one year's survey data should be sufficient, with further surveys only required if the some activity has been identified at a site.

The Council will also be aware that it is the Solent Bird Aware mapping (not the Policies Map) that is used by consultees (Natural England and the Council's own in-house ecologist), to determine whether a development will impact on any protected bird habitat areas, to avoid any confusion in the future, and to ensure the Policies Map remains in date, it is suggested the Policy Map deletes these designations.

With regards to the criterion a) 'Core and Primary Support Areas' the Policy requires that development on such sites should result in an overall net gain to the Solent Wader and Brent Geese Network. BNG is a requirement of Policy NE2; the concept for which is established in the NPPF. However, Persimmon are unaware of any such requirement in national policy or the evidence base underpinning this policy, for a net gain for specific species, including protected birds.

Policy NE6 Trees, Woodland and Hedgerows

Point a) of this Policy advises that the 'unnecessary loss' of non-protected trees, hedgerow and woodland should be avoided. It is unclear what 'unnecessary loss' means in practice.

Point b) of the Policy should be a new sentence, and what is meant by the term 'unavoidable' in this context should be clarified.

Policy NE8 Air Quality

Criteria a) of this policy requires electricity charging infrastructure to be provided as part of new development (excluding Welborne). It is unclear why this Policy is not to be applied to Welborne. Presumably this is because of the impact of such provision on viability. Viability issues associated with EV charging provision are, however, not limited to Welborne.

The Local Plan Viability study incudes development cost associated with EV charging as part of £10,000 per plot contingency. Paragraph 5.3.8 of the Study states that, *'it is unclear at stage of writing if or when any of these measures will be required, so [the study takes] a very cautious and conservative approach….'* With regards to the EV charging, Policy NE8 requires such provision; there is no uncertainly as to what is expected of a development proposal. As such, the Viability Study should consider this issue in greater detail and not combine this policy requirement with other unknown cost demands on development. Combining these 'unknowns' a single contingency means that is not possible to scrutinise in detail whether the assumptions made with respect to EV is reliable.

We would highlight that the cost for providing EV charging points is around £500-£600 but this does not include additional costs associated with providing additional sub-stations on lager development sites so that all charging points are capable of being used concurrently (alongside all other energy

demands on a development), and the potential to provide enhanced electricity supply (i.e. off-site upgrades) over and above that required for the units that could challenge a scheme's viability.

As current drafted, this element of the Policy is not justified.

TRANSPORT AND OTHER INFRASTUCTURE

Strategic Policy TIN1 Transport Infrastructure, Policy TIN2 Highway Safety and Road Network and Strategic Policy TIN4: Infrastructure Delivery

These policies concern development contributions to the delivery of new infrastructure. However, it is considered the funding for such infrastructure may, in many instances, be a matter for CIL.

Notwithstanding, the above, if such Infrastructure is a requirement to make the development acceptable in planning terms, then such contribution need to meet the relevant tests set out in the CIL Regulations. It is no longer appropriate for blanket contribution to be sought by planning authorities. The Policy should be clear on this matter.

With specific reference to TIN2 it is unclear why the Council has chosen not to show the alignment of the Stubbington by-pass on the Policies Map given its strategic importance. This Policies map should be updated to show this route.

DESIGN

Policy D1 High Quality Design and Place Making

Policy D1 makes reference to a number of principles of policy and urban design, but also makes reference to guidance contained in the supporting text. For clarity and avoid any confusion over what is policy and what is supporting, text, it is suggested that this cross reference to the supporting text contained in the policy wording is deleted.

The Council should also review the policy to remove any duplication with other policies in the Plan, for example the section relating nature.

Consideration should also be given as whether the policy needs to be so detailed given that the Council has comprehensive guidance on design set out in its adopted Design SPD.

Policy D3: Coordination of Development and Piecemeal Proposal

This Policy seeks to avoid ransom situations. However, The Council will be aware of case law that prevents it from interfering on private property rights with regard to depressing or prevent returns to a landowners.

Policy D4: Water Quality and Resource
The second part of this policy requires developers to meet the Optional Technical Housing Standard for Water Efficiently (i.e. 110L/person/day). Meeting these Standards should be optional, not required. Whilst the Natural England Nutrient Methodology for the Solent area requires development to meet these standards as a means of addressing nitrate loading, there may be instances where nutrient neutrality can be achieved without doing so. The justification for requiring proposals to meet this standard are inadequate.

D5 Space Standards

The housing standards review introduced the optional space standards which local authorities could adopt by way of reference in their local plans. However, a prerequisite to the adoption of the space standards are the following tests set out in the planning practice guidance (Paragraph: 020 Reference ID: 56-020-20150327).

"Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- ***need** – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- ***viability** – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- ***timing** – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.'*

In order to meet the policy test for the inclusion of the space standards there is a requirement for the council to establish the need for the adoption of the national space standard. To this end, the Council has published a Specialist Housing Background Paper (September 2020). Para 6.7 of Background Paper states most dwellings that have been consented or are awaiting determination are consistent with the 2015'Technical housing standards –nationally described space standard. The Background paper, makes references to the larger plots not meeting this standard, with an example being made of site ref 14/19. However, on the whole most dwellings considered in the Council's Background Paper, including large units, are meeting the Optional standards. From a need perceptive, it would seem as though there is little justification for the introduction of this Policy.

In terms of first part of the viability test, the Council's Local Plan Viability Study indicates that development viability would not be negatively impacted by the introduction of the standards. This Study, however, is completed at a relatively high level, which makes it difficult to conclude whether this part of the test has been complied with. With regards to the second part of the test, no assessment has been carried out by the Council to demonstrate that the requirement for new development will not negatively impact affordability within the market.

As set out in paragraph 6.10 of the Background Paper, the Council has decided not to set a transition period for the adoption of the national space standards as it is of the view its introduction would not affect viability. For reasons set out above, we do not concur with this assessment, and suggest that a three year grace period is introduced to allow sites that are under a fixed contract to be brought forward. It is also noted that, the Council are looking to apply the draft policies in this Plan, including the requirement for national space standards prior to the examination or adoption of the plan. This contrary to the approach set out in the planning practice guidance. It is not practical to expect development proposals that are currently being considered to suddenly meet space standards.

In light of the above, Policy DS5 is not justified and should be deleted for reasons of soundness.

Local Plan Appendices

Appendix B set out a summary housing trajectory for the sites identified in the Plan. This is inadequate to properly assess the delivery expectation made by the Council with respect to individual sites. To enable proper scrutiny of the trajectory, the Council's housing trajectory should be broken down by individual sites. This is particularly important because the Council has consistently over-estimated the delivery timescales for key sites. For example, Welborne, which was originally identified in the Core Strategy (2011), was expected to commence delivery in 2014/15. The site has still not achieved an implementable planning persimmon, and commenced of development is still some way off.

4. Omission Sites

The following section provides an overview of the sites in Fareham Borough that are in Persimmon's interests, but have not be identified for allocation. These site are largely located on the periphery Stubbington and are within the ownership of the Dunley Estate. The Table below summarises the Dunley land holdings including capacity. The sites are shown on the enclosed Location Plans provided at Appendix 2.

Site Number	Address	Gross Area Acres (Hectares)	Site Capacity Estimate*
1	Land East of Burnt House Lane	23.53 (9.52)	240 - 320
2	Land West of Peak Lane	46.25 (18.72)	TBC
3	Land North of Titchfield Road	4.83 (1.95)	40 -50
4	Land South of Titchfield Road	2.78 (1.12)	10 - 30
5	Land West of Cuckoo Lane	52.76 (21.35)	150-200
6	Land at Oakcroft Lane	41.04 (16.20)	209
	Total	**171.19 (69.28)**	**649 - 809**

*Based on net developable area, not gross area.

Sites 1-3 and Site 6 fall within the South of Fareham SGA that was identified as part of the most recent Regulation 18 draft Plan. The remaining sites (Sites 4 and 5) are located outside of the SGA. The following section addresses each site in turn.

In support of the Draft Local Plan Regulation 19 Plan, the Council updated its Strategic Housing and Employment Land Availability Assessment (SHELAA) in September 2020. This replaces the previous study which published in December 2019. The conclusion of the SHELAA as related to each of the sites shown in the Table above are considered.

Site 1: Land East of Burnt House Lane

This site is located to the eastern edge of the Stubbington. Persimmon has undertaken some initial capacity testing in relation to Site 1, including an initial highways assessment and masterplanning. The outcome of this work indicates that the site is capable of delivering around 240 to 320 new homes. This accounts for on-site constraints including the provision of a noise attenuation bund, and strategic planting to the eastern and northern boundaries of the site. Adjacent to this site is the Meoncross School, which seeking alternative arrangements for playing pitches close to the school (the existing pitches are currently leased and do not adjoin the school) and additional car parking to avoid parents parking on the nearby residential streets. Persimmon is in discussion with the school about how development at the Burnt House Lane may assist in addressing the school's immediate needs. In the longer term, however, given that the school is unable to expand within its existing site, consideration is being given as to whether the facility could be relocated to the Cuckoo Lane site (Site 5) to the west of Stubbington. Permission are strongly of the view that the site is sustainable and suitable for development and it is capable of being brought forward as a standalone allocation site, or as part of a wider masterplan with the South of Fareham SGA, should the Council seek to revisit this project.

The SHELAA 2019 concluded that Site 1 (SHELAA Ref: 1040) was deliverable housing site. However, in the Council SHELAA 2020 the Council considers the site to be undeliverable due a) to a significant visual impact undermining the integrity of the Strategic Gap, and b) the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The

Council ascribes a capacity of 125 dwellings to the site. It is unclear how the Council has reached the conclusions in the new SHELAA given its assessment of the 2019 SHELAA undertaken just nine months prior. Notwithstanding this, as set in these representations, it is Persimmon's view that the Strategic Gap should be redrawn to exclude this site. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the bird site to development is not unachievable. A strategy of improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 2: Land West of Peak Lane

This site is located to the north of the by-pass and extends across much of the gap towards the urban edge of Fareham in the north. Given its location and context, the development potential of this site is considered to be limited. However, the land could be an effective nitrate mitigation and/or bird protected habitat site that mitigation solution that could be used to address the potential impact development on other sites within Permission interests and/or other sites in the Borough the require mitigation solutions.

Site 3: Land North of Titchfield Road

This site is located to the north-west of Stubbington. Whilst this site formed part of the previous SGA, it is clearly distinct from and separate from it. This site is small scale that is well-contained in landscape terms, surrounded by existing built development and is deliverable in the short-term as stand-alone site that can be brought forward either as part of outside of the SGA masterplanning process should the Council seek to revisit this project. Initial capacity assessments of Site 3 indicates that it is capable of delivering around 40-50 new homes.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3190) was a deliverable housing site. However, in the SHELAA 2020 considers the site to be undeliverable due it being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 20 dwellings to the site. It is unclear how the Council has reached these conclusions regarding the suitability of the site given its assessment of the site undertaken just nine months prior. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the site to development is not unachievable. This approach to improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 4: Land South of Titchfield Road

This small site is located to the north-west of Stubbington. It bounded to the north-east and north-west by existing housing fronting Titchfield Road and the Crofton Equestrian Centre. The site's relationship with the wider Meon Valley landscape is limited by the woodland to the south of the site. The woodland to the south and its associated watercourse (which is also within Dunley Estate ownership) is recognised as an important ecological resource. Sensitive site design, however, could provide a means of ensuring the ecological interests at this adjoining site are protected and enhanced. Initial site capacity assessment indicated that the site is capable of delivering between c. 10-30 new homes. Were the Council minded to allocate the site for residential development, it could provide an important contribution towards its small-medium site housing allowance as required by Paragraph 68 of the NPPF.

Site 5: Land West of Cuckoo Lane

This site adjoins the settlement boundary of Stubbington to its north-eastern boundary. It is characterised by a substantial arable field that is well-contained in the north by the built form of Stubbington and substantial woodland. Initial capacity testing of this site, which has allowed for a substantial ecological buffer to the woodland, strategic planting to contain the site from the wider Meon Valley, land for a new school and new parkland further south, indicates that it is capable of delivering around 150-200 new homes.

This site is assessed in the SHELAA as being undeliverable due to being located within a *'highly sensitive landscape (based on the Fareham Landscape Assessment) and within an Area of Special Landscape Quality. Significant ecological constraints associated with the adjacent SPA/SSSI affect the suitability of the site.'* The SHELAA ascribes a capacity of 240 dwellings to the site. Whilst the ecological and landscape challenges associated with this site are recognised, they are not insurmountable. Although not a consideration for the SHELAA per se, the site provides the opportunity to deliver substantial ecological and recreation benefits, alongside community benefits, including new education provision and allotments.

Site 6: Land at Oakcroft Lane

Similar to Sites 1 and 3, the Oakcroft Lane site can be delivered outside of or as part of the SGA process (should the Council revisit this project). However, as demonstrated through the planning application, the site is deliverable now as a standalone development site. Technical issues associated with the development have been resolved and Persimmon are currently awaiting determination of the application by the Council. The site is capable of delivering 209 new homes alongside a considerable area of space to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3141) was a deliverable housing site. However, in the SHELAA 2020 the Council considers the site to be undeliverable due to the site to be undeliverable due to the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 200 dwellings to the site. It is unclear how the Council has reached these conclusions given its assessment of the site undertaken just nine months prior, and considering the site-specific mitigation strategy for protected birds has the support of Natural England and the Council's ecologist via the planning application process.

Appendix 1: Oakcroft Lane Site Layout

Rev	Date	Revision Details	Dr	Ch
E	22.04.20	Bypass junction amended	br	db
D	25.02.20	see planning cover note	br	db
C	05.11.19	see planning cover note	br	db
B	20.09.19	see planning cover note	br	db
A	22.07.19	see planning cover note dated 23 July	br	db

PERSIMMON
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Job Title
Oakcroft Lane, Stubbington

Drawing Title
Site Layout

Job No	Drawing No	Rev
220	A-02-015-SL	E
Drawn	Checked	Date
BR	DB	March '19

Scale
1:1000 @ A1 / 1:2000 @ A3

metres 20 40 60 80 100

Status
PLANNING

Persimmon Homes. No dimensions to be scaled from drawing except for the puposes of Planning Applications. The contractor should check all dimensions on site. It is the contractors responsibility to ensure compliance with Building Regulations. No drawings should be copied or modified without permission from Persimmon Homes.

File Location: s:\south coast\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Appendix 2 Omission Site Location Plans

Site 1 Location Plan: Burnt House Lane, Stubbington

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Site 2 Location Plan: West of Peak Lane, Stubbington

TEAM GB

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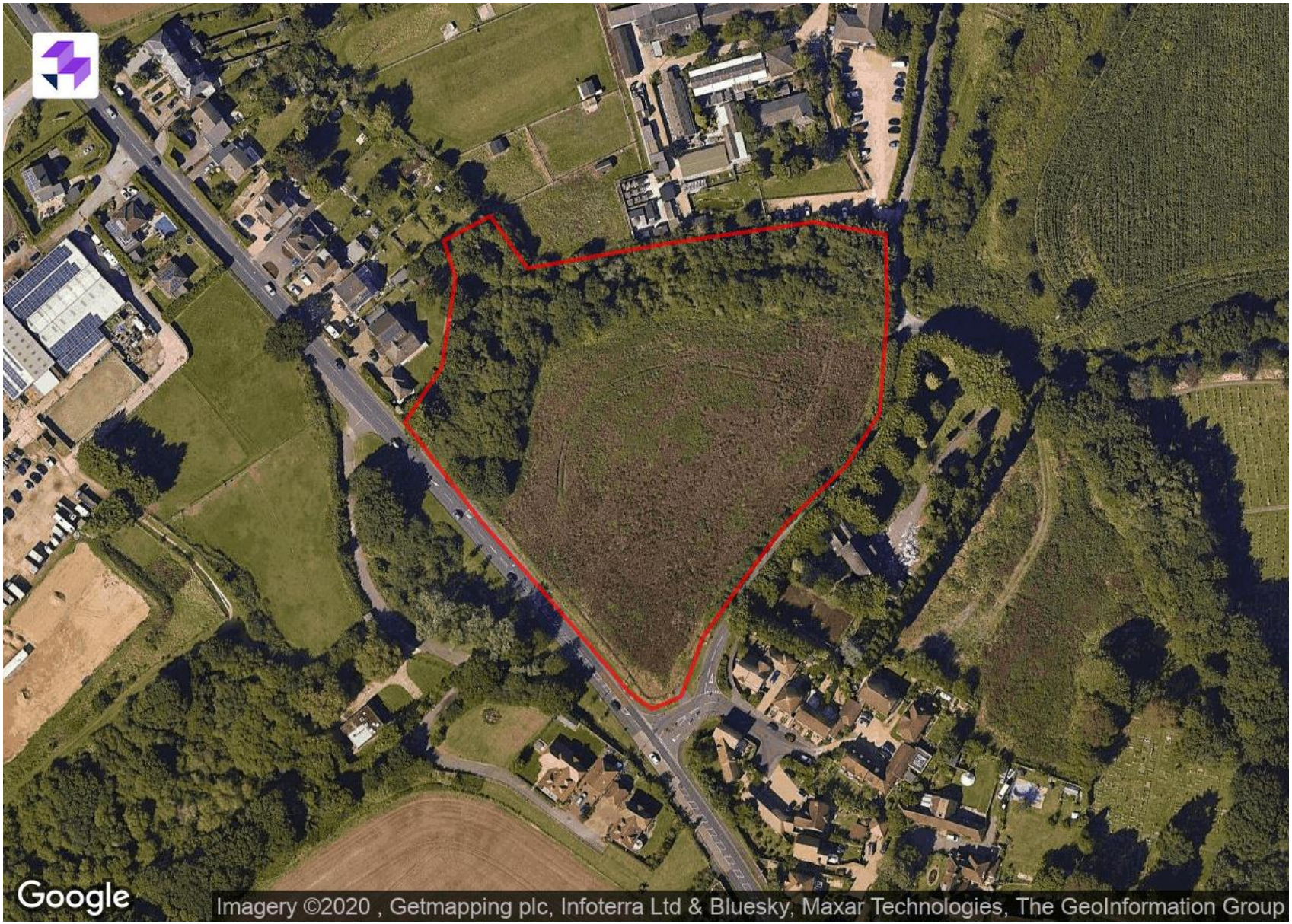

Site 3 Location Plan: North of Titchfield Road, Stubbington

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Site 4 Location Plan: South of Titchfield Road, Stubbington

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Site 5 Location Plan: West of Cuckoo Lane, Stubbington

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OFFICIAL PARTNER

Rev	Date	Revision Details	Dr	Ch
A	22.07.19	see planning cover note dated 23 July	br	db

PERSIMMON
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Job Title
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Drawing Title
Site Layout

Job No	Drawing No	Rev
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File Location: s:\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Representations | Amy Robjohns

1811-291310

Respondent details:

Title:	Ms
First Name:	Amy
Last Name:	Robjohns
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: 5.1

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Building on SINCs is not ok or justifiable. SINCs should be incorporated into the local plan. Also, the current plans to deal with the negative impacts of recreational disturbance on the Solent's SPAs is not good enough and is not working. Surely Fareham, and indeed the rest of the Solent, must pause house building (like it did recently due to other issues impacting the area) until a better solution is found. The disturbance levels in the Solent's SPAs is recognised as being high and yet very little is being done to reduce this. This results in negative impacts to the birds who are the reason why these designated areas exist. This summer the key tern roosts in the summer were abandoned due to very high levels of disturbance and it seems to get worse every year. At hill head / Brownwich area, disturbance is bad all year round but the beaches are important all year round for migrating, wintering & breeding birds. BirdAware along is not and will not work. Please stop throwing money at a scheme which isn't solving the problem just to tick boxes. Education is important, but so too is forcing people to comply and leave the beaches free for birds whose lives depend on them. They loose lots of energy each time they are disturbed and it takes hours (or days) to regain that lost energy. Sometimes they don't regain it. This can impact on their ability to migrate, breed and ultimately to survive. Everything about the management of Fareham's beaches is wrongly about people (even your website still says nothing about the SPAs and simply tells people where they can swim...). The new posters at hill head & Meonshore also aren't being as effective as hoped. There is still high levels of disturbance. This needs to change. Even if what's currently happening regarding disturbance is "legal", it shouldn't be, and given the negative impact disturbance has on these sites, it really ought to lead to more action, putting wildlife first at long last. Indeed, action is supposed to be taken to stop activities negatively impacting SPAs. Increasing numbers of houses will bring more people & dogs and thus make the problem worse. In Fareham, the local beaches already can't cope with the sheer number of people either. There is not enough parking (too many cars & poor buses) do the local roads are a nightmare. There is not enough space for more parking spaces.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

More real action to reduce recreational disturbance on the Solent's SPAs. BirdAware along is not working. "Migration" in the form of money isn't working.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

If disturbance to the SPAs is significantly reduced, then the SPAs will at last be doing their job of protecting species. BirdAware's plan isn't even to reduce current levels of disturbance which is very worrying

Your suggested revised wording of any policy or text:

N/a

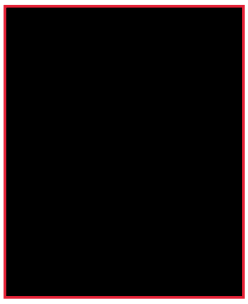
If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Date: 18 December 2020
Our ref: 333521
Your ref: N/A

Planning Strategy Team
Fareham Borough Council

BY EMAIL ONLY



Dear Sir/Madam,

Regulation 19 Local Plan Consultation (6th November – 18th December 2020)

Thank you for your consultation dated 06 November 2020 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the Council's approach to achieving sustainable development through its Local Plan, particularly through its suite of Natural Environment policies that include protection of internationally, nationally and locally designated sites, the enhancement of the local ecological network and the requirement for biodiversity net gain.

Our comments on the Regulation 19 Local Plan and supporting Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA) are made below.

Strategic Policy DS1: Development in the Countryside
It is recommended this Policy also requires proposals to ensure compliance with Natural Environment policies, in particular Strategic Policy NE1 and Policy NE2, to ensure impacts on nature conservation interests are properly considered and addressed, and biodiversity net gain is achieved (for applicable development).

With regards to soils, the local plan outlines that 'the benefits of protecting the Best and Most Versatile (BMV) agricultural land are considered against the need for development'. This Policy requires development proposals to demonstrate they 'Conserve and enhance landscapes, sites of biodiversity or geological value and soils'.

The National Planning Policy Framework sets out that:

> 'Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework[1]; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.'
>
> *1 Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.*

It is recommended that this Policy is amended to give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpin our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver. The plan should safeguard the long term capability of BMV agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future.

Where site allocations are sited on BMV land, the Plan should outline a requirement for the protection of soils during construction where possible, referencing the 'Defra Code of practice for the sustainable use of soils on construction sites'.

Strategic Policy DS3: Landscape
Natural England welcomes the proposed designation of eight Areas of Special Landscape Quality within the Borough, and the requirement for development in these areas to meet stringent criteria that seek to protect and enhance landscape.

Strategic Policy CC1: Climate Change
Natural England advise all Local Plans consider climate change adaption and recognise the role of the natural environment to deliver measures to reduce the effects of climate change, for example tree planting to moderate heat island effects. In addition factors which may lead to exacerbate climate change (through more greenhouse gases) should be avoided (e.g. pollution, habitat fragmentation, loss of biodiversity) and the natural environment's resilience to change should be protected. Green Infrastructure and resilient ecological networks play an important role in aiding climate change adaptation.

Natural England welcomes Strategic Policy CC1: Climate Change that promotes mitigation and adaptation to climate change through various methods including the integration of green and blue infrastructure into the design of developments, adopting higher water efficiency standards, the integration of energy efficiency, renewable and low carbon technologies into all development, and reducing reliance on car travel.

Natural England supports the embedding of policy that will deliver measures to increase sustainability of development over the Plan period. This should also include reducing consumption of raw natural resources, sourcing more renewable or 'green' energy, and reducing waste. Consideration should be given to the collection of financial contributions from development to offset residual carbon emissions elsewhere in the Borough. Consideration can also be given to the retrofitting of existing development with technology that improves energy and water efficiency.

It is recommended that Local Plan policy also seeks measures that help natural habitats across the Borough adapt to the effects of climate change. We would encourage you to refer to the Natural England and RSPB Climate Change Adaptation Manual and look at the step by step approach to identifying the climate resilience of habitats that occur in the Borough. Consideration should be given to addressing issues on habitats and protected sites that will be exacerbated by climate change, such as flooding, drought, reduction of water resources etc.- the Manual can also help identify these.

Consideration can be given to delivering specific projects within the Borough. For example, to maximise climate change adaptation and mitigation through the establishment of a Nature Recovery Network (NRN), and the Local Nature Recovery Strategy in which the NRN would sit, to ensure climate change resilience at their core. Such projects could potentially benefit from carbon offsetting contributions from development over the local plan period.

Such an approach could link into other aspects of the Plan such as water and air quality, nutrient mitigation for Solent European designated sites, delivery of biodiversity net gain, natural flood management, and green infrastructure implementation among others. Natural England would be happy to advise further on this aspect.

Policy CC2: Managing Flood Risk and Sustainable Drainage Systems
Natural England welcome this Policy that requires development ensures flood and surface drainage are properly addressed, and that Sustainable Drainage Systems (SuDS) are designed in accordance with CIRIA C753 SuDs Manual, to be as 'natural' as possible.

It is advised that the policy makes clear that where a development drains to a protected site(s), an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection may be required to ensure water quality impacts are avoided.

Where SuDS are proposed serving as mitigation for protected sites, development should ensure that appropriate resources are put in place to ensure their long-term (in perpetuity) monitoring, maintenance/replacement, and funding.

Policy CC3: Coastal Change Management Areas (CCMAs)
Sea level rise and coastal change are inevitable and bring both challenges and opportunities for people and nature. Sustainable coastal management needs to embrace long-term change and achieve positive outcomes for both.

Policy CC3 identifies that the North Solent Shoreline Management Plan (SMP) policy for the majority of Fareham Borough's coastline is 'Hold the Line', and identifies two CCMAs between Hook spit and Meon Shore, with an identified coastal management policy of 'No Active Intervention'. The Policy will ensure that development in these areas will appropriately consider coastal change. It also will ensure replacement coastal defence schemes 'are consistent with the relevant Shoreline Management Plan and that there will be no severe adverse impact on the environment, the English Coast Path, and the rights of way network'.

We would advise that the Local Plan should also help facilitate the relocation of valued environmental assets away from areas of risk.

Strategic Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network
Natural England welcomes this policy that sets out clearly the hierarchy of nature conservation and the requirement for development to 'demonstrate clearly that the mitigation hierarchy has been followed' in terms of avoiding, mitigating or compensating (as a last resort) impacts on biodiversity. Natural England welcomes the Local Ecological Network (LEN) approach that has been included in the local plan.

It is helpful that the LEN and the Council's Green Infrastructure Strategy have been suggested as tools to provide opportunity for enhancements across the Borough. Please read our comments below in relation to Policy NE2 that regards the choosing of suitable opportunities for biodiversity enhancement.

Policy NE2: Biodiversity Net Gain
Natural England is fully supportive of the inclusion in the local plan of a Policy for biodiversity net gain. It is welcomed that the policy refers to the benefits to Borough residents from the ecosystem services that being close to nature provides, and outlines an expectation that offsite net gain must be sought as close to the development as possible. However in some instances this may be difficult, and Natural England recommends that consideration is given to developing a suite of projects across the LEN that development within the Borough can contribute to thereby ensuring the biodiversity within the Borough is protected and enhanced. For example, partners that manage Local Nature Reserves and Sites of Importance for Natural Conservation in the Borough could submit projects to the local planning authority to enhance the ecological value of these sites. These projects could be funded by development that requires offsite compensation or additional enhancements to achieve biodiversity net gain. This approach can also be used by development with limited opportunities for biodiversity net gain on-site.

The Policy outlines that the Council may prepare and adopt a Supplementary Planning Document (SPD) for Biodiversity Net Gain. Due to the need to ensure net gain is delivered in a suitably

strategic way, and having regard to the timescales of the legislative requirement for net gain and further national guidance, Natural England would support the development of such an SPD and would encourage Policy NE2 to outline this as a clear intention of the Council, in order to provide further guidance and support to aid sustainable development across the borough. Natural England will be happy to advise further to aid the development of such an SPD.

- *Calculating net gain*

Please note that Biodiversity Metric 3.0 is due to be published early 2021, which will supersede Biodiversity Metric 2.0. We advise that the Policy is updated accordingly and that this metric is used to measure gains and losses to biodiversity resulting from development, and implement development plan policies on biodiversity net gain.

Please note that although the Policy includes 'nesting and roosting features' as suggestions for achieving net gain, it is our advice that features such as bird and bat boxes, swift bricks, bee hotels etc should be classed as general biodiversity enhancements that should be included as part of a wider biodiversity enhancement and mitigation plan. Net gain specifically should derive strictly from habitat enhancement and creation, required as calculated using the metric.

- *Wider environmental gains*

The reference to seeking wider environmental gains, for example to address water/air quality, flooding, climate change etc. is welcomed. Opportunities for environmental gains, including nature based solutions to help adapt to climate chance, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g. by sowing wild flower strips, changing cutting regime of open spaces and road verges*) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g. a hedgerow or stone wall or clearing away an eyesore)
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats

*Please see this paper regarding cost-effective and low-maintenance management for species-rich grassland on road verges and the value it can contribute to biodiversity and ecosystem services.

Please note that Natural England and Defra are developing an Environmental Net Gain/metric for Natural Capital Net Gain that can be used in conjunction with the Biodiversity Metric (but not instead of). Further information will be available in 2021.

- *Monitoring of net gain*

Your plan should include requirements to monitor biodiversity net gain. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

LPAs should work with local partners, including the Local Environmental Record Centre and wildlife trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations and providing as much up front information on monitoring will help to streamline the project stage.

Policy NE3: Recreational Disturbance on the Solent Special Protection Areas (SPAs)

Natural England welcome this policy that will require new residential development to address in-combination effects on the Solent SPAs via recreational disturbance. It is recommended the Policy also outlines that other types of development (such as new hotels, student accommodation, care homes etc.) may also need to address recreational disturbance impacts, both alone and in-combination. Such development should be assessed on a case by case basis.

Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
Natural England welcome this policy that will require new development that propose a net increase in overnight accommodation to address in-combination effects on the Solent designated sites via eutrophication from nutrients in wastewater.

Policy NE5: Solent Wader and Brent Goose Sites
Natural England welcome this policy that will require development to address effects on sites identified by the Solent Wader and Brent Goose Strategy (SWBGS) which serve as functionally linked land to the Solent SPAs.

It is recommended that the following wording within the Policy "*Sites which are used by Solent Waders and/or Brent Geese (as shown on the Policies map)*" is amended to read "*Sites which are used by Solent Waders and/or Brent Geese (as identified within the most up to date version of the Solent Wader and Brent Goose Strategy)*" to take account of any changes to sites and their distribution across the Borough, as these updates can be implemented at irregular times. Any further references to the Policies map should be similarly amended to refer to the SWBGS mapping.

Core Areas – due to their essential function within the SWBG network, it is advised these sites are identified for protection by the Policy. Any development that would result in impacts to a Core Area will need to be carefully assessed on a case-by-case basis. There are limited options where the function of a Core site can be fully replicated elsewhere in terms of its suitability and appropriate locality; where such land is available, an assessment of replicability will need to be undertaken through discussions with Natural England and the Local Planning Authority.

Financial contributions – it is welcomed that the Policy outlines that financial contributions proposed as mitigation will be used for the management and enhancement of an 'agreed suitable identified site for Solent Waders and Brent Geese'. Such proposals should demonstrate how such funds will be used to enhance, manage and monitor sites within the wider Solent Waders and Brent Geese network, in perpetuity. It is suggested that the Council works with relevant partners/stakeholders, including cross-boundary partnerships, to develop a strategic project(s), such as a bird reserve, and/or list of projects to enhance, manage and monitor the wider Solent wader and brent goose ecological network, to which contributions can be directed.

Policy NE6: Trees, Woodland and Hedgerows
Natural England welcomes this Policy that seeks to protect and enhance trees, woodland and hedgerows within the Borough. It is recommended that this Policy requires development proposals that affect ancient woodland, ancient trees and veteran trees, to ensure they are in line with standing advice published by Natural England and the Forestry Commission.

Policy NE8: Air Quality
It is welcomed that the Policy recognises that 'poor levels of air quality can also lead to environmental issues'. The Policy includes a need for planning applications to consider if they will have a 'potential adverse effect on biodiversity, especially where it would affect sites designated for their biodiversity value'.

The Policy outlines that the Local Plan HRA concludes the Plan 'would not have a likely significant effect on the internationally important habitats and species present in the area'. As this issue has

been considered within the HRA appropriate assessment, the wording here should be amended to use the correct terminology under the Habitats Regulations, i.e. the HRA concludes the Plan will not result in an 'adverse effect on integrity' (the term 'likely significant effect' is used at the screening stage of the HRA). See further comments on air quality below in regards to the Local Plan HRA.

Policy NE9: Green Infrastructure
Natural England welcomes this Policy that seeks to fully integrate green infrastructure (GI) into development and maximise opportunities to connect to the wider environment. The provision of enhanced green infrastructure and sites of nature conservation value can not only help address some of the mental and physical health problems that are experienced in the Borough's population, but can also benefit society in other ways including improvements to local air and water quality, reducing the risk of flooding, alleviating noise levels and aiding climate change adaptation.

Policy NE10: Protection and Provision of Open Space
This Policy references protection of public rights of way. Natural England advises that the Policy should also seek to secure enhancement of public rights of way and National Trails, as outlined in paragraph 98 of the NPPF. Recognition should be given to the value of rights of way and access to the natural environment in relation to health and wellbeing and links to the wider green infrastructure network. It is welcomed the plan seeks new access opportunities; it should seek to link existing rights of way where possible. The plan should avoid building on open space of public value as outlined in paragraph 97 of the NPPF.

It is welcomed that the Policy makes provision for appropriate quantity and quality of green space to meet identified local needs (as outlined in paragraph 96 of the NPPF) based on Natural England's work on Accessible Natural Greenspace Standard (ANGSt) in assessing the level of accessible natural greenspace; it is also welcomed that it recognises development may be required to 'provide more open space above what is required by the standards to make the development more acceptable'.

Policy D1: High Quality Design and Place Making
Natural England welcomes this Policy that requires the design of developments to integrate existing and new habitats and biodiversity within a coherent and well managed, connected structure. It is advised that landscaping of developments and open spaces seeks to use appropriate native and locally sourced species as far as possible to cater for local wildlife.

Policy D4: Water Quality and Resources
Natural England welcome this policy that seeks to conserve water and improve its quality.

Southern Water's Water Resources Management Plan (WRMP) 2019, that covers the planning period 2020-2070, projects a significant supply demand deficit during periods of drought in the Western Area, and commits to implementing a long term water resources scheme to restore the supply demand balance whilst avoiding and/or mitigating impacts on European sites, including the River Itchen SAC.

It is Natural England's advice that in advance of any permitting of such a suitable long term scheme, uncertainty remains with regards to water resources and the impacts of abstraction on protected sites.

Although it is welcomed that Policy D4 requires a water consumption for new dwellings of no more than 110 litres per person per day, Natural England strongly recommend all new development within the Southern Water supply area adopt a higher standard of water efficiency of 100 litres/per person/day, including external water use and re-use, in line with Southern Water's Target 100 demand reduction programme which is committed to within their WRMP19. Natural England also recommends that the Policy encourages the wise use of water in conjunction with the water companies, for example by developments incorporating grey water recycling systems and efficient appliances

Please see Natural England advice above in relation to Policies NE4 and Policy CC2 with regards to nutrients and surface water treatment via SuDS.

Neighbourhood Plans
Currently there are no Neighbourhood Plans in the Borough, but the Local Plan provides a 'strategic evidence base' which will inform any future Neighbourhood Plans.

It is recommended that any future Neighbourhood Plans which allocate housing should also identify spaces for environmental enhancement, for the purpose of offsetting environmental impacts, e.g. through the designation of Local Green Spaces. Such a local approach could give communities more ownership over such green spaces and provide a more strategic route to addressing common environmental impacts from development in that area, such as air and water pollution, habitat and species loss and increased carbon emissions, and could deliver biodiversity net gain and nutrient offsetting.

Such spaces could include the development of community orchards and play areas, woodlands and nature reserves, and serve a variety of functions that benefit both nature and the local community, for example providing benefits to health and wellbeing, offsetting nutrient discharges from allocated development and providing further scope for carbon sequestration.

Specific comments on Housing Allocation Policies

- HA9 - Heath Road (70 dwellings)

It is acknowledged this allocation site has resolution to grant permission for 70 dwellings. It is recommended this Policy includes the requirement to secure an appropriate level of offsite compensation to address the loss of secondary woodland on site which may in parts qualify as lowland mixed deciduous woodland habitat.

- HA29 - Land East of Church Road (20 dwellings)

Much of this site shows as Lowland Mixed Deciduous Woodland priority habitat on the Ecological Network mapping for Hampshire. Part of the site is designated as a Site of Importance for Nature Conservation (SINC) according to the Policy map. The Policy outlines a requirement for ecological mitigation for the site-specific construction and operational impacts of a development proposal. It is advised the Policy outlines a requirement to secure an appropriate level of offsite compensation to address any loss of priority habitat on site to ensure compliance with Policy NE1.

- HA31 - Hammond Industrial Estate (64 bed care home)

The Policy should ensure the impact of nutrients in wastewater is addressed to ensure compliance with Policy NE4.

- HA37 - Former Locks Heath Filling Station (30 dwellings)

This site is adjacent to an area of Lowland Mixed Deciduous Woodland priority habitat as shown on the Ecological Network mapping. The Policy should ensure that impacts on priority habitats and protected species are taken into account and appropriately addressed.

- HA38 – 68 Titchfield Park Road (9 dwellings)

The site is adjacent to Sylvan Glade SINC, much of which is ancient semi-natural woodland. The Policy should ensure compliance with standing advice on ancient woodland, ancient trees and veteran trees and that impacts on the SINC and protected species are appropriately addressed.

- HA42 - Land South of Cams Alders (60 sheltered housing)

This allocation site is located on 'Fort Fareham Grassland' SINC that supports woodland and meadow communities. It also lies adjacent to Fort Fareham SINC known for supporting wet woodland communities.

As previously advised in our response to the Supplement to the Reg 18 Local Plan (letter dated 23rd April 2020), allocations and development proposals should ensure they engage the mitigation

hierarchy, where impacts on designated ecological sites/features should first be avoided, and where not possible, adequately mitigated. Where this is not possible, any loss of priority habitat should be appropriately compensated. All residual ecological impacts will need to be addressed before any net gain for biodiversity can be achieved.

Natural England recommends that where loss of SINC habitat cannot be avoided, the policy should make clear how requirements set out within the NPPF, NERC Act 2006 and Local Plan Natural Environment policies will be met. It is advised an appropriate level of offsite compensation should be required to address any loss of priority habitat on site to ensure compliance with Policy NE1 .

- E4: Solent 2 (Employment - 23,500 sq. metres)

This employment allocation is located on Whiteley Meadow - Plot 2184 SINC and Ashley Wood, Fareham SINC. The Hampshire Ecological Network Mapping dataset shows much of this area as Lowland Mixed Deciduous Woodland, a priority habitat listed as required under Section 41 of the Natural Environmental and Rural Communities Act 2006. The site is also situated adjacent to the Gull Coppice (South-West Remnant) SINC which comprises ancient semi-natural woodland.

It is acknowledged that this site is an existing allocation within the adopted Fareham Local Plan Part 2 (2015).The current Policy outlines a requirement for this development to protect existing woodland and avoid habitat severance, and appropriate mitigation and compensation for any loss of protected trees. However, it is our view that a significant area of habitat, including mature woodland, is likely to be lost as a result of development. The Policy should ensure that it is compliant with Strategic Policy NE1 with regards to impacts on the local ecological network in this locality. In line with existing national and local policy and legislation, it is Natural England's advice that the mitigation hierarchy of avoid, mitigate and lastly compensate is employed where considering impacts on these habitats, particularly those designated as SINC. Measures should be sought to protect and enhance the local ecological network. Where impacts cannot be avoided or adequately mitigated, a comprehensive compensation package should be required that addresses the loss of all priority habitat on site (rather than just specifying protected trees), that seeks to enhance and connect habitat in the locality.

Comments on the HRA

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the Local Plan in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

We have the following comments on the HRA:

- *Recreational disturbance – New Forest designated sites*

The Local Plan HRA screening assessment outlines that although the Borough falls within the 25km buffer of the New Forest designated sites (via a straight line), the minimum actual travel distance by car is of approximately 30km travel distance (via the M27). In comparison to the number of visits from residents closer to the New Forest, the assessment states 'visits to the New Forest SAC/SPA/Ramsar associated with increased housing development in Fareham Borough contribute a significantly lower proportion of overall visits to the designated sites and it is not considered likely that significant effects associated with recreational disturbance from Fareham housing development would arise'. The HRA screens this impact pathway out from an appropriate assessment on this basis.

It is understood Footprint Ecology are currently conducting further analysis on several aspects of their latest visitor surveys. This analysis will assist the definition of a robust catchment area for recreational impacts. It will help in the preparation of a strategic, cross-boundary approach with neighbouring competent authorities to deliver habitat mitigation for the New Forest SPA/SAC/Ramsar. This work is due to be completed shortly and will provide a useful update to the evidence base against which such impacts from new development from surrounding local authority areas can be assessed.

Therefore, whilst acknowledging that the level of additional impacts from new residents is known to significantly decrease with distance from the New Forest designated sites, Natural England consider at this time there remains some uncertainty with regard to the evidence confirming the level of additional impacts from new residents of Fareham local plan development. We therefore advise this issue is taken forward to the appropriate assessment stage where further work may be carried out to ascertain the level of impacts as accurately as possible.

Where impacts are identified, suitable and proportionate mitigation should be proposed; we recommend the Council works with the New Forest National Park Authority and the other partner authorities to develop a strategic approach to addressing recreational impacts from new development on the New Forest designated sites. Such an approach should include developer contributions towards the New Forest National Park Authority's Habitat Mitigation Scheme to enable the authority to deliver site specific mitigation measures on behalf of applicants.

Natural England will be happy to provide further advice to the Council on this aspect as the evidence base develops.

- *Air quality*

The Local Plan is supported by an Air Quality Habitats Regulations Assessment (Ricardo, Sept 2020). The conclusions drawn in the Local Plan HRA in regards to air quality impacts are based on those drawn within the Ricardo report. Natural England concurs with the conclusions drawn in the report.

The Ricardo report suggests that the Council regularly reviews the Defra airborne NOx forecast levels. This is welcomed as a way to ensure any changes in forecasting and potential consequential changes to conclusions drawn in the report for this pollutant can be appropriately reviewed and addressed during the local plan period.

- *Water quality – nutrients*

The HRA calculates a nitrogen budget for the local plan of 2536.99 kgTN/yr. Appendix III of the HRA outlines various mitigation schemes that can be utilised or progressed as a means to ensure nutrient neutrality can be delivered by new development.

The HRA states within its Summary of Findings that the sites Chichester and Langstone Harbours SPA/Ramsar, Portsmouth Harbour SPA/Ramsar and Solent and Dorset Coast SPA are screened out of an appropriate assessment in relation to water pollution impacts. Much of development within Fareham borough is served by Peel Common wastewater treatment works (WwTW), which is a coastal WwTW that discharges effluent several kilometres out into the Solent. It is our advice that long-shore outfall pipes are likely to have shifted and widened the distribution of nitrogen loading within the effluent across the Solent SAC and SPAs. It is important to recognise the loading from Peel Common WwTW contributes to a number of estuaries and catchments within the Solent (including Portsmouth Harbour, Langstone Harbour, Chichester Harbour, River Meon, Wootton Creek and the Medina Estuary catchments). It is therefore Natural England's view that, because of this wide distribution of nitrogen loading, all designated sites should be screened in.

- *Other comments on the HRA*

Section 7.7.3 – this paragraph refers to the 'SAC' although it is relating to Portsmouth Harbour SPA and Ramsar.

Comments on the SA

We are broadly satisfied that the objectives and indicators within the Sustainability Appraisal cover our key interests, and welcome the identification of the need to conserve and enhance biodiversity, landscape character, and to reduce pollution. We also welcome the need to address minimise the

effects of climate change, and to minimise impacts on best and most versatile agricultural land. Please see some more specific comments below.

- SA5: To Minimise Carbon Emissions and Promote Adaptation to Climate Change

This SA objective to address the effects of climate change is welcomed. It is suggested a further monitoring parameter(s) is included to monitor the implementation of new GI/habitat that can seek to alleviate the pressures of climate change on species and the ecological network whilst also providing other benefits as described further in our advice above; e.g. percentage of new GI/ extent of priority habitat within the ecological network.

- SA7: To Conserve and Enhance Biodiversity

We advise that this SA objective also seeks to conserve and enhance geodiversity within the Borough, in line with national planning policy.

The SA outlines the Plan 'is predicted to lead to negative impacts to ecological receptors in the short to medium term, but many of these impacts are capable of being mitigated. Long-term effects are likely to be both positive and negative, and highly site-specific'. It is acknowledged these effects can be avoided/mitigated by the implementation of several policies including NE1, NE3, NE4 and NE5. It is advised Local Plan Policy requires relevant development to carry out site-level Habitats Regulations Assessments in order to ensure impacts on European sites are suitably addressed.

It is also suggested that further monitoring parameters are incorporated to ensure impacts on internationally, nationally and locally designated sites are monitored throughout the Plan period, e.g. via the number, extent and condition of sites designated for nature conservation. We would advise the use of a green infrastructure standard as an indicator, such as Natural England's Accessible Natural Greenspace Standard (ANGSt). Parameters for measuring the implementation of net gain should be introduced, see further above for our advice on net gain monitoring.

We would be very happy to comment further as the plan process progresses. If you have any queries relating to the detail in this letter please contact me on [redacted].

Yours faithfully

Rebecca Aziz
Sustainable Development Senior Advisor
Thames Solent Area Team

Technical Note

Site:	HA2
Client:	Bargate Homes and Miller Homes
Job Number:	A097690-2
File Location:	I:\Projects\Projects 097000 on\A097690-2 Newgate Lane East\REPORTS

Introduction

This Technical Note has been prepared to provide support in relation to Ecology to representations to the Fareham Borough Local Plan for the former strategic housing allocation HA2 Newgate Lane South.

This comprises the following three sites within the Strategic Housing and Employment Land Availability Assessment (SHELAA) prepared by Fareham Borough Council:

- Copps Field, Newgate Lane, Peel Common (3028);
- Land East of Newgate Lane, Peel Common (3057); and
- Land East of Newgate Lane East, Peel Common (3002).

The SHELAA includes comments in relation to Ecology and reasons for discounting the sites. For all three sites, the Ecology comments include the following:

> *"The site is a Brent Geese and Solent Waders 'Low Use' site. All such sites have the potential to support the existing network and provide alternative options and resilience for the future network. Therefore proportionate mitigation, off-setting and/or enhancement measures will be required. Natural England should be consulted."*

For Copps Field, it is also stated that:

> *"The hedgerows on site should be retained and protected by a planted buffer. Due to the presence of suitable habitats on site, it is likely that reptiles, Badgers, Water Voles, amphibians, Dormice and bats are present on site."*

For Land East of Newgate Lane it is stated that there is:

> *"Potential for badger, bat, reptile and green sandpiper."*

All three sites share the same reasons for discounting, one of which relates to Ecology. This states that:

> *"Site is designated as a Brent Geese and Solent Waders Low Use site and there is no evidence of a strategy compliant solution."*

Proposed Sites

Land East of Newgate Lane East, Peel Common (3002)

Land East of Newgate Lane East is currently the subject of an outline planning application P/19/1260/OA. As part of this application, a Wader and Brent Goose Mitigation Strategy has been devised by WYG and submitted to Fareham Borough Council and assessed as part of a Report to Inform Habitats Regulations Assessment Stage 1 and Stage 2 prepared on behalf of the applicants. This involves the creation of a mitigation area at Land West of Old Street, Stubbington and is designed to deliver mitigation for a further two sites currently the subject of appeals (Land at Newgate Lane North and Land at Newgate Lane South).

Although this has not yet been formally assessed by Fareham Borough Council through their Appropriate Assessment for P/19/1260/OA, the strategy has been reviewed by the Council's Ecologist for the two appeal sites and is agreed as part of the relevant Statements of Common Ground. Therefore, it is reasonable to conclude that this represents a 'strategy compliant solution' and as such this should not represent a reason to discount the site.

Copps Field (3028) and Land East of Newgate Lane (3057)

These two sites are not covered by the mitigation strategy discussed above, however; the presence of this strategy demonstrates that there are suitable opportunities to deliver mitigation.

The reasons for discounting refer to a 'strategy compliant solution', this in relation to the Solent Waders and Brent Goose Strategy (SWBGS). Under the SWBGS, mitigation for the loss of Low Use sites (such F15 which is covered by HA2) comprises compensatory funding to be used to maintain and enhance the network. The intention of this approach is for funding to be managed by the Local Authority to support schemes across the network, including within neighbouring authorities. In Fareham Borough, there is no scheme or schemes towards which the authority can direct this funding. Where no strategic approach is available, then it is necessary for a suitable mitigation solution to be provided by the applicant. This is confirmed by Natural England's written statement in respect of the above appeals. According to Policy NE5 of the Fareham Local Plan for Low Use sites:

> *"For development proposals of all kinds, proportionate mitigation, enhancement and/or offsetting will be required. Measures should avoid and/or adequately mitigate the impact of development on site in the first instance. However, where it is demonstrated that this is not practical or feasible, off-site options and / or a financial contribution for mitigation should be considered."*

In the case of each of these sites, on site mitigation is not possible (as any areas of open space retained would be unsuitable for waders and brent geese due to the reduces size and proximity of new development). Therefore, a suitable off-site mitigation solution, such as that proposed for Land East of Newgate Lane East, would be policy compliant. In addition to a scheme such as this, we are also aware of other opportunities for mitigation which are likely to be practical during the new plan period. Following discussions with Hampshire and Isle of Wight Wildlife Trust and Hampshire County Council, both bodies are in the process of identifying suitable sites which could be funded by mitigation payments under Policy NE5. Hampshire County Council already own large areas of suitable land within the wader and brent goose network, and the Wildlife Trust are considering acquiring land in a similar manner to their approach to providing mitigation for nitrogen outputs.

Policy NE5 is taken into account as mitigation within the Fareham Local Plan HRA prepared by Urban Edge Consultants which concludes that there will be no adverse effect on the integrity of the Solent and Southampton Water SPA or Portsmouth Harbour SPA (alone or in combination) as a result of site specific impacts (which includes loss of SWBGS sites). It can therefore be concluded that provided any development of these two sites is compliant with Policy NE5 (which it must be in order to be granted consent) there will be no impact on the integrity of the associated European sites or the wader and brent goose network. Given the presence of this policy, it is unreasonable to dismiss the sites on these grounds, or to require detailed mitigation at the plan stage (when Policy NE5 provides sufficient security).

It should also be noted that two proposed allocations within the Local Plan (employment allocations 3113 Farady Business Park and 3114 Swordfish Business Park) are incorrectly stated to have no constraints within the SHELAA. In fact, both these sites lie within a Low Use site (F13) and would also result in an adverse effect. Neither allocation is supported by a site-specific or detailed mitigation strategy and in the Local Plan HRA it is stated that mitigation for these allocations will be meeting the requirements of Policy NE5. On the grounds of consistency, either these two allocations should also be discounted, or a requirement to comply with Policy NE5 should be acceptable for all sites which affect Low Use sites.

Local Plan Policies

As requested, a review has also been undertaken of the proposed Natural Environment policies within the Local Plan relevant to our area of expertise. This includes Policies NE1 – NE5. These are summarised below along with a brief commentary in relation to the HA2 sites.

Policy	Description	Comments
NE1	Protection of Nature Conservation, Biodiversity and the Local Ecological Network	This policy relates to the protection of designated sites which is included within previous plans. It adds protection of the Ecological Network. The Local Ecological Network Map identifies 3028 as a 'Network Opportunity', which means it has been identified as an area which could be improved or managed to achieve measured biodiversity net gain (see NE2). None of the sites within HA2 comprise statutory or non-statutory designated sites.
NE2	Biodiversity Net Gain	This requires 10% gains in biodiversity for all sites and is in line with forthcoming government requirements. It is likely that this requirement can be achieved for HA2 (it has been demonstrated for 3002 in the submission) as a whole.
NE3	Recreational Disturbance on the Solent Special Protection Areas (SPAs)	This policy requires a financial contribution to mitigate recreational disturbance and is consistent with previous local plan policy.

NE4	Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent.	This requires the production of nutrient budgets and delivery of suitable mitigation to make sure that developments result in a net reduction in nitrogen outputs.
NE5	Solent Wader and Brent Goose Sites	Discussed above, this policy requires mitigation where there will be impacts on the wader and brent goose network. Mitigation is proposed for 3002 and suitable mitigation in compliance with NE5 will be required for 3028 and 3057 at the application stage. In Para 9.74, it states that *'off-site options and / or a financial contribution'* are suitable for mitigation, however it then only goes on to discuss financial contributions. In the absence of clear identification of where contributions will be applied, the policy wording should be make it clearer that bespoke mitigation solutions which do not result in such payments are also acceptable (where they satisfy the requirements of the Habitats Regulations).

[redacted]

David West CEnv MCIEEM

Associate Ecologist

The countryside charity
Hampshire

[redacted]

Working locally and nationally for a beautiful
and living countryside

15th December 2020

FAO: planningpolicy@fareham.gov.uk

Fareham Local Plan 2037 Publication
Regulation 19 Consultation

Dear Sirs,

Please find attached comments from CPRE Hampshire regarding the Regulation 19 Fareham Local Plan 2037 consultation.

Firstly, a general point; CPRE Hampshire is extremely pleased to see that Fareham BC have approached their new Local Plan from a landscape-based perspective, a process which we wholly support. Furthermore, we fully endorse Fareham BC's inclusion of a Climate Change policy, which must underpin all other policies and spatial planning.

Furthermore, we are pleased to see that Fareham have adopted housing numbers based on the latest available housing projections from the ONS, the 2018-based projections, which show a considerable reduction in estimated local need.

However, we remain disappointed that there seems to be no mention of a potential new South Hampshire **Green Belt** in the Reg 19 consultation. In an earlier consultation by Fareham BC in July 2019, there were a number of mentions of this option, notably in Section 10c regarding the Meon Valley, where it said "The Council will also be working with PUSH to consider the potential for greenbelt land across local authority areas, and there could be scope for this area to become part of a South Hampshire greenbelt." As CPRE Hampshire has long campaigned for a sub-regional area of restraint in order to encourage urban regeneration and prevent sprawl, this was very much welcomed. Sadly, this does not seem to have been included in the Reg 19 document, and we consider its exclusion to be a significant wasted opportunity, as the NPPF allows local authorities to designate Green Belt as part of the Local Plan process. It has been agreed that the PfSH authorities are to consider a new Green Belt as part of their forthcoming Statement of Common Ground and we would have hoped to see Fareham BC leading the way.

CPRE Hampshire has completed Response forms for individual policies which are attached below this letter, but in summary our headline comments are as follows:

Development Strategy

Strategic Policy DS1 Development in the Countryside: CPRE Hampshire agrees with these principles but notes that a South Hampshire Green Belt could aid considerably in achieving these goals.

Strategic Policy DS2 Strategic Gaps: We note the decision to re-define strategic gaps (the Meon and Fareham-Stubbington gaps) and suggest that a new Green Belt could achieve this. An area could easily be defined to encompass the Meon Valley, which could link to an area of larger Green Belt to the north of the Borough in Winchester District.

Strategic Policy DS3 Areas of Special Landscape Quality: CPRE Hampshire agree with Fareham BC's analysis of the Borough's varied landscapes and supports any intention to define them as Areas of Special Landscape Quality, illustrated in Figure 3.3. However, CPRE Hampshire suggests that some of these could be further protected if they also formed part of a wider South Hampshire Green Belt, in particular the Upper Hamble Valley, the Meon Valley, the Forest of Bere and Portsdown Hill.

Climate Change

Strategic Policy CC1 Climate Change: CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. The aspirations in Policy CC1 are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. We consider that this is a missed opportunity. However, we feel that Criterion a) does not go far enough. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes "Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle." It must be a fundamental tenet of the Fareham Local Plan that NO development should be permitted that relies on the car as its main means of access.

Nothing less than a drastic change to spatial strategy and a move away from South Hampshire's historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture. The adoption of a South Hampshire Green Belt would assist this by encouraging urban redevelopment, and preventing sprawl into the countryside where modal change to walking, cycling and public transport is very much more difficult to achieve.

Housing

Policy H1 Housing: CPRE Hampshire recognises that the current guidance from MHCLG requires the calculation of local housing need (LHN) based on figures from the 2014-based household projections, although a recent MHCLG consultation suggested a new methodology. Whatever the methodology, CPRE Hampshire supports Fareham BC in using the most up-to-date household figures based on the 2018-based projections. We also welcome the removal of Policy HA2 from the Reg 19 Local Plan.

Policy HA1 Warsash: CPRE Hampshire does not believe that the proposed development around Warsash can be consider truly sustainable, reliant as it is on the car as the main means of transport. We are concerned about the lack of a masterplan and believe the proposed framework does not fulfil a place making function.

Policy HP4 Five-Year Housing Land Supply: CPRE Hampshire has significant concerns about the unintended consequences of this policy, specifically its linkage with DS1, and believe that it may lead to site selection looking outside the Urban Area in the first instance.

Policy HP6 Exception Sites: The potentially inadvertent use of the word OR in Criterion c) could allow significantly large exception sites to be allowed, as long as they remain below the threshold of 5% of the size of the adjacent settlement. There should be a fixed upper limit.

Natural Environment

Strategic Policy NE1 Protection of Nature Conservation, Biodiversity and the Local Ecological Network: CPRE Hampshire supports the use of ecological network mapping to conserve nature and protect biodiversity and as a tool for influencing spatial planning.

Policy NE2 Biodiversity Net Gain: CPRE Hampshire supports the requirements for 10% biodiversity net gain on all development.

Policy NE4 Water Quality effects on the SPAs, SACs and Ramsar sites of the Solent: CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse the proposed policy until the legal issues have been resolved.

Policy NE6 Trees, Woodlands and Hedgerows: CPRE Hampshire agrees with any policy that supports the preservation or enhancement of trees, woodlands and hedgerows.

Policy NE8 Air Quality: CPRE Hampshire supports the requirements for air quality improvement but considers more could be achieved if development were only to be permitted in locations around mass public transport hubs, rather than being car dependent.

Policy NE9 Green Infrastructure: CPRE Hampshire agrees that green infrastructure is important to the wider ecological network and to the health and wellbeing of residents but suggests that it would be better protected in perpetuity were it to be formalised as part of a new Green Belt.

Transport and Other Infrastructure

Strategic Policy TIN1 Sustainable Transport: CPRE Hampshire recognises that Fareham BC aspire to have 'good growth' with existing and proposed transport corridors influencing choice of development, but we feel the policy does not go far enough. The Council should feel empowered to reject development which is not already located around, or can provide, public mass transit hubs, in particular the rail network.

The principles of development and transport as set out in the Transport for New Homes checklist should be followed - https://www.transportfornewhomes.org.uk/the-project/checklist-for-new-housing-developments/.

Design

Strategic Policy D1 High Quality Design and Placemaking: The design quality of future developments starts with overall masterplanning and landscape context as well as specific building details. Fareham has seen a proliferation of poorly designed car dependant nondescript developments over recent years, and it is critical that major improvements are made for the future.

Yours faithfully,

Caroline Dibden

Vice-President
CPRE Hampshire

The countryside charity
Hampshire

A1 Is an Agent appointed:

No, an agent is not appointed

A2 Please provide your details below:

Title:	**Mrs**
First Name:	**Caroline**
Last Name:	**Dibden**
Job Title:	**Vice-President**
Organisation:	**CPRE Hampshire, the countryside charity**
Address:	[redacted]
Telephone:	[redacted]
Email Address:	[redacted]

POLICY DS1: Development in the Countryside

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.29 – 3.36

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS1: Development in the Countryside

B1c Which part of the Policies Map?

Areas of Special Landscape Quality and Strategic Gaps

a) East of Welborne,
b) the Strategic Gap along the Meon, and
c) to the north-west of the borough.

2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire STRONGLY SUPPORTS the overall approach taken by Fareham BC in the Fareham Local Plan 2037 for a spatial strategy based on countryside, which is justified as it is in accordance with the aspirations as set out in the NPPF for development to be brownfield first, and for countryside to be protected for its intrinsic value and beauty, and for protection of Best and Most Versatile agricultural land. It is also supported by the Government's 25-year Environment Plan and for the recommendations as set out by the Climate Change Committee.

Furthermore, CPRE Hampshire SUPPORTS the Vision for the Fareham Local Plan 2037 which states that Fareham BC seek to retain its identity, and the identity of individual settlements within the Borough, through measures that seek to retain the valued landscapes and settlement definition.

We also SUPPORT Strategic Priority 2 which seeks to maximise development in the urban area and away from the wider countryside, valued landscapes and those of special quality and spaces that contribute to settlement definition.

CPRE Hampshire believes that the Vision and Strategic Priority 2 would both be better achieved if a new Green Belt was designated, due to its permanence and effectiveness. We submitted to Fareham BC and to PfSH a report by NEF Consulting on the potential socio-economic and environmental benefits of a Green Belt: https://www.cprehampshire.org.uk/our-campaigns/south-hampshire-green-belt/. This demonstrates the considerable financial benefits as well as to health and wellbeing, climate change and natural capital of protecting the green space near to population centres, in perpetuity, something that only Green Belt is designed to achieve.

Looking at the specific policy wording, CPRE Hampshire believes that criterion (e) of **Policy DS1** is unsound, specifically in the way it permits development in the countryside that is compliant with Policies **HP4, HP5 and HP6**. Permissions that might be compliant with these polices appear to be in direct contradiction with the other criteria in **Policy DS1**, and the policy is therefore internally inconsistent.

HP4 relates to the Five Year Housing Supply (5YHLS) and allows residential development outside the urban area boundary where the Council is unable to demonstrate a 5YHLS. It is believed that the Government intends to remove 5YHLS test in the planning reforms, so this policy may be redundant and should be reworded to future proof its deletion. However, that notwithstanding, the main problem is that the wording of Policy HP4 and its linkage with **DS1** could unintentionally lead to countryside locations taking priority over alternative, more sustainable, urban or brownfield locations.

HP5 relates to the provision of affordable housing on sites of 10 or more, and its linkage to **DS1** could unintentionally suggest that Fareham BC accepts in principle the development of ANY affordable housing site outside the urban area boundary. The risk is that the linkage could potentially enable large scale housing development in the countryside as long as it could be demonstrated that 40% affordable housing would be achieved.

HP6 relates to small rural affordable housing exception sites, and whilst CPRE Hampshire supports the provision of rural affordable housing, the concern is that the linkage with **DS1** could inadvertently lead to a series of separate applications which in combination amount to significant levels of development in the countryside. The cumulative impact on the separation of settlements resulting from a number of sites each individually sub- 1 hectare or <5% of the adjacent settlement must be considered, but at the moment the policy has no mechanism for dealing with this potential eventuality. See separate comments on **Policy HP6** as regards the use of the word *OR*.

CPRE Hampshire SUPPORTS criteria i) to v) of **Policy DS1** and believe they provide a sound underpinning of the principles aspired to by Fareham BC.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Fareham BC should look at the areal extent of a possible South Hampshire Green Belt as part of this Local Plan, as it has been confirmed by Leader Cllr Woodward that they wish to see such a designation to protect the countryside and gaps.

Remove the linkage of **Policies HP4, HP5 and HP6** with **Policy DS1**.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Including a proposed South Hampshire Green Belt would be in accordance with the aspirations as set out by the Council in council meetings, PfSH meetings and in press releases.

Removing the linkage of **Policies HP4, HP5 and HP6** with **Policy DS1** would remove the internal inconsistency by removing the possibility of inadvertent development in the countryside.

B4c Your suggested revised wording of any policy or text:

Remove the linkage of **Policies HP4, HP5 and HP6** from Policy **S1 (e).**

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for Local Plans to take the countryside into account when devising spatial development strategy, and we would like to appear at the Hearings to support Fareham BC in choosing this approach. Our expertise lies in spatial strategy and reconciling development requirements with the environmental constraints of countryside, and its uses and purposes.

POLICY DS2: Development in Strategic Gaps

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.43 to 3.46, Para 3.10

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS2: Development in Strategic Gaps

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC to designate strategic gaps between Fareham / Stubbington and the Western Wards (Meon Gap) and between Fareham / Bridgemary and Stubbington / Lee-on-the-Solent (Fareham- Stubbington Strategic Gap). However, a study carried out on behalf of CPRE Hampshire in January 2019, by consultants West Waddy, showed that historically strategic gaps in South Hampshire have failed to adequately prevent coalescence of settlements. This report was shared with Fareham BC as a member of the Partnership for South Hampshire, and can be submitted as part of our evidence on this matter to the examination hearings.

"An Assessment of the Effectiveness of Settlement Gap Policies in South Hampshire in preventing Urban Sprawl & the Coalescence of Settlements" – January 2019, West Waddy.

The conclusions show that through appeals and permissions the gaps designated in South Hampshire (including Fareham) have been significantly reduced over time, and are thus an ineffective policy and thus unsound. Para 3.10 confirms that this has been the case in Fareham.

The findings of this report show that "In the national context, South Hampshire is fairly unique among the large urban areas in England in having no designated Green Belt, with reliance instead being placed upon Gaps designated in Local Plans to prevent the coalescence of settlements."

Furthermore "given the major urban extensions currently being proposed and the past history of erosion of Gaps through subsequent permissions being granted, a strong argument can be made that the current Gap policies across the sub-region are failing in their remit to prevent coalescence and sprawl, which is ultimately likely to lead to currently separate settlements forming one large South Hampshire conurbation and expanding out into the adjoining areas of countryside. The exceptional circumstances therefore exist to demonstrate that a new stronger policy backed by explicit Government advice is needed to prevent this happening and the tool for this is a Green Belt, which is already in use around most large urban areas in England. South Hampshire is the exception in having no such designation."

CPRE Hampshire has submitted to Fareham BC and to PfSH a report by NEF Consulting on the potential socio-economic and environmental benefits of a Green Belt: https://www.cprehampshire.org.uk/our-campaigns/south-hampshire-green-belt/

Notwithstanding the above comments regarding a new Green Belt, CPRE Hampshire SUPPORTS the removal of the earlier proposed Strategic Growth Area SGA, previously entitled HA2 (in the Reg 18 consultation version) from the now proposed Fareham-Stubbington Strategic Gap. The previous inclusion of the SGA was clearly subject to objections by neighbouring Gosport BC, which would have undermined any Duty to Co-operate and thus soundness. It was also objected to by many CPRE members and is therefore of concern to us.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Fareham BC should look at the areal extent of a possible South Hampshire Green Belt as part of this Local Plan, as it has been confirmed by Leader Cllr Woodward that they wish to see such a designation to protect the gaps between settlements.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Including a proposed South Hampshire Green Belt would be in accordance with the aspirations as set out by the Council in council meetings, PfSH meetings and in press releases, and would lead to a much more rigorous policy to prevent coalescence which is Fareham BC's stated aim.

A need for a South Hampshire Green Belt was confirmed by Cllr Woodward in the Fareham BC Executive Committee at 6pm on Monday 7th December 2020. Its omission from the Reg 19 Local Plan consultation is thus not in accordance from the council's own publicly announced policy.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for a new South Hampshire Green Belt, and we would like to appear at the Hearings to further explain our justification and why Fareham merits the exceptional circumstances required to designate a new Green Belt. We have a petition which has been signed by nearly 15,000 people asking Fareham BC (alongside Eastleigh BC, Winchester CC and Test Valley BC) to designate a Green Belt as part of its Local Plan process.

POLICY DS3: Landscape

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.48 to 3.58

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS3: Landscape

B1c Which part of the Policies Map?

All Areas of Special Landscape Quality

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE fully SUPPORTS the approach taken by Fareham BC in respect of analysing and including Areas of Special Landscape Quality as part of its development strategy and as Strategic Policy S3. This is in accordance with the aspirations outlined in the NPPF to value landscape for its intrinsic character and beauty of the countryside, as outlined in NPPF Para 170 a) and b).

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for Local Plans to take landscape into account when devising spatial development strategy, and we would like to appear at the Hearings to support Fareham BC in choosing this approach. Our expertise lies in spatial strategy and reconciling development requirements with the environmental constraints of, and impacts upon, the wider landscape.

POLICY H1: Housing Provision

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 4.1 to 4.20

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy H1: Housing Provision

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

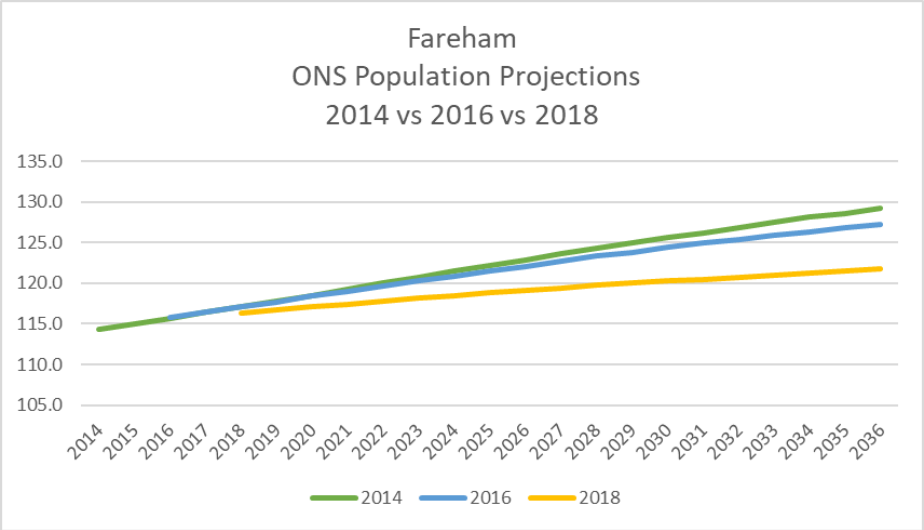
B3 Please provide details you have to support your answers above

The approach taken by Fareham BC to calculating housing need for this Reg 19 version is based upon the MHCLG consultation on a new standard method in August 2020, which showed Fareham's housing need to be lower (403 dpa) than using the previous standard method (514 dpa). CPRE Hampshire SUPPORTS the use of the latest base data on household projections (the 2018-based projections from the ONS) as it conforms with Para 31 of the NPPF "The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals."

As can be seen from the graph below, the most up-to-date population projections (in 000's) for Fareham evidences the trend towards a lower requirement, and this would translate into a lower household projection. The impact of Covid-19, and corresponding economic fallout, on migration patterns will remain unclear for some time, and it is therefore sensible to use a cautious approach to planning and development.

However, for Fareham to agree to take unmet need from Portsmouth is premature, predating as it does the revised statement of common ground from PfSH, and therefore Policy H1 is unsound.

It is also clear that there remains a significant reliance on delivery of housing at Welborne, which is subject to a separate plan. Delays to infrastructure finding at Welborne could have an impact on Fareham's overall strategy for delivery of its housing needs in the plan period.



B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Remove the requirement to take housing from Portsmouth CC.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a recognised authoritative voice on Hampshire's housing numbers, the standard methodology and has been involved in this aspect of Fareham's Local Plans since the time of the South East Plan in 2005, and the formation of PfSH (Partnership for South Hampshire).

CPRE Hampshire is part of an expert group in the National CPRE network on housing numbers, and would like to appear at the hearing sessions to SUPPORT the use of the most up-to-date household projections.

POLICY HA1: North and South of Greenaway Lane, Warsash

B1 Which part of the Local Plan is this representation about?

	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA1 North and South of Greenaway Lane, Warsash

B1c Which part of the Policies Map?

Figure 4.1

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire has significant concerns about the piecemeal development already seen, and proposed, in the Warsash area. Population growth in the 10 years 2009-2019 has reached 9% in Warsash and the western wards, while Fareham itself has only grown by 4%. As Warsash has no access to the rail network, this pattern of development could not be considered sustainable. It therefore fails the soundness tests.

An indicative framework as shown in Figure 4.1, but this does not meet the requirements for a masterplan, and it is not adequate for long-term planning to integrate the various separate sites and applications by a series of different developers. Policy HA1 will fail to meet any government aspirations for placemaking as set out in the NPPF Chapter 12, Paras 124 to 130, and is therefore unsound.

Para 124 of the NPPF states “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

Para 125 of the NPPF states "Design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics." It is apparent from discussion with CPRE Hampshire members that there has not, to date, been any meaningful involvement of local communities.

It is clear that the settlement policy boundaries have been moved to accommodate the applications pending for Warsash. This is not consistent with a plan-led approach but is simply reactive to a developer-led situation, and takes no account of the area's defining features.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

More analysis of the sustainability criteria for the overall development strategy, such as access to public transport is required before sites such as HA1 are confirmed. Has every opportunity for brownfield development around rail networks been ruled out?

Much more consultation with the local community is required before the proposed HA1 framework meets NPPF prerequisites.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has worked for some years with local campaign group Save Warsash and the Western Wards, and a number of our members will be affected by the proposals for such a large allocation of housing to one small settlement. We would like to take part in the hearing sessions to represent their concerns for initial choice of an unsustainable site, loss of countryside and open space in Warsash, and poor design due to lack of a masterplan.

POLICY HP4: Five-year housing land supply

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 5.22 to 5.28

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy HP4: Five-year housing land supply

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

Policy HP4 states "If the Council cannot demonstrate a five-year supply of land for housing against the housing requirement set out in Policy H1, additional housing sites, outside the Urban Area boundary, may be permitted where they meet all of the following criteria….." The problem with this policy is that inadvertently it encourages the first choice of sites to be "outside the Urban Area". CPRE Hampshire is sure that this is not what Fareham BC intends, and in any event it would not be in accordance with the councils own aspirations for a brownfield first approach, nor in accordance with the NPPF Para 137, and is therefore unsound. A sequential approach should be used, even in the event of a lack of a five-year housing land supply.

The problem is exacerbated by the linkage of **Policy HP4** with **Policy DS1**, particularly **DS1 Criterion (e)** as discussed above**.**

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HP4 should be rewritten to include a sequential approach, which "makes as much use as possible of suitable brownfield sites and underutilised land" as per Para 137 (a) of the NPPF.

The linkage of **Policy DS1 (e)** and **Policy HP4** should be removed.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be in accordance with the NPPF.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is part of an expert group in the National CPRE network on housing numbers, and the five-year housing land supply, and would like to appear at the hearing sessions to discuss its impact on the Fareham Reg 19 Local Plan.

POLICY HP6: Exception Sites

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 5.43 to 5.51

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy HP6: Exception sites

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The second part of **Policy HP6, Criterion (c)**, would allow exception sites with a limit of 1 hectare *OR* a proviso that the scheme does not exceed 5% of the size of the adjacent settlement. The problem is the word OR, as this could lead to large sites adjacent to large settlements being permitted as they would still be beneath the 5% cut-off. For example, Fareham town is a large settlement, of some 20,000 households, and so an exception site of up to 5% could itself number 1,000 dwellings. CPRE Hampshire is sure that this is not what was intended by Fareham BC as the aspiration is for small sites on urban boundaries.

The problem is exacerbated by the linkage of **Policy HP6, Criterion (c)**, with **Policy DS1**, particularly **DS1 Criterion (e)** as discussed above**.**

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HP6 should be rewritten to include a sequential approach, which "makes as much use as possible of suitable brownfield sites and underutilised land" as per Para 137 (a) of the NPPF.

Criterion c) should be reworded to remove the reference to *OR* 5% of the size of the adjacent settlement and have a fixed upper limit of what is meant by 'small sites' as identified in the justification text (Para 5.46).

The linkage of **Policy DS1 (e)** and **Policy HP6** should be removed.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Any ambiguity on what a "small site" means would be removed giving clarity for applicants and for FBC.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of affordable housing, such that it is located and designed appropriately, and would like to appear at the hearing sessions to discuss the impact of Policy HP6 on the Fareham Reg 19 Local Plan.

STRATEGIC POLICY CC1: Climate Change

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 8.1 to 8.10

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy CC1: Climate change

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		**NO**
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire generally SUPPORTS the approach taken by Fareham BC to Climate Change. But we believe that **Policy CC1, Criterion (a)** does not go far enough to encourage/enforce a truly sustainable pattern of development and is unlikely to lead to a meaningful reduction of emissions from private car use.

Section 19(1A) of the Planning and Compulsory Purchase Act 2004 requires that a local authority's development plan documents must: (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.

The NPPF Para 148 further includes the requirement that "the planning system should support the transition to a low carbon future in a changing climate", should "shape places in ways that contribute to radical reductions in greenhouse gas emissions" and Footnote 48 "in line with the objectives and provisions of the Climate Change Act 2008."

CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. The aspirations in **Policy CC1** are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. We consider that this is a missed opportunity. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes "Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle." It must be a fundamental tenet of the Fareham Local Plan that NO development should be permitted that relies on the car as its main means of access.

Nothing less than a drastic change to spatial strategy and a move away from South Hampshire's historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture.

Policy CC1 is therefore not legally complaint unless the large part of Fareham's spatial strategy is geared to development around mass public transport hubs and avoiding sites which are car-dependant. It is clear that sites such as Policy HA1 would fail to meet this condition.

CPRE Hampshire recommends the checklist provided by Transport for New Homes, which sets out an objective approach to planning new housing areas without dependence on cars: https://www.transportfornewhomes.org.uk/wp-content/uploads/2019/10/checklist.pdf

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

CPRE Hampshire recommends strengthening **Policy CC1, Criterion (a)** to enable a spatial strategy more likely to meet the requirements set out in Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and the NPPF, by including a requirement for mass public transport hubs to be the first approach for development, and to enable Fareham to refuse car-dependent applications.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be in accordance with Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and the NPPF Para 148.

B4c Your suggested revised wording of any policy or text:

(a) A development strategy that minimises the need to travel by allocating sites and generally directing development to locations **near to mass public transport hubs**, with better services and facilities, or where they are capable of being improved.

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning housing, such that it is located and designed appropriately around public transport hubs to minimise emissions and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy CC1** in this regard.

POLICY NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.5 to 9.27

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

B1c Which part of the Policies Map?

The Local Ecological Network map in Appendix C

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The approach taken by Fareham BC is sound, and CPRE Hampshire SUPPORTS the requirement for nature to be conserved and ecological networks to be protected as per the forthcoming Environment Act.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning development, such that it is located and designed appropriately to conserve and enhance the biodiversity of the area and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE1** in this regard.

POLICY NE2: Biodiversity net gain

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.28 to 9.44

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE2: Biodiversity net gain

B1c Which part of the Policies Map?

The Local Ecological Network map in Appendix C

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The approach taken by Fareham BC is sound, and CPRE Hampshire SUPPORTS the requirement for biodiversity net gain as per the forthcoming Environment Act.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning development, such that it is located and designed appropriately to see a net gain in biodiversity of the area, and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE2** in this regard.

POLICY NE4: Water quality effects on the SPAs, SACs and Ramsar sites of the Solent

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.50 to 9.54

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE4: Water quality effects on the SPAs, SACs and Ramsar sites of the Solent

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		**NO**
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse the proposed policy until the legal issues have been resolved.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire's remit covers protection and enhancement of both land and seascape, including Hampshire's iconic chalk streams and rivers, and the Solent. In the absence of an outcome on the legal matters, the hearing session may be the first opportunity to evaluate the effectiveness and legality of the proposed policy.

POLICY NE6: Trees, woodland and hedgerows

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.79 to 9.89

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE6: Trees, woodland and hedgerows

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE6** is sound. The Climate Change Committee has called for a 40% increase in the extent of hedgerows by 2050 to help tackle the climate emergency, and we would thus like to see more hedgerows planted and restored in Fareham BC.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

NO Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

POLICY NE8: Air quality

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.98 to 9.118

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE8: Air quality

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE8** is sound.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

NO Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

POLICY NE9: Green infrastructure

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.119 to9.125

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE9: Green infrastructure

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE9** is sound. However, we believe that a link with **Policy HE1** should be included within **Policy HE9** itself, rather than just within the supporting text in **Para 9.122**. CPRE Hampshire further believes that much better Green Infrastructure provision could be safeguarded over the long term if it were to be incorporated within a South Hampshire Green Belt.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of green infrastructure alongside planning development, such that it is located and designed appropriately, in order to benefit biodiversity, natural capital, but also residents' health and wellbeing. We would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE9** in this regard, and to discuss whether a South Hampshire Green Belt could ensure green infrastructure is protected in perpetuity.

POLICY TIN1: Sustainable transport

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 10.1 to 10.11

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy TIN1: Sustainable transport

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy TIN1** to be a good starting point. CPRE Hampshire recognises that Fareham BC aspire to have 'good growth' with existing and proposed transport corridors influencing choice of development, however we feel **Policy TIN1** does not go far enough. The Council should feel empowered to reject development which is not already located around, or can provide, public mass transit hubs, in particular the rail network. The policy as it stands does not give Fareham BC a sufficiently robust mechanism for achieving this. It is therefore unlikely to comply with the aspirations to meet climate change objectives as set out in **Policy CC1** or for air quality in **Policy NE8**.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

The principles of development and transport as set out in the Transport for New Homes checklist should be followed - https://www.transportfornewhomes.org.uk/the-project/checklist-for-new-housing-developments/.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

The policy would then comply with climate change and air quality objectives.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning housing, such that it is located and designed appropriately around public transport hubs to minimise emissions and impacts on climate change. We would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy TIN1** in this regard.

POLICY D1: High quality design and place making

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 11.1 to 11.36

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY D1: High quality design and place making

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire welcomes the approach taken by Fareham BC towards high quality design in **Policy D1** but would like to see the inclusion of the words countryside and landscape into **Criterion (i)**. The omission of these words makes it inconsistent with **Strategic Policies DS1 and DS3** and therefore unsound.

The design quality of future developments starts with overall masterplanning and landscape context as well as specific building details. Fareham has seen a proliferation of poorly designed car dependant nondescript developments over recent years, and it is critical that major improvements are made for the future.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include the words countryside and landscape into **Criterion (i).**

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

This would then be in accordance with **Strategic Policies DS1 and DS3**.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire has many members in Fareham who are keenly interested in the design of future developments and would like to see major improvements over previous failures in design quality, which has historically resulted in large spawling estates of car-dependant nondescript housing.

Property Services

Planning Policy Manager
Fareham Borough Council

Enquiries to: Louise Hague

[redacted]

Date: 18 December 2020

Our ref: Y00511

Your ref: Regulation 19 Local Plan Consultation

[redacted]

Dear Sir/Madam

Regulation 19 Local Plan Consultation

In response to the above consultation, please find attached the general landowner comments in written representations on behalf of Hampshire County Council Property Services, in its role as a public landowner to help inform the next stages of the emerging Local Plan Update to 2038. These are separate from the comments submitted on behalf of Hampshire County Council in respect of its regulatory functions.

As landowner, the County Council will be responding to the Local Plan Consultation on the following Policies/Paragraphs (please see attached):

- Strategic Policy H1: Housing Provision
- Policy D1: High Quality Design and Place Making
- Housing Allocation Policy: HA3 (Southampton Road)
- Housing Allocation Policy: HA9 (Heath Road)
- Housing Allocation Policy: HA13 (Hunts Pond Road)
- Housing Allocation Policy: HA22 (Wynton Way)
- Housing Allocation Policy: HA24 (335-337 Gosport Road)
- Strategic Policy R4: Community and Leisure Facilities
- Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
- Policy D4: Water Quality and Resource
- Paragraphs 11.55/56

To date, Hampshire County Council in its capacity as landowner, has supported the earlier stages of the Local Plan Update to 2037. The purpose of the following is to offer comments, from a landowning perspective, to help inform the scope and soundness of Fareham Local Plan when examined by the Secretary of State as anticipated in Summer 2021.

HCC Property Services, Three Minsters House, 76 High Street, Winchester, Hampshire, SO23 8UL
t: 01962 847778 | **f:** 01962 841326 | www.hants.gov.uk/propertyservices

Hampshire County Council

I hope this is helpful to you in continuing to support the Borough Council in subsequent stages of the Local Plan Update to 2037.

Yours sincerely

[redacted]

Louise Hague MRICS MRTPI
Senior Development Manager

FAREHAM Local Plan 2037

Introduction

The Council has published the Publication Version of the Local Plan. This consultation is the final stage before the Plan is submitted to a Government Planning Inspector for independent examination.

The Statement of Representations Procedure and Statement of Fact sets out how and when you can view the Local Plan and respond to the consultation.

You can make comments on the Plan, known as representations, up to 18 December 2020.

What can I make a representation on?

This consultation is different from previous ones as it no longer seeks views on alternative options. You will be asked whether you think the Plan is:

- **Legally Compliant**: Does the Plan meet the legal requirements for plan making as set out by planning laws?
- **Sound**: Has the Plan been positively prepared? Is it justified, effective, and consistent with national policy?
- **Complies with the Duty to Co-operate**: Has the Council engaged and worked effectively with neighbouring authorities and statutory bodies?

You can make a representation on any part of the plan, but only comments that address the three questions above can be taken into account.

You can find out more about each of the questions by reading Fareham Today and the Frequently Asked Questions.

What happens next?

A Planning Inspector will be appointed to consider the Plan and comments from the consultation on behalf of the Secretary of State. All representations will be forwarded, together with the Publication Plan, to the Planning Inspector for consideration.

PERSONAL DETAILS

Data Protection Privacy Statement – Consultation on the Local Plan in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012

In order to deliver services to the citizens and communities in Fareham Borough, it is necessary for the Council to collect, gather and process personal data.

In relation to the consultation on the Local Plan in accordance regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, Fareham Borough Council will collect and process personal data for the following processing purposes:

- Receiving representations to the consultation and submitting the Local Plan for examination in public.

The Council is processing this personal data by virtue of the following Lawful Basis:

- Compliance with a legal obligation
- Performance of a task carried out in the public interest.

Consultation responses will be entered onto the online consultation form. The company that host the online consultation form, Snap Surveys are ISO 27001 certified and will store the data on a secure UK server.

The Town and Country Planning (Local Planning) (England) Regulations 2012 requires that, when the Council submits the Local Plan and associated documents to the Secretary of State, for examination in public, the responses made to the consultation on the Local Plan must also be submitted. This includes the personal data collected, such as name, address and contact details.

In addition, any representations submitted will be made available on the Fareham Borough Council website. Addresses, email addresses and phone numbers will not be published.

Representations linked to plan making will be retained for no more than 5 years following adoption of the Local Plan. We will not keep this information for longer than is necessary.

You have certain rights under the General Data Protection Regulations (GDPR) in respect of your personal information. More information about your rights can be found on the Council's website or on request.

A1 Is an Agent Appointed?

☐ Yes ☒ No

A2 Please provide your details below:

Title:	Ms
First Name:	Katherine
Last Name:	Snell
Job Title: (where relevant)	Senior Planner and Urban Designer
Organisation: (where relevant)	Hampshire County Council
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

A3 Please provide the Agent's details (if applicable):

Title:	N/A
First Name:	
Last Name:	
Job Title: (where relevant)	
Organisation: (where relevant)	
Address:	
Postcode:	
Telephone Number:	
Email Address:	

You can check which paragraph, policy etc you want to comment on by looking atthe

You can find out more about what you can comment on by reading Fareham Today and the Frequently Asked Questions.

B1 Which part of the Local Plan is this representation about?

- [ ] A paragraph Go to B1a
- [x] A policy Go to B1b
- [ ] The policies map Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy H1: Housing Provision

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council in its capacity as landowner supports the spatial approach to Policy H1 to distribute development through Local Plan allocations. The County Council considers that this is a sound approach that is positively prepared, justified and deliverable within the Plan period (effective) based on the Borough Council's objectively assessed needs and wider Local Plan evidence base.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

- [x] Yes, I want to take part in a hearing session
- [ ] No, I don't want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

The County Council could offer further clarification on the points raised.

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Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

You can check which paragraph, policy etc you want to comment on by looking atthe Publication Local Plan.

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B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy D1: High Quality Design and Place Making

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council, as landowner, supports Policy D1 as it considers that the density of schemes should be informed by and be sympathetic to the character of the surrounding areas, rather than having a set standard. This allows sufficient flexibility (effective) to support best practice urban design principles particularly with regards to legibility to emphasise the importance of place as well as sensitively manage the transition from an urban to rural settlement edge.

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B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA3 (Southampton Road)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council, as one of the landowners for this site, supports the inclusion of this draft allocation and has provided information through the Local Plan process to date to support the allocation. The County Council re-affirms that that its land within Policy HA3 is available and deliverable within the Plan period.

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Housing Allocation Policy: HA9 (Heath Road)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council as a landowner supports the allocation of its land in Policy HA9. The site has a resolution to grant planning permission for 70 dwellings (insert ref). The County Council, as applicant, is currently engaged in on-going discussions with the Borough Council Planning Case Officer, Natural England and third-party providers to put in place sufficient mitigation to achieve a nitrate neutral development. The County Council as landowner has also submitted a pre-application submission to Natural England for consideration of its own land to mitigate the nitrate output of site Policy HA9. This evidence offers a realistic prospect that the site is capable of coming forward in within the early stages of the Plan period. The County Council, as landowner, re-affirms that it’s land within Policy HA9 is available and deliverable.

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B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

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B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA13 (Hunts Pond Road)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council as a landowner supports the inclusion of this draft allocation and has provided information that confirms this site is available, deliverable. This allocation will contribute (indicative yield 38 dwellings) to the supply of housing required over the plan period for the borough.

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B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

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B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA22 (Wynton Way)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council as a landowner supports the inclusion of this draft allocation and has provided information that confirms this site is available and deliverable. This allocation will contribute (indicative yield 13 dwellings) to the supply of housing required over the Plan period for the borough.

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Housing Allocation Policy: HA24 (335-337 Gosport Road)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	✓

B3 Please provide details you have to support your answers above

Hampshire County Council as a landowner supports the inclusion of this draft allocation and has provided information that confirms this site is available, deliverable and developable. This allocation will contribute (indicative yield 8 dwellings) to the supply of housing required over the plan period for the borough.

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B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

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B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy R4: Community and Leisure Facilities

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound		✓
Complies with the duty to co-operate	✓	

You can check which paragraph, policy etc you want to comment on by looking at the Publication Local Plan.

B3 Please provide details you have to support your answers above

Hampshire County Council in its role, as both a public landowner and service provider, supports the intentions of Policy R4 to maintain the provision of necessary community facilities during the Plan period. Notwithstanding its support for Policy R4, the County Council is still concerned that the draft policy does not meet the tests of soundness as it appears overly restrictive and not sufficiently flexible to respond to unexpected and ever-changing needs to community facilities brought through public service providers service reviews during the Plan period. This presents a risk that Policy R4 is not effective.
The County Council as a public service provider has an on-going need to review and, if necessary, rationalise surplus facilities as part of wider County Council strategies to improve local services in the community. Such County Council services include 'Children's Services' (pre-school through to the 14-19 year age group), 'Adult Services' (catering for those with learning disabilities, mental health, older people, and persons with physical disabilities), and 'Community and Cultural Services' (libraries, museums, sports, recreation, tourism).
The County Council would like to emphasise its statutory function to provide public services, and to remain effective in meeting this commitment, the County Council will be implementing a series of service-driven improvements, covering both frontline and support services. This may sometimes result in the 'necessary loss' of particular community buildings and land in County Council ownership, in order to reinvest proceeds of sale in local service improvements. The policy should have increased flexibility to accommodate the unique role and function of public service providers.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

The policy should have increased flexibility to accommodate the unique role and function of public service providers and so be effective.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

The County Council therefore recommends the following addition/ changes to Policy R4 to overcome its objection (see below). This draws on the wording of Basingstoke & Deane Borough Council's Adopted Local Plan 2011 – 2029, Policy CN8 – Community, Leisure and Cultural Facilities, part h, and South Downs Local Plan 2014– 2033, Development Management Policy SD43- New and Existing Community Facilities and is therefore a material consideration in Plan making. The County Council's proposed amendment would reinforce the unique role and function of public service providers and their need for managed change to deliver operational service improvements over the Plan period (be effective).

B4c Your suggested revised wording of any policy or text:

Development proposals that would result in the loss of community or publicly owned or managed facilities will be permitted where:

i. The facility is no longer needed; and
ii. No alternative community use of the facility is practical or viable; and
iii. Any proposed replacement or improved facilities will be of equivalent or better in terms of quality, function and accessibility; *or*
iv. the proposals are part of a public service provider's plans to re-provide or enhance local services and the proposal will clearly provide sufficient community benefit to outweigh the loss of the existing facility, meeting evidence of a local need.

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

☑ Yes, I want to take part in a hearing session

☐ No, I don't want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

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B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council in its role as a public landowner supports the intentions of Policy NE4 to protect the integrity of the designated sites from increased nutrients. The County Council has confidence that any increased wastewater production related to its draft allocated sites will be suitably mitigated through on-site and off-site mitigation measures as required under the policy.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

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B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy D4: Water Quality and Resources

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound		✓
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council in its role, as both a public landowner and service provider, supports the principle of Policies CC1 and D4.

Notwithstanding this, the County Council is concerned that the draft policy does not meet the tests of soundness as it is not sufficiently flexible to respond to unexpected changes during the plan period.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

The policy should have increased flexibility to be consistent with national policy.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

The County Council would be mindful to overcome its objection if the policy is amended to introduce sufficient flexibility in the wording. This would still seek to achieve a high standard of sustainable development but would not require potentially unattainable standards to be met (be effective).

B4c Your suggested revised wording of any policy or text:

To minimise impact on the water environment and adapt to climate change, all new dwellings shall achieve as a minimum the Optional Technical Housing Standard for Water efficiency of no more than 110 litres per person per day, *unless sufficient evidence justifies meeting the mandatory national standard (no more than 125 litres per person per day).* Development that achieves a higher technical standard of 100 litres per person per day will be supported.

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

☑ Yes, I want to take part in a hearing session

☐ No, I don't want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

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11.55/56

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council, in its role as a public landowner and service provider, supports the policy aspiration to achieve energy efficiencies in new non-residential development. In particular the County Council notes that paragraph 11.55 considers how the BREEAM assessment process can influence viability of a proposal and make allowances for this, to ensure the plan will remain effective over the plan period. For example, as landowner, the County Council considers that any forthcoming draft policy should be open to demonstrating meeting this energy efficiency standard by alternative equivalent standards such as those based on an embodied carbon (CO2 / Kg / sqm) metric as advocated by the RIBA 2030 Climate Challenge: https://www.architecture.com/-/media/files/Climate-action/RIBA-2030-Climate-Challenge.pdf

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Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

Representations | Richard Jarman

1712-211841

Respondent details:

Title:	Mr
First Name:	Richard
Last Name:	Jarman
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: 5.24

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

olicy HP4 (Para 5.24) HA1 fails to meet criteria e) as the proposal would demonstrably have unacceptable environmental, amenity and traffic implications. Policy HA1: Page 51 refers to traffic routes and despite recommendation to limit access to 6 dwellings on Greenaway Lane, the plan proposes for up to 140 dwellings to use this as access through a widening of the Lane. This will result in a considerable negative impact on the character of the lane and to the safety of its non-vehicular users. In general, Page 54 suggests 7 new accesses onto the already very busy Brook Lane and Lockswood Road, as well as one additional access at Brook Lane, via 3 entry points from Greenaway Lane. The position and proximity of these access points will be a recipe for serious gridlock and accident blackspots. Para 10.15 Transport plan does not include an analysis of streets where the majority of the houses are proposed. Why, when there are 830 new dwellings proposed, hasn't more consideration been given to HA1 in the transport assessment. With an average of 2 cars per dwelling, an additional 1660 vehicles will be on local roads and there is no reference for the mitigation required to reduce congestion by 2037. The Plan fails the Test of Soundness by not being Positively Prepared in this respect. Para 10.14 The Local Plan Strategic Transport Assessment at Para 14.16 reads; "In conclusion, based on the work of this Strategic Transport Assessment, it is considered that the quantum and distribution of the development proposed in the Fareham Local Plan, and the resulting transport impacts, are capable of mitigation at the strategic level, and that the plan is therefore deliverable and sound from a transport perspective." This statement doesn't include the area HA1, of the local plan with 830 homes and isn't assessed within the The Local Plan Strategic Transport Assessment document. Policy HA1: Page 52 indicates the need for the provision of “2 junior football pitches” Why are these not shown in the Masterplan?

Policy HA1 (currently a Greenfield site), is proposed to be re-designated as an urban area (via the re-definition of Settlement Boundaries ref. WW17). In the Foreword to Publication Plan: Greenfield sites are less favoured locations for development. Para 2.10 states Fareham Borough will retain its identity, valued landscapes and settlement definition and will protect its natural, built and historic assets. The proposed allocation of Policy HA1 contradicts these aspirations and those of Para 2.12 “Strategic Priorities” which strive to maximise development within the urban area and away from the wider countryside and to create places which encourage healthier lifestyles. The re-designation of the Policy HA1 to urban status and the movement of the Settlement Boundary to encompass it, is a blatant and possibly, unethical, manœuvre by stealth of the council, to suit its own objectives.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

We really need to rethink the number of houses planned for development in Warsash, with no infrastructure supporting that development. Warsash is bounded on two sides by water - there is very limited access in or out, especially with another potential 1600 cars in the village.

Remove the proposal to redefine the settlement boundary

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Reconsider the transport, traffic and impact on local infrastructure.

It will also the area to retain its identity, valued landscape and settlement definition

Your suggested revised wording of any policy or text:

Revise the policy test in line with environmental, amenity and traffic issues

I have no revised wording to suggest. I am not a town planner or lawyer.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

No, I don't want to take part in a hearing session

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2) Paragraph: 5.6

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Strategic Policy DS1 (Paras 5.6 and 3.36) deals with the need (in exceptional circumstances and where necessary and justified) for residential development in the countryside on previously developed land. Additionally, Policy HP1 calls for the efficient use of existing buildings to meet such need on a one-for one replacement dwelling basis. These conditions do not apply to HA1 and therefore it seems the “convenient” alternative was for FBC to redraw the urban boundary!

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Remove the proposal to redefine the settlement boundary

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would protect the local identity, valued landscapes and settlement definition

Your suggested revised wording of any policy or text:

I have no proposed revised wording - I am not a lawyer or town planner

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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3) Paragraph: 3.1

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

The decision to “rewild” the Stubbington Strategic Gap was made without consultation with council officers or elected Members. Instead, this announcement came via a press release issued after the start of the Full Council meeting which was in the process of debating this Plan?

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Reconsider the re-wilding or the Stubbington gap. Why couldn't Warsash have this designation instead, and the building commence at Stubbington?

How would the modification(s) you propose make the Local Plan legally compliant or sound?

I would allow a full consultation on the options available, instead of choosing the most convenient

Your suggested revised wording of any policy or text:

I have no revised wording - I am not a lawyer or town planner

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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4) Paragraph: 1.28

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 1.28 In agreeing to take up a shortfall in homes of 847 from Portsmouth, Fareham Council are taking a risk as the new methodology for calculating Housing Need has not been signed off by the Government and the Housing Delivery test will not be available during this public consultation period.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

The government appear to be changing their mind on allocation of housing - Fareham has taken too much of a hit and should revisit the building targets.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would re-look at the housing targets for the region

Your suggested revised wording of any policy or text:

I have no revised wording or text

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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5) Paragraph: 9.1

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Whereas the LPA is aspiring to Nitrate Neutrality, Strategic Policy NE1 requires designated sites be protected and ENHANCED Likewise Para 9.50 (Policy NE4) confirms permissions will be granted when the integrity of designated sites be maintained or IMPROVED. Finally, Page 199 Para 9.54 indicates that proposals for development should provide a net REDUCTION in eutrophication for designated sites in an unfavourable condition. The LPA's approach therefore contravenes both the Habitats Directive and the Publication Plan in respect of these policies. Furthermore, a leading QC's opinion is it is unclear how any development could be contemplated in the Western Wards without negatively impacting the SAC and RAMSAR sites and therefore based on proximity alone, this would invalidate the deliverability of these developments. As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves beyond scientific doubt, that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been mitigated (rather than compensated). There is doubt that the LPA is applying the Natural England advice correctly and lawfully in this respect.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

The development site needs to be protected and improved , with a net reduction on nitrites and consider the legal opinion.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would meet legal requirements on the habitats directive

Your suggested revised wording of any policy or text:

No comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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6) Paragraph: 1.16

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

No mention is made of the 2017 unadopted draft Plan and Officers confirm it is the previous, 2015 plan which is extant. Para 4.8 Allows the LPA to consider Housing sites allocated in the previous adopted (extant) Local Plan. Yet, whilst HA1 did not feature in the extant 2015 Plan, page 38 ignores this, stating that housing will be provided through HA1 and other local sites. The total new homes proposed for specific sites across the Borough (not including Welborne) is 1342. It is an unfair distribution for HA1 (proposed at 830 dwellings) to contribute 62% of this quantum. Moreover, whilst FBC recently enjoyed an overall reduction in new houses of 22.5% they are now proposing Warsash should endure a 20% increase in their local number! There is no joined up "Masterplan" for HA1 (with developers working in complete isolation of one another). Therefore, another environmental impact assessment must be conducted showing the cumulative effect of HA1 in its entirety.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Reconsider the allocation of housing to Warsash and reconsider redistribution across Fareham. Complete a full environmental assessment for all development in Warsash

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Fairer distribution of housing allocation, with full impact assessment for all proposed development, rather than in isolation

Your suggested revised wording of any policy or text:

No comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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7) Paragraph: 1.5

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

ntroduction: Statement of Community Involvement Paragraph 2.1 says a “variety of methods” should be used to solicit comments from the public. Because paper-based documents failed to be employed across the borough, a large proportion of residents were deprived of sharing their opinion. This was exacerbated by Covid restrictions, limiting the access to libraries and the council office. The Publication Plan Introduction Page 1 specifies that representations should focus solely on “Tests of Soundness” but is contradictory to FBC’s guidance in Fareham Today which includes the additional areas of ”Legal Compliance” and “Duty to Cooperate” This is misleading and confusing to members of the public wishing to provide commentary. Since 2017 residents’ concerns have not been considered regardless of protest marches, deputations and objections raised. For example, despite a petition exceeding the prerequisite number of signatures needed to trigger a Full Council meeting debate, such debate was refused, even after a challenge was raised to the Council’s scrutiny Board. It is discriminatory that community-generated evidence carries less weight than that provided by Developers consultants. E.g. regarding previous use of land in Nitrate budget calculations similarly with traffic survey results captured by residents and Community Speedwatch teams. Para 4.7 The Warsash Neighbourhood Forum (although now defunct) were never consulted with respect to their intention to allocate housing, in line with Para 66 of the NPPF.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

It needs to have a much wider consultation process, involving great access for the community. The online method is restrictive for many people.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would allow all residents to view and comment on the proposals

Your suggested revised wording of any policy or text:

No comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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8) Paragraph: 10.26

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Infrastructure Delivery Plan calls for the expansion of health care provision through the addition of further GP locations in the Western Wards, However the table provided within the document only provides an historic timeline pre-dating the Local Plan. This is not a Sound approach taking into consideration that HA1 alone will bring an additional 830 dwellings.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Legally enforce the provision of further healthcare provision

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would provide sufficient healthcare resources to meet the demand of the additional housing

Your suggested revised wording of any policy or text:

No comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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9) Paragraph: 7.13

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Local retail/commercial facilities figures do not cater for the additional houses in Warsash. For example, no additional convenience goods floor space has been allocated to Warsash. Para 7.18 Out of town shopping is discussed, but not defined; Out of town shopping will take jobs and customers away from local shopping areas and will increase traffic on the routes in and out of Warsash and Locks Heath.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Legally enforce the provision of further retail space in Warsash

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would reduce traffic and provide local jobs in the community

Your suggested revised wording of any policy or text:

no comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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10) Paragraph: 10.26

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Infrastructure Delivery Plan Section 5.4 Education is planned with HCC but the period of any proposed extensions for child placements is only up to 2021 whereas the Plan covers up to 2037. This is not a sound approach for the education of our children.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

There is already a lot of pressure on the local schools - adding more housing will in most likelihood, force children to travel some distance for schooling. the plan needs to legally enforce the provision of further schooling through the lifetime of the plan

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would provide for child placements up to the lifetime fo the plan

Your suggested revised wording of any policy or text:

no comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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11) Paragraph: 11.34

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

The council will support applications where development exceeds Building Regulations but no percentage target for improvement has been set. The Plan is therefore not a Sound and effective approach to carbon emissions reduction in the Borough.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Set targets for exceeding carbon emissions as part of the plan

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It will legally enforce the reduction of carbon in the borough

Your suggested revised wording of any policy or text:

No comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Date: 18 December 2020
Our ref: 333521
Your ref: N/A

NATURAL ENGLAND

Planning Strategy Team
Fareham Borough Council

BY EMAIL ONLY

Dear Sir/Madam,

Regulation 19 Local Plan Consultation (6th November – 18th December 2020)

Thank you for your consultation dated 06 November 2020 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the Council's approach to achieving sustainable development through its Local Plan, particularly through its suite of Natural Environment policies that include protection of internationally, nationally and locally designated sites, the enhancement of the local ecological network and the requirement for biodiversity net gain.

Our comments on the Regulation 19 Local Plan and supporting Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA) are made below.

Strategic Policy DS1: Development in the Countryside
It is recommended this Policy also requires proposals to ensure compliance with Natural Environment policies, in particular Strategic Policy NE1 and Policy NE2, to ensure impacts on nature conservation interests are properly considered and addressed, and biodiversity net gain is achieved (for applicable development).

With regards to soils, the local plan outlines that 'the benefits of protecting the Best and Most Versatile (BMV) agricultural land are considered against the need for development'. This Policy requires development proposals to demonstrate they 'Conserve and enhance landscapes, sites of biodiversity or geological value and soils'.

The National Planning Policy Framework sets out that:

> 'Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework[1]; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.'
>
> *1 Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.*

It is recommended that this Policy is amended to give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpin our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver. The plan should safeguard the long term capability of BMV agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future.

Where site allocations are sited on BMV land, the Plan should outline a requirement for the protection of soils during construction where possible, referencing the 'Defra Code of practice for the sustainable use of soils on construction sites'.

Strategic Policy DS3: Landscape
Natural England welcomes the proposed designation of eight Areas of Special Landscape Quality within the Borough, and the requirement for development in these areas to meet stringent criteria that seek to protect and enhance landscape.

Strategic Policy CC1: Climate Change
Natural England advise all Local Plans consider climate change adaption and recognise the role of the natural environment to deliver measures to reduce the effects of climate change, for example tree planting to moderate heat island effects. In addition factors which may lead to exacerbate climate change (through more greenhouse gases) should be avoided (e.g. pollution, habitat fragmentation, loss of biodiversity) and the natural environment's resilience to change should be protected. Green Infrastructure and resilient ecological networks play an important role in aiding climate change adaptation.

Natural England welcomes Strategic Policy CC1: Climate Change that promotes mitigation and adaptation to climate change through various methods including the integration of green and blue infrastructure into the design of developments, adopting higher water efficiency standards, the integration of energy efficiency, renewable and low carbon technologies into all development, and reducing reliance on car travel.

Natural England supports the embedding of policy that will deliver measures to increase sustainability of development over the Plan period. This should also include reducing consumption of raw natural resources, sourcing more renewable or 'green' energy, and reducing waste. Consideration should be given to the collection of financial contributions from development to offset residual carbon emissions elsewhere in the Borough. Consideration can also be given to the retrofitting of existing development with technology that improves energy and water efficiency.

It is recommended that Local Plan policy also seeks measures that help natural habitats across the Borough adapt to the effects of climate change. We would encourage you to refer to the Natural England and RSPB Climate Change Adaptation Manual and look at the step by step approach to identifying the climate resilience of habitats that occur in the Borough. Consideration should be given to addressing issues on habitats and protected sites that will be exacerbated by climate change, such as flooding, drought, reduction of water resources etc.- the Manual can also help identify these.

Consideration can be given to delivering specific projects within the Borough. For example, to maximise climate change adaptation and mitigation through the establishment of a Nature Recovery Network (NRN), and the Local Nature Recovery Strategy in which the NRN would sit, to ensure climate change resilience at their core. Such projects could potentially benefit from carbon offsetting contributions from development over the local plan period.

Such an approach could link into other aspects of the Plan such as water and air quality, nutrient mitigation for Solent European designated sites, delivery of biodiversity net gain, natural flood management, and green infrastructure implementation among others. Natural England would be happy to advise further on this aspect.

Policy CC2: Managing Flood Risk and Sustainable Drainage Systems
Natural England welcome this Policy that requires development ensures flood and surface drainage are properly addressed, and that Sustainable Drainage Systems (SuDS) are designed in accordance with CIRIA C753 SuDs Manual, to be as 'natural' as possible.

It is advised that the policy makes clear that where a development drains to a protected site(s), an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection may be required to ensure water quality impacts are avoided.

Where SuDS are proposed serving as mitigation for protected sites, development should ensure that appropriate resources are put in place to ensure their long-term (in perpetuity) monitoring, maintenance/replacement, and funding.

Policy CC3: Coastal Change Management Areas (CCMAs)
Sea level rise and coastal change are inevitable and bring both challenges and opportunities for people and nature. Sustainable coastal management needs to embrace long-term change and achieve positive outcomes for both.

Policy CC3 identifies that the North Solent Shoreline Management Plan (SMP) policy for the majority of Fareham Borough's coastline is 'Hold the Line', and identifies two CCMAs between Hook spit and Meon Shore, with an identified coastal management policy of 'No Active Intervention'. The Policy will ensure that development in these areas will appropriately consider coastal change. It also will ensure replacement coastal defence schemes 'are consistent with the relevant Shoreline Management Plan and that there will be no severe adverse impact on the environment, the English Coast Path, and the rights of way network'.

We would advise that the Local Plan should also help facilitate the relocation of valued environmental assets away from areas of risk.

Strategic Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network
Natural England welcomes this policy that sets out clearly the hierarchy of nature conservation and the requirement for development to 'demonstrate clearly that the mitigation hierarchy has been followed' in terms of avoiding, mitigating or compensating (as a last resort) impacts on biodiversity. Natural England welcomes the Local Ecological Network (LEN) approach that has been included in the local plan.

It is helpful that the LEN and the Council's Green Infrastructure Strategy have been suggested as tools to provide opportunity for enhancements across the Borough. Please read our comments below in relation to Policy NE2 that regards the choosing of suitable opportunities for biodiversity enhancement.

Policy NE2: Biodiversity Net Gain
Natural England is fully supportive of the inclusion in the local plan of a Policy for biodiversity net gain. It is welcomed that the policy refers to the benefits to Borough residents from the ecosystem services that being close to nature provides, and outlines an expectation that offsite net gain must be sought as close to the development as possible. However in some instances this may be difficult, and Natural England recommends that consideration is given to developing a suite of projects across the LEN that development within the Borough can contribute to thereby ensuring the biodiversity within the Borough is protected and enhanced. For example, partners that manage Local Nature Reserves and Sites of Importance for Natural Conservation in the Borough could submit projects to the local planning authority to enhance the ecological value of these sites. These projects could be funded by development that requires offsite compensation or additional enhancements to achieve biodiversity net gain. This approach can also be used by development with limited opportunities for biodiversity net gain on-site.

The Policy outlines that the Council may prepare and adopt a Supplementary Planning Document (SPD) for Biodiversity Net Gain. Due to the need to ensure net gain is delivered in a suitably

strategic way, and having regard to the timescales of the legislative requirement for net gain and further national guidance, Natural England would support the development of such an SPD and would encourage Policy NE2 to outline this as a clear intention of the Council, in order to provide further guidance and support to aid sustainable development across the borough. Natural England will be happy to advise further to aid the development of such an SPD.

- *Calculating net gain*

Please note that Biodiversity Metric 3.0 is due to be published early 2021, which will supersede Biodiversity Metric 2.0. We advise that the Policy is updated accordingly and that this metric is used to measure gains and losses to biodiversity resulting from development, and implement development plan policies on biodiversity net gain.

Please note that although the Policy includes 'nesting and roosting features' as suggestions for achieving net gain, it is our advice that features such as bird and bat boxes, swift bricks, bee hotels etc should be classed as general biodiversity enhancements that should be included as part of a wider biodiversity enhancement and mitigation plan. Net gain specifically should derive strictly from habitat enhancement and creation, required as calculated using the metric.

- *Wider environmental gains*

The reference to seeking wider environmental gains, for example to address water/air quality, flooding, climate change etc. is welcomed. Opportunities for environmental gains, including nature based solutions to help adapt to climate chance, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g. by sowing wild flower strips, changing cutting regime of open spaces and road verges*) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g. a hedgerow or stone wall or clearing away an eyesore)
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats

*Please see this paper regarding cost-effective and low-maintenance management for species-rich grassland on road verges and the value it can contribute to biodiversity and ecosystem services.

Please note that Natural England and Defra are developing an Environmental Net Gain/metric for Natural Capital Net Gain that can be used in conjunction with the Biodiversity Metric (but not instead of). Further information will be available in 2021.

- *Monitoring of net gain*

Your plan should include requirements to monitor biodiversity net gain. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

LPAs should work with local partners, including the Local Environmental Record Centre and wildlife trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations and providing as much up front information on monitoring will help to streamline the project stage.

Policy NE3: Recreational Disturbance on the Solent Special Protection Areas (SPAs)

Natural England welcome this policy that will require new residential development to address in-combination effects on the Solent SPAs via recreational disturbance. It is recommended the Policy also outlines that other types of development (such as new hotels, student accommodation, care homes etc.) may also need to address recreational disturbance impacts, both alone and in-combination. Such development should be assessed on a case by case basis.

Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent

Natural England welcome this policy that will require new development that propose a net increase in overnight accommodation to address in-combination effects on the Solent designated sites via eutrophication from nutrients in wastewater.

Policy NE5: Solent Wader and Brent Goose Sites

Natural England welcome this policy that will require development to address effects on sites identified by the Solent Wader and Brent Goose Strategy (SWBGS) which serve as functionally linked land to the Solent SPAs.

It is recommended that the following wording within the Policy "*Sites which are used by Solent Waders and/or Brent Geese (as shown on the Policies map)*" is amended to read "*Sites which are used by Solent Waders and/or Brent Geese (as identified within the most up to date version of the Solent Wader and Brent Goose Strategy)*" to take account of any changes to sites and their distribution across the Borough, as these updates can be implemented at irregular times. Any further references to the Policies map should be similarly amended to refer to the SWBGS mapping.

Core Areas – due to their essential function within the SWBG network, it is advised these sites are identified for protection by the Policy. Any development that would result in impacts to a Core Area will need to be carefully assessed on a case-by-case basis. There are limited options where the function of a Core site can be fully replicated elsewhere in terms of its suitability and appropriate locality; where such land is available, an assessment of replicability will need to be undertaken through discussions with Natural England and the Local Planning Authority.

Financial contributions – it is welcomed that the Policy outlines that financial contributions proposed as mitigation will be used for the management and enhancement of an 'agreed suitable identified site for Solent Waders and Brent Geese'. Such proposals should demonstrate how such funds will be used to enhance, manage and monitor sites within the wider Solent Waders and Brent Geese network, in perpetuity. It is suggested that the Council works with relevant partners/stakeholders, including cross-boundary partnerships, to develop a strategic project(s), such as a bird reserve, and/or list of projects to enhance, manage and monitor the wider Solent wader and brent goose ecological network, to which contributions can be directed.

Policy NE6: Trees, Woodland and Hedgerows

Natural England welcomes this Policy that seeks to protect and enhance trees, woodland and hedgerows within the Borough. It is recommended that this Policy requires development proposals that affect ancient woodland, ancient trees and veteran trees, to ensure they are in line with standing advice published by Natural England and the Forestry Commission.

Policy NE8: Air Quality

It is welcomed that the Policy recognises that 'poor levels of air quality can also lead to environmental issues'. The Policy includes a need for planning applications to consider if they will have a 'potential adverse effect on biodiversity, especially where it would affect sites designated for their biodiversity value'.

The Policy outlines that the Local Plan HRA concludes the Plan 'would not have a likely significant effect on the internationally important habitats and species present in the area'. As this issue has

been considered within the HRA appropriate assessment, the wording here should be amended to use the correct terminology under the Habitats Regulations, i.e. the HRA concludes the Plan will not result in an 'adverse effect on integrity' (the term 'likely significant effect' is used at the screening stage of the HRA). See further comments on air quality below in regards to the Local Plan HRA.

Policy NE9: Green Infrastructure
Natural England welcomes this Policy that seeks to fully integrate green infrastructure (GI) into development and maximise opportunities to connect to the wider environment. The provision of enhanced green infrastructure and sites of nature conservation value can not only help address some of the mental and physical health problems that are experienced in the Borough's population, but can also benefit society in other ways including improvements to local air and water quality, reducing the risk of flooding, alleviating noise levels and aiding climate change adaptation.

Policy NE10: Protection and Provision of Open Space
This Policy references protection of public rights of way. Natural England advises that the Policy should also seek to secure enhancement of public rights of way and National Trails, as outlined in paragraph 98 of the NPPF. Recognition should be given to the value of rights of way and access to the natural environment in relation to health and wellbeing and links to the wider green infrastructure network. It is welcomed the plan seeks new access opportunities; it should seek to link existing rights of way where possible. The plan should avoid building on open space of public value as outlined in paragraph 97 of the NPPF.

It is welcomed that the Policy makes provision for appropriate quantity and quality of green space to meet identified local needs (as outlined in paragraph 96 of the NPPF) based on Natural England's work on Accessible Natural Greenspace Standard (ANGSt) in assessing the level of accessible natural greenspace; it is also welcomed that it recognises development may be required to 'provide more open space above what is required by the standards to make the development more acceptable'.

Policy D1: High Quality Design and Place Making
Natural England welcomes this Policy that requires the design of developments to integrate existing and new habitats and biodiversity within a coherent and well managed, connected structure. It is advised that landscaping of developments and open spaces seeks to use appropriate native and locally sourced species as far as possible to cater for local wildlife.

Policy D4: Water Quality and Resources
Natural England welcome this policy that seeks to conserve water and improve its quality.

Southern Water's Water Resources Management Plan (WRMP) 2019, that covers the planning period 2020-2070, projects a significant supply demand deficit during periods of drought in the Western Area, and commits to implementing a long term water resources scheme to restore the supply demand balance whilst avoiding and/or mitigating impacts on European sites, including the River Itchen SAC.

It is Natural England's advice that in advance of any permitting of such a suitable long term scheme, uncertainty remains with regards to water resources and the impacts of abstraction on protected sites.

Although it is welcomed that Policy D4 requires a water consumption for new dwellings of no more than 110 litres per person per day, Natural England strongly recommend all new development within the Southern Water supply area adopt a higher standard of water efficiency of 100 litres/per person/day, including external water use and re-use, in line with Southern Water's Target 100 demand reduction programme which is committed to within their WRMP19. Natural England also recommends that the Policy encourages the wise use of water in conjunction with the water companies, for example by developments incorporating grey water recycling systems and efficient appliances

Please see Natural England advice above in relation to Policies NE4 and Policy CC2 with regards to nutrients and surface water treatment via SuDS.

Neighbourhood Plans
Currently there are no Neighbourhood Plans in the Borough, but the Local Plan provides a 'strategic evidence base' which will inform any future Neighbourhood Plans.

It is recommended that any future Neighbourhood Plans which allocate housing should also identify spaces for environmental enhancement, for the purpose of offsetting environmental impacts, e.g. through the designation of Local Green Spaces. Such a local approach could give communities more ownership over such green spaces and provide a more strategic route to addressing common environmental impacts from development in that area, such as air and water pollution, habitat and species loss and increased carbon emissions, and could deliver biodiversity net gain and nutrient offsetting.

Such spaces could include the development of community orchards and play areas, woodlands and nature reserves, and serve a variety of functions that benefit both nature and the local community, for example providing benefits to health and wellbeing, offsetting nutrient discharges from allocated development and providing further scope for carbon sequestration.

Specific comments on Housing Allocation Policies

- HA9 - Heath Road (70 dwellings)

It is acknowledged this allocation site has resolution to grant permission for 70 dwellings. It is recommended this Policy includes the requirement to secure an appropriate level of offsite compensation to address the loss of secondary woodland on site which may in parts qualify as lowland mixed deciduous woodland habitat.

- HA29 - Land East of Church Road (20 dwellings)

Much of this site shows as Lowland Mixed Deciduous Woodland priority habitat on the Ecological Network mapping for Hampshire. Part of the site is designated as a Site of Importance for Nature Conservation (SINC) according to the Policy map. The Policy outlines a requirement for ecological mitigation for the site-specific construction and operational impacts of a development proposal. It is advised the Policy outlines a requirement to secure an appropriate level of offsite compensation to address any loss of priority habitat on site to ensure compliance with Policy NE1.

- HA31 - Hammond Industrial Estate (64 bed care home)

The Policy should ensure the impact of nutrients in wastewater is addressed to ensure compliance with Policy NE4.

- HA37 - Former Locks Heath Filling Station (30 dwellings)

This site is adjacent to an area of Lowland Mixed Deciduous Woodland priority habitat as shown on the Ecological Network mapping. The Policy should ensure that impacts on priority habitats and protected species are taken into account and appropriately addressed.

- HA38 – 68 Titchfield Park Road (9 dwellings)

The site is adjacent to Sylvan Glade SINC, much of which is ancient semi-natural woodland. The Policy should ensure compliance with standing advice on ancient woodland, ancient trees and veteran trees and that impacts on the SINC and protected species are appropriately addressed.

- HA42 - Land South of Cams Alders (60 sheltered housing)

This allocation site is located on 'Fort Fareham Grassland' SINC that supports woodland and meadow communities. It also lies adjacent to Fort Fareham SINC known for supporting wet woodland communities.

As previously advised in our response to the Supplement to the Reg 18 Local Plan (letter dated 23rd April 2020), allocations and development proposals should ensure they engage the mitigation

hierarchy, where impacts on designated ecological sites/features should first be avoided, and where not possible, adequately mitigated. Where this is not possible, any loss of priority habitat should be appropriately compensated. All residual ecological impacts will need to be addressed before any net gain for biodiversity can be achieved.

Natural England recommends that where loss of SINC habitat cannot be avoided, the policy should make clear how requirements set out within the NPPF, NERC Act 2006 and Local Plan Natural Environment policies will be met. It is advised an appropriate level of offsite compensation should be required to address any loss of priority habitat on site to ensure compliance with Policy NE1 .

- E4: Solent 2 (Employment - 23,500 sq. metres)

This employment allocation is located on Whiteley Meadow - Plot 2184 SINC and Ashley Wood, Fareham SINC. The Hampshire Ecological Network Mapping dataset shows much of this area as Lowland Mixed Deciduous Woodland, a priority habitat listed as required under Section 41 of the Natural Environmental and Rural Communities Act 2006. The site is also situated adjacent to the Gull Coppice (South-West Remnant) SINC which comprises ancient semi-natural woodland.

It is acknowledged that this site is an existing allocation within the adopted Fareham Local Plan Part 2 (2015).The current Policy outlines a requirement for this development to protect existing woodland and avoid habitat severance, and appropriate mitigation and compensation for any loss of protected trees. However, it is our view that a significant area of habitat, including mature woodland, is likely to be lost as a result of development. The Policy should ensure that it is compliant with Strategic Policy NE1 with regards to impacts on the local ecological network in this locality. In line with existing national and local policy and legislation, it is Natural England's advice that the mitigation hierarchy of avoid, mitigate and lastly compensate is employed where considering impacts on these habitats, particularly those designated as SINC. Measures should be sought to protect and enhance the local ecological network. Where impacts cannot be avoided or adequately mitigated, a comprehensive compensation package should be required that addresses the loss of all priority habitat on site (rather than just specifying protected trees), that seeks to enhance and connect habitat in the locality.

Comments on the HRA

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the Local Plan in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

We have the following comments on the HRA:

- *Recreational disturbance – New Forest designated sites*

The Local Plan HRA screening assessment outlines that although the Borough falls within the 25km buffer of the New Forest designated sites (via a straight line), the minimum actual travel distance by car is of approximately 30km travel distance (via the M27). In comparison to the number of visits from residents closer to the New Forest, the assessment states 'visits to the New Forest SAC/SPA/Ramsar associated with increased housing development in Fareham Borough contribute a significantly lower proportion of overall visits to the designated sites and it is not considered likely that significant effects associated with recreational disturbance from Fareham housing development would arise'. The HRA screens this impact pathway out from an appropriate assessment on this basis.

It is understood Footprint Ecology are currently conducting further analysis on several aspects of their latest visitor surveys. This analysis will assist the definition of a robust catchment area for recreational impacts. It will help in the preparation of a strategic, cross-boundary approach with neighbouring competent authorities to deliver habitat mitigation for the New Forest SPA/SAC/Ramsar. This work is due to be completed shortly and will provide a useful update to the evidence base against which such impacts from new development from surrounding local authority areas can be assessed.

Therefore, whilst acknowledging that the level of additional impacts from new residents is known to significantly decrease with distance from the New Forest designated sites, Natural England consider at this time there remains some uncertainty with regard to the evidence confirming the level of additional impacts from new residents of Fareham local plan development. We therefore advise this issue is taken forward to the appropriate assessment stage where further work may be carried out to ascertain the level of impacts as accurately as possible.

Where impacts are identified, suitable and proportionate mitigation should be proposed; we recommend the Council works with the New Forest National Park Authority and the other partner authorities to develop a strategic approach to addressing recreational impacts from new development on the New Forest designated sites. Such an approach should include developer contributions towards the New Forest National Park Authority's Habitat Mitigation Scheme to enable the authority to deliver site specific mitigation measures on behalf of applicants.

Natural England will be happy to provide further advice to the Council on this aspect as the evidence base develops.

- *Air quality*

The Local Plan is supported by an Air Quality Habitats Regulations Assessment (Ricardo, Sept 2020). The conclusions drawn in the Local Plan HRA in regards to air quality impacts are based on those drawn within the Ricardo report. Natural England concurs with the conclusions drawn in the report.

The Ricardo report suggests that the Council regularly reviews the Defra airborne NOx forecast levels. This is welcomed as a way to ensure any changes in forecasting and potential consequential changes to conclusions drawn in the report for this pollutant can be appropriately reviewed and addressed during the local plan period.

- *Water quality – nutrients*

The HRA calculates a nitrogen budget for the local plan of 2536.99 kgTN/yr. Appendix III of the HRA outlines various mitigation schemes that can be utilised or progressed as a means to ensure nutrient neutrality can be delivered by new development.

The HRA states within its Summary of Findings that the sites Chichester and Langstone Harbours SPA/Ramsar, Portsmouth Harbour SPA/Ramsar and Solent and Dorset Coast SPA are screened out of an appropriate assessment in relation to water pollution impacts. Much of development within Fareham borough is served by Peel Common wastewater treatment works (WwTW), which is a coastal WwTW that discharges effluent several kilometres out into the Solent. It is our advice that long-shore outfall pipes are likely to have shifted and widened the distribution of nitrogen loading within the effluent across the Solent SAC and SPAs. It is important to recognise the loading from Peel Common WwTW contributes to a number of estuaries and catchments within the Solent (including Portsmouth Harbour, Langstone Harbour, Chichester Harbour, River Meon, Wootton Creek and the Medina Estuary catchments). It is therefore Natural England's view that, because of this wide distribution of nitrogen loading, all designated sites should be screened in.

- *Other comments on the HRA*

Section 7.7.3 – this paragraph refers to the 'SAC' although it is relating to Portsmouth Harbour SPA and Ramsar.

Comments on the SA

We are broadly satisfied that the objectives and indicators within the Sustainability Appraisal cover our key interests, and welcome the identification of the need to conserve and enhance biodiversity, landscape character, and to reduce pollution. We also welcome the need to address minimise the

effects of climate change, and to minimise impacts on best and most versatile agricultural land. Please see some more specific comments below.

- SA5: To Minimise Carbon Emissions and Promote Adaptation to Climate Change

This SA objective to address the effects of climate change is welcomed. It is suggested a further monitoring parameter(s) is included to monitor the implementation of new GI/habitat that can seek to alleviate the pressures of climate change on species and the ecological network whilst also providing other benefits as described further in our advice above; e.g. percentage of new GI/ extent of priority habitat within the ecological network.

- SA7: To Conserve and Enhance Biodiversity

We advise that this SA objective also seeks to conserve and enhance geodiversity within the Borough, in line with national planning policy.

The SA outlines the Plan 'is predicted to lead to negative impacts to ecological receptors in the short to medium term, but many of these impacts are capable of being mitigated. Long-term effects are likely to be both positive and negative, and highly site-specific'. It is acknowledged these effects can be avoided/mitigated by the implementation of several policies including NE1, NE3, NE4 and NE5. It is advised Local Plan Policy requires relevant development to carry out site-level Habitats Regulations Assessments in order to ensure impacts on European sites are suitably addressed.

It is also suggested that further monitoring parameters are incorporated to ensure impacts on internationally, nationally and locally designated sites are monitored throughout the Plan period, e.g. via the number, extent and condition of sites designated for nature conservation. We would advise the use of a green infrastructure standard as an indicator, such as Natural England's Accessible Natural Greenspace Standard (ANGSt). Parameters for measuring the implementation of net gain should be introduced, see further above for our advice on net gain monitoring.

We would be very happy to comment further as the plan process progresses. If you have any queries relating to the detail in this letter please contact me on [redacted]

Yours faithfully

Rebecca Aziz
Sustainable Development Senior Advisor
Thames Solent Area Team

Representations towards the Fareham Borough Draft Local Plan 2036 Publication Draft (Regulation 19) Consultation on Behalf of Persimmon Homes (South Coast)

December 2020

PERSIMMON
Together we make a home

1. Introduction

Persimmon welcomes the opportunity to comment on the Fareham Draft Local Plan 2036 (DLP) Publication (Regulation 19) consultation.

This letter is set out in sections as summarised below:

- Section 2 sets out our response to Duty to Cooperate issues
- Section 3 sets out our policy specific responses
- Section 4 sets out our response in relation to Omission Sites

2. Duty to Cooperate

The Duty to Cooperate places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters, including housing.

Planning Practice Guidance recommends that authorities should produce, maintain, and update one or more Statement(s) of Common Ground, throughout the plan-making process. The Council has unilaterally produced a 'Statement of Compliance with the Duty to Co-operate' which sets out how the Council claims to have addressed the duty to cooperate, including in relation to addressing the unmet housing need of its neighbouring authorities. This is not an agreed Statement. It is noted that there is little to no explanation within the Statement as to what cross boundary discussions have taken place since the Council has significantly altered its approach with regards to housing need (as detailed below). In Persimmon's view, this information is absent because neighbouring authorities, in particular Portsmouth and Gosport, will not be supportive of Fareham's approach.

As mentioned above, the Council's Regulation 19 consultation document is significantly different from the Regulation 18 draft in terms of its approach to housing. This is largely as a result of it applying the lower Local Housing Need (LHN) as derived from the Government's proposed new Standard Methodology, which has not been approved. The Regulation 18 version of the Plan included a number of Strategic Growth Areas that were identified, in part, to meet the housing needs of neighbouring authorities of Gosport and Portsmouth. These Areas have now been deleted, and do not feature in the Publication Plan.

The Council's decision to use the new Standard Methodology LHN in order to take advantage of lower housing numbers is premature, and is at odds with the approach being taken by nearly all other Local Planning Authorities developing Local Plans in the sub-region, including Gosport and Portsmouth.

It is understood that the SGAs would met at least 1,000 dwellings from Portsmouth's unmet needs, alongside a proportion of Gosport's (quantum not published). However, the Publication Plan suggests that unmet need accommodated by the Plan will only equate to 847 dwellings. By Fareham choosing to use the draft new Standard Methodology and reducing its housing site allocations as well, the scope for the Plan to pick up the housing needs of these neighbouring council areas has been significantly curtailed.

It is Persimmon's view therefore that, given the significant change in approach by Fareham Council, the joint working that it has undertaken on housing issues to date has been fundamentally undermined to a point where it can only be concluded that Council has failed the duty to cooperate.

2. Policy Specific Comments

DEVELOPMENT STRATEGY

Strategic Policy DS1 Development in the Countryside

Policy DS1 provides the policy basis for the delineation of settlement boundaries. In the context of our comments below, notably in relation to not meeting housing need, omission sites and the delineation of Strategic Gaps, the Council should amend the settlement boundaries to allow additional development to come forward.

With regards to the criterion d) of Policy DS1, an allowance for new or replacement building, conversion and/or extension of a school is welcomed. However, the Policy appears to limit re-provision to existing sites shown on the Policies Map. As set out in greater detail in the our response to Policy DS2 and the Omission Site section, discussions are on-going with the Meoncross school to facilitate expansion of the car park and/or playing fields in the short term. The potential relocation of the school to other land within Persimmon's interest at Cuckoo Lane over the longer-term is also being explored. As currently drafted, by strictly limiting development to within an existing educational facility, the Policy would prevent such future improvements and the possible relocation of Meoncross School.

Strategic Policy DS2 Development in Gaps

The Council has commissioned Hampshire County Council to review its Strategic Gaps. The County's methodology for this review is set out in the Technical Review of Areas of Special Landscape Quality and Strategic Gaps (September 2020). This applies 'Primary Measures' (i.e. physical and visual separation) and 'Secondary Measures' (i.e. Green Infrastructure Provision) to define the gaps. We support the inclusion of physical and visual separation as a means of determining the gap boundary, but we see no justification for including the secondary measures as this is outside of the scope of the role of a gap. In any case, Green Infrastructure is an issue that is dealt with separately under Policy NE9 of the draft Plan.

The following commentary on this policy considers each of the Strategic Gaps before comments are made on the content of Policy DS2 itself.

<u>The Fareham-Stubbington Gap</u>

As set out in the recommendations of the Gap Review paper (Chapter 4: Conclusions and Recommendations, Paragraph 10): *'there exists some opportunities for development to be absorbed within the Stubbington-Fareham Strategic Gap, subject to scale and future detailed design, without compromising its Gap function…'* It is surprising then that the Council has not examined this potential in greater details as part of its Publication draft Local Plan, particularly given that the most recent Regulation 18 Local Plan consultation proposed a Strategic Growth Area (SGA) within this gap as a means of accommodating growth.

It is also surprising that the Gap Review Paper does not adequately consider the influence of the Stubbington by-pass on the Fareham-Stubbington Gap. Paragraph 3 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap states that*: 'As the Bypass is currently under construction and its alignment marked out, it is possible to see how it might affect the sense of separation between Fareham and Stubbington.'* The report also states that it is too early to understand the full impact that Stubbington Bypass will have on the landscape character and development pressures of the Gap. This second assertion is contested. Given that the by-pass construction has progressed significantly, and that by-pass proposal has been subject to landscape assessment (including through the ES associated with the application), there is sufficient information available to allow for a robust assessment of the impact of the by-pass on the gap and the landscape to be carried out. A review of the landscape and gap evidence should be carried out prior to submission of the Plan for examination.

There can be no doubt that the by-pass will have a considerable influence on the Fareham-Stubbington Strategic Gap - effectively splitting it two. Once the by-pass is complete, it will form a strong defensible boundary, which will make the difference in the character between areas north and south even more apparent than it is already. This difference in the character requires considered in the Local Plan and its evidence base.

Land to the north of the bypass route is considerably more open in character, with large open fields with limited boundary planting providing prominent views north from the bypass toward the southern urban edge of Fareham, which is well defined by Rowan Way. This area is characterised by a strong sense of tranquillity, and is a much more sensitive landscape that is more befitting of Gap designation in accordance with the Council's own methodology. Land to the south of the bypass, however, comprises considerably more urban influences as demonstrated by existing development along Ranvilles Lane / Titchfield Road, the cemetery south of Oakcroft Land and development around May's Lane / Peak land (including where the urban area of Stubbington protrudes into the gap). This observation is supported by the detailed analysis of gap study area 7a (see Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap, para 8) which states that:

'There exists the potential to ***make modifications to the settlement boundary of North Stubbington: to extend the boundary to run along Oakcroft Lane****, as the isolated field that sits aside Crofton Cemetery, does not protrude into the landscape beyond the current Northern and Western edges of Stubbington. Largely sitting behind a mature line of Poplars also helps this isolated field absorb some development (subject to detail design),* ***without risking the integrity of the Gap, as a whole****.'*
(Persimmon's emphasis)

Paragraph 11, Bullet 2 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review evidence reconfirms the limited role that the area to the north west of Stubbington, south of Oakcroft Lane and east of Ranvilles Lane plays as a gap. The Gap study states that this area has *'the ability to absorb development into the landscape exists, without compromising the integrity of the Gap function'.* The Council will be aware of the planning application within this part of the gap (LPA Application Reference: P/20/0522/FP). This application comprises 209 new homes a considerable area of land to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1. The application is a resubmission of a planning application that addresses technical and design issues raised by the Council previously. It is understood that the application is due to be considered by planning committee in January 2021.

One key consideration when reviewing the boundary of a gap is the consideration that no more land should be included in the gap than is necessary (see adopted Core Strategy Policy CS22, Fareham Borough Council Gap Review 2012 and South Hampshire Strategy 2012). This concept is reiterated in the Gap Review Paper as 'minimum land take'. In light of the above, it is Persimmon's view that the gap evidence should be reconsidered with areas north and south of the by-pass assessed separately to take account of the by-pass. For reasons set out above, and in accordance with the Gap Review methodology, it is considered that a review of the evidence would indicate that the land north of the by-pass should be retained as gap and land to the south should be deleted from the gap designation. Retaining a gap to the north would preserve a c. 800m gap between the by-pass and the southern urban edge of Fareham, which is described in the Gap Review Paper as being *'moderate-large gap'* of a 'good distance' that *'gives the traveller time to experience the countryside after leaving one settlement before joining another.'* Retaining a gap of adequate width in this location is particularly important given the role Peak Lane plays in providing a well utilised north-south link between Stubbington and Fareham.

With regards to land to the east of Stubbington, Paragraph 11, of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review indicates that there is very little opportunity to absorb development in this corridor but that advanced planting along the eastern edge of the settlement would be beneficial. Persimmon Homes have interests in this area (as discussed in detail later in these representations). In summary, the proposals include new residential development, significant new strategic planting and open space along the eastern edge of the site. Discussion are on-going with the

Meoncross School to facilitate expansion of the car park and playing fields in the short term and the potential relocation of the school to other land within Persimmon's interests over the longer-term.

In light of the our comments set out above It is considered that the Fareham-Stubbington Strategic Gap should be redrawn so that land to the south and west of the by-pass is removed from the gap.

Whilst not a gap issue per se, the emerging and previous Local Plans, have tended to avoid allocating any significant growth on the periphery of Stubbington. Sensitively redrawing the gap boundary as suggested above will allow for much needed sustainable development housing to come forward to support the housing aspirations of those wish to live in or remain living in Stubbington.

The Meon Strategic Gap

As touched upon above, the function of a Strategic Gap is to prevent the coalescence of separate settlements. Land to the west of Stubbington is identified as a gap but there is no settlement to the west of the Stubbington that requires protection from coalescence. With regards to Strategic Gap Study Area 6, it is noted that the Gap Review study states that this gap is provided to ensure there is no coalescence between Stubbington and Titchfield along Titchfield Road. Whilst this northern most extent of this study area may serve this purpose, the central and southern parts of the Study Area 6 play no role whatsoever in preventing coalescence. This is recognised in Paragraph 13 of Chapter 4: Strategic Gaps SG 1: The Meon Gap of the Gap Review Study. Nonetheless, the Study recommends that the Gap is retained in this area due to: high levels of tranquillity, its role in providing separation of Portsmouth and Southampton, and to recognise the potential longer-term settlement expansion southwards from Titchfield and South Westwards from Hook. Based on the Council's Gap Review methodology, these are not adequate reasons to include this land within the gap.

A more logical delineation of the gap, which would ensure that no more land than necessary is included within it, could be to end its southernmost extent at Crofton Manor Equestrian Centre where the transition from countryside to urban (as part of Stubbington) becomes apparent. As recognised in the Gap review study, much of the land to the south of the Equestrian Centre is subject to protection under draft Policy DS3 (as discussed below), and ecological constraints which provide adequate protection against inappropriate development in this area. A gap is therefore not necessary.

General Comments on Policy DS2

Notwithstanding our comments above, in our considered view, Policy DS2 is too restrictive. There may be a point within the plan period, for example where the Council is unable to demonstrate a sufficient five year housing land supply, where additional housing may be required over and above those sites identified in the Plan. The Council has persistently struggled to demonstrate a sufficient five year housing land supply in recent years so flexibility in the Policy is required.

As demonstrated through the Council's Regulation 18 draft Plan, a sustainable location for such development may be in the Strategic Gap between Stubbington and Fareham. As such, the Policy should include additional wording to allow for appropriate and sustainable development in the Strategic Gap in such circumstances where housing supply needs to be increased.

The Policy also seeks to prevent development in Strategic Gaps that may significantly affect its 'integrity' and the 'distinctive nature of settlement characters'. This is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. The reference to 'integrity' and the 'distinctive nature of settlement characters' should be deleted from the Policy. The function of a Strategic Gap is to prevent the coalescence of separate settlements, which can be achieved through assessment of the impact of a proposed development on the physical and visual separation of settlements. The other policy criteria are superfluous.

In light of the above, it is considered that the Strategic Policy DS2 - Development in gaps and delineation of the Gap as shown on the draft Policies Map, should be redrawn as set out above. If this is not the case the Policy cannot be said to either justified or effective and is therefore unsound.

Strategic Policy DS3: Landscape

Policy DS3: Landscape identifies a number of Areas of Special Landscape Quality (ASLQ), including the Meon Valley. This is new Policy that does not form part of the adopted Local Plan. The first part of this Policy seeks to significantly restrict development in the Meon valley area. However, considering that the Council has successfully defended the Meon Valley area from a number of hostile planning applications in the recent past without this Policy in place, the justification for it is questionable. Given the prohibitive nature of Policy DS3, the development potential of Site 5 (Cuckoo Lane) for housing and new school provision, will unlikely be realised unless the site is allocated for development in the Local Plan and/or the site is excluded from the Meon Valley ASLQ designation.

HOUSING POLICIES

Strategic Policy H1 Housing Provision

As mentioned in the Duty to Co-operate section above, the Council is applying the Government's former draft Standard Methodology to arrive at its LHN (403 dpa) as opposed to the current Standard Methodology (514 dpa). The draft Standard Methodology is not Government Policy, it is only a consultation draft. The Government has recently (16th December 2020) released revised LHN figures that indicate that the Council's baseline LHN will increase to 514dpa. This increase LHN to exactly the same figure as per the current Standard Methodology. This newly published data clearly undermines the Councils premature decision to use the lower LHN figure. It is also noted that when the current and new LHN figures for Gosport and Southampton are considered both Councils are facing an increase in LHN of 106 dpa and 315 dpa, respectively. This is significant as both of these Authorities may need to look to Fareham to accommodate unmet housing needs. This will place even greater pressure on Fareham Borough Council to increase its housing requirement set out in Policy H1. For completeness, Portsmouth's LHN remains unchanged between the two data sets.

Notwithstanding, our concerns that the Council has failed the legal test with regards to the duty to cooperate, Policy H1 cannot be assumed to be sound as undershoots current and emerging LHN. The Plan cannot therefore be considered consistent with national policy and it is not positively prepared. Should the Council seek to amend its housing requirement (for example using the current Standard Methodology) and make consequential changes to its supply sites, re-consultation on a revised Regulation 19 Plan will be necessary.

Policy H1 includes an estimated 1,224 windfall dwellings. The Council's Housing Windfall Projections Background Paper (June 2020) does not provide a detailed breakdown of which sites are being considered as windfall. The Council's figures cannot therefore be scrutinised. Until such time as the Council publishes this detail underpinning the windfall allowance, this element of the supply should not be counted towards the Council's housing requirement.

The Policy also looks to implement a stepped housing requirement, which backloads housing delivery towards the latter part of the Plan period. This approach is at odds with the NPPF's objective to boost the supply of housing and appears not be justified by the expected rate of delivery of sites as site out in the summary housing trajectory in Appendix B of the Plan. For example, in the first period (2021/22 and 2025/26) the Council proposes a requirement of 2,250 dwellings (averaging 450 dwellings per annum). However its housing trajectory suggests that 3,085 dwellings will be delivered, which is equivalent to 617dpa. As such, Policy H1 should be expressed as an average requirement; it should not be stepped.

The Policy also sets out that approximately 428 homes will be delivered on specified brownfield sites and/or regeneration opportunities in Fareham Town Centre. In some cases deliverability, viability availability (i.e. in existing use) is not assured (notably sites FTC2-5). Whilst Local Plans should be aspiration, they should also be deliverable. Allied to above, a further 1,327 homes are identified on Housing Allocation sites (i.e. allocation prefixed with a HA reference). However, a number of these sites are rolled forward allocations from the current adopted Local Plan, and in some cases (i.e. HA29 and HA30) are site that formed part of the Western Wards growth are that were originally identified

in the 1970's, but have failed to be delivered. As such, it is questionable whether the Council has properly assessed deliverability / developability of some of the sites comprising its supply. It is advisable therefore that the quantum of housing expected from some of the questionable supply sites should not be counted against the housing requirement in the Plan, and alternative sites (such as those set out in the Omission Sites section) should be identified to ensure the Council's housing requirements are met. In additional to the above, the deliverability issues associated with Welborne are well documented. Recently it is understood that due to delays in the site coming forward, the Council has lost external funding to deliver critical highway improvement works. This further underscores the challenges associated with this site. The Council would be well advised to take a highly cautious approach when seeking to include housing supply from Welborne. The draft Plan currently includes 4,020 dwellings as part of the housing supply. In light of the above, this figure is considered to be highly optimistic and should be revised downwards.

Notwithstanding, our concerns regarding the Council's choice of LHN, this figure should be regarded as the starting point for developing the Plan's housing requirement. Councils are advised through national planning policy/ guidance to consider whether any adjustments should be made to the LHN figure to account for other factors such as economic growth (which appears to be absent from the Plan) and unmet need from neighbouring authorities (as discussed above). With regards to affordable housing, the Council commissioned a Housing Needs Survey as part of its previous Regulation 18consultation draft Plan in 2017. At the time, the Survey suggested that there is a net affordable housing need of 302 dpa (i.e. nearly ¾ of the overall annual requirement). Whilst the Standard Methodology accounts for affordability (or lack thereof in Fareham's case), actual affordable housing need indicates that a further uplift to its LHN may be necessary.

Policy HP4 Five-Year Housing Land Supply

Policy HP4 states that development 'may be' permitted where a development meet all the criteria in policy HP4. The Policy should be reworded to positively state that a development *'will be'* permitted if it meets the policy criteria. When determining planning applications, the decision maker is required to read the Local Plan as a whole; there is no reason for the Policy to be equivocal on this matter.

With regards to criterion (b) the policy states that a development should be '…integrated with the neighbouring settlement'. Does this mean a physical link between the development and the adjoining settlement or that a development should be integrated in design terms? This needs to be clarified.

Criterion c) seeks to prevent development in strategic gaps that may significantly affect its integrity. As per our comments in respect of Policy DS2, this is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. It is also noted that Policy DS2 sets out different policy requirement with regards to the protection of Strategic Gap (i.e. proposals should not affect the physical and visual separation of settlements). This has the potential to create an internal conflict within the Plan as it is unclear which policy requirements (either HP4 or DS2) would take precedent where the Council unable to demonstrate adequate five year supply. It is suggested therefore that the wording for Criterion c) is deleted or replaced with a cross reference to Policy DS2 (including Permission's suggested amendment to this DS2).

Policy HP5 Provision of Affordable Housing

With respect to the percentages of affordable housing sought at sites, Policy HP5 should include a viability review mechanism to provide flexibility. This will assist with the viability of schemes should there be a fall in market over the lifetime of the Plan and/or in circumstance where unknown development costs are introduced (nitrate mitigation costs associated with the HRA requirements are a case in point having seriously affected the viability of schemes over the past year or so).

As set out in the supporting text to this Policy (paragraph 5.32), the Council publishes on its website the identified affordable housing need by area of the Borough. The Council's website shows considerably different housing need for each area. The affordable tenure mix is therefore too prescriptive and does not reflect the Council's own evidence base. It is advisable therefore that the

Council replaces criteria i-ii with a statement confirming that affordable housing mix and tenure will be negotiated with the Council evidence base set out its webpage used as the starting point.

Further underscoring our concerns with the nature of the tenure mix, the Council should be aware of the potential practical challenges associated such a small percentage of Affordable Home Ownership. The Policy could be interpreted by officer so that Affordable Home Ownership is provided at 10%, which would be a challenge for reasons set out below. Registered Providers are becoming ever specialised with some only dealing with the shared ownership side and others the rented side. Requiring such a small percentage of Affordable Home Ownership products through this Policy may create challenges in terms the viability of tender bids for this type of unit. In addition, Affordable Home Ownership, including shared ownership schemes, have been shown to be an effective means of getting people on the property ladder. As the Council's own evidence shows 10% is considerably below what is actually needed.

The final element of Policy HP5 addresses the market rent of Affordable Rented units, which will be judged as 80% of market rent or the relevant Local Housing Allowance (LHA), whichever is lower. The NPPF only make provision for rent to be set at 80% of market. It does not state that market rents should be benchmarked against LHA. The reference to LHA should be deleted to ensure that HP5 is in conformity with national policy.

It is also noted in Paragraph 5.42 of the supporting text to HP5 that the Council may need review the Affordable Housing Supplementary Planning Document (SPD) to address changes to the affordable housing and mix. SPDs should not be used to review issues that have a direct impact on viability. This should be tested through the Local Plan review process.

Policy HP7 Adaptable and Accessible Dwellings

The PPG sets out a number of tests against which Councils should consider when seeking to introduce M4(2) and M4(3) policies into its Local Plans. The Council's Specialist Housing Background Paper (September 2020) has been produced which shows how the Council claims to have met these tests.

In terms of need, the Background Paper sets out the population with Long Term Health Problem or Disability based on census data. However, this measures population, not households, so should not be assumed to an accurate proxy for need. It should also be noted that some people who state that they may have a Long Term Health Problem or Disability as part of a Census response may not have an illness that would affect mobility and would not therefore not necessarily require M4(2) or M4(3) dwellings. The evidence base should be updated to reflect the above.

With regards to the provision of Category 3 specifically, the Council's evidence of need is weak being based on a national wheelchair usage that may not reflect the level of need in Fareham Borough. Furthermore, with regards to Category 3 affordable housing, from a practical point of view, Registered Providers are less willing to take on wheelchair dwellings as they can be difficult to occupy. If there is no suitable occupier then the unit could be sat empty for a significant period while a suitable occupier is found. During this time the unit is not generating any income, and could have been used to house a family that is in need at the time.

As the Council correctly identifies, a large proportion of older homeowners will seek to remain within their own homes with care provided in situ. Should these owner occupiers need to downsize or relocate they will be able to utilise the equity built up within their dwellings to access products which meet their specific. This may be sheltered or extra care accommodation. Within recent years, as this market has developed, the industry has responded with a number of private sheltered accommodation schemes approved within Fareham. In this context, the Local Plan also looks to facilitate the delivery of specialist housing through Policy HP8 and through specific housing allocations made in the Plan (HA42 – HA43). The Background Paper does not appear to have factored in the supply of specialist homes that may come forward be on allocated sites and windfall sites permissible under Policy HP8.

With regards to the second test relating to location of specialist housing, as set out HP8, this type of accommodation is best located in accessible locations. Given the mobility challenges which some older people face, town and district centres, with their conveniently located services such as shops and health facilities, are ideal locations for older persons housing. Fareham town centre is a highly accessible location where a significant quantum of flatted housing is proposed with the benefit of a reduced affordable housing policy requirement. District Centres are also highly accessible locations where there is a potential for older persons housing could be delivered. The Council should therefore consider restricting this Policy requirement to areas of high accessibility.

Policy HP9 Self Build and Custom Homes

Policy HP9 sets out a policy requirement for 10% of all units on sites over 40 dwellings to provide plots for sale to address local self or custom build need. It is noted, however, that at Paragraph 5.8 of the Council's Self and Custom Build Housing Background Paper (September 2020) it is stated that that the Council has met its past and future self-build requirements – this has been achieved without the need for a specific policy. It is also noted that the adopted Welborne Plan requires some 1% of its housing to be for self / custom build. Set against the current identified need of 35 net plots it would seem excessive to require a policy to further increase self / custom build supply. This could result in significant over provision of a product for which there is no clear market demand. In light of the above, the justification for Policy HP9 is therefore questionable. The policy does include provision for plot to be developed for non-self-build ,should they not be taken up, however, this Local Plan has made no assessment about the extent to which this would affect cash flow and the viability of developments. It is Persimmon's view therefore that this Policy should be deleted.

Notwithstanding our overarching concerns regarding the justification for this policy, there are a number of practical considerations that the Plan fails to adequately acknowledge. Criterion a) for example, sets out that self or custom build plots should be serviced. The Policy needs to clarify what is meant by 'serviced'. Does serviced this relate highway access, gas, water, electricity and/or broadband, and to which point should the plots be serviced? Turning to criterion c) it is not clear who would be responsible for setting out the design parameters. Placing a requirement to conform to set parameters could put off some prospective self / custom builders. The requirement to provide self and custom build plots may also have a number of practical and management issue, such as:

- Phasing and completion of the wider site.
- Section 106 contributions due to the exemption that applies to self-build housing.
- Delivery of housing in accordance with paragraph 59 of the NPPF to boost significantly housing supply, where supply on an ad hoc basic by self-builders is likely to be slow compared with the remainder of the site or even not take place at all.
- The reserve matters period running out and needing to be extended.
- Ad-hoc builders turning up outside specified hours of work.
- Storage of materials as there is limited room on plot and storage spills onto the market housing part of the site.
- Purchasers having to stop building due to unemployment/lack of funds.
- Purchaser dissatisfaction where building continues on a site which was expected to finish when they moved in.

<u>CLIMATE CHANGE</u>

Strategic Policy CC1 Climate Change

This Policy states that the 'Council will promote mitigation and adaptation to climate change through…' It is unclear whether the criteria will be sought as part of development proposals, or whether the criteria relate to development delivered by the Council. This requires clarification. If it is the former, the Policy should make clear that the criteria are not requirements but should only be met where it is possible to do so.

Policy CC2 Managing Flood Risk and Sustainable Drainage Systems

Policy CC2 requires all developments to be designed in accordance with the CIRIA C753 SuDs Manual or equivalent national or local guidance. The SuDS manual is, however, only guidance. In Persimmon's experience, strict adherence to the guidance can be problematic as the design of a SUDS system also need to consider design, aesthetics, engineering etc. It is recommended therefore that the wording for this bullet point is prefixed with 'Where possible,' to provide the necessary flexibility.

NATURAL ENVIRONMENT

Policy NE2 Biodiversity Net Gain

Policy NE2 sets out a requirement for site to deliver 10% net gain for biodiversity. The Local Plan viability assessment assumes a cost of £500 per dwelling. This development cost is based on limited evidence and seems low, particularly for greenfield sites (as opposed to brownfield equivalents) which are likely to require significant more extensive measures to achieve a 10% net gain. In many cases, the requirement to achieve BNG is likely to negatively impact on the developable area, resulting in a loss of revenue that negatively impacts on viability, rather than be a cost associated with each individual units per se. In Persimmon's view, the viability evidence to support the introduction of this Policy is inadequate. As mentioned above, meeting BNG at 10% can require considerable land take; on some sites Persimmon has been involved in, BNG has required around 50% of the gross site area. It is not clear whether or to what extend the Council has factored in this 'land hungry' BNG requirement as part of its housing allocations capacity estimates. It is also noted that BNG should be achieved across a site, it is not a requirement to be met at the individual plot level (although this might form part of the BNG solution). As such, supporting text Paragraph 32 is misleading and should be deleted.

Policy NE4 Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent

This is new Policy which sets out Fareham's policy approach to dealing with excessive nutrient (nitrate) loading on protected European sites of ecological importance. However, the Policy is light on detail with insufficient guidance as to how applicants will be able to demonstrate conformity. Given Persimmon's significant experience in dealing with such matters, the Company is aware of how this Policy can be implemented in practice, but for less informed developers/applicants this may be more challenging.

Notwithstanding the above, the Company is aware that the primary means of determining whether a development proposal will be able to demonstrate nutrient neutrality is by producing a nutrient budget using the Natural England Methodology. Given that the Natural England Methodology provides a key evidence base and is fundamental to the implementation of Policy NE4, it is critical that this document is examined in detailed alongside the Local Plan. Of particularly concern is that Natural England's Methodology includes a number of onerous stages that result in significantly more mitigation being required than is actually necessary. These provisions include, but are not limited to, housing occupancy rates, internal migration (particularly those households that are occupying new affordable housing) and default permit levels. Furthermore, despite many of steps set out Natural England Methodology taking a precautionary approach to nitrate assessment, an arbitrary buffer of 20% increase in nitrate loading is added at the end of the calculator. This buffer is not required and will further exacerbate the issue of overproviding mitigation land that is not necessary. Lastly, it is noted that the Partnership for South Hampshire has updated the Integrated Water Management Study (IWMS). The IWMS provides a key evidence base underpinning the nitrate assessment work, but the Natural England Methodology does not take into account this new evidence.

Policy NE5 Solent Wader and Goose Sites

Policy NE5 sets out the Council approach to protecting area which are used by Solent Waders and/or Brent Geese. The Policy makes reference to such area as shown on the Policies Map. These

designations are, however, informed by an interactive GIS map provided on the Solent Bird Aware website, which forms a critical evidence base to the development of Policy NE5. It is therefore concerning that, on the same webpage as the bird habitat GIS mapping, members of the public can download a form to report bird sightings. It is not clear whether or to what extent these reported sighting are authenticated / scrutinised by a qualified ecologist. There appears to be wide scope for land to be incorrectly identified as a bird site leading to unnecessary cost being expended to mitigate site, and in the worst cases complete sterilisation of that land. This is certainly the case with a number of sites that are with Persimmon Homes' interests (as detailed later in these representations). There is a concern therefore that the mapping evidence base underpinning Policy NE5 is flawed.

The Policy also does not set provision with regards to bird surveys. The methodology for bird sites allows sites to be identified as habitat even if they are not actually being used by birds. It would seem logical that the policy makes provision for applicant to undertake ecology survey and assessment of bird sites in order to demonstrate the absence or presence of a species. We would recommend that one year's survey data should be sufficient, with further surveys only required if the some activity has been identified at a site.

The Council will also be aware that it is the Solent Bird Aware mapping (not the Policies Map) that is used by consultees (Natural England and the Council's own in-house ecologist), to determine whether a development will impact on any protected bird habitat areas, to avoid any confusion in the future, and to ensure the Policies Map remains in date, it is suggested the Policy Map deletes these designations.

With regards to the criterion a) 'Core and Primary Support Areas' the Policy requires that development on such sites should result in an overall net gain to the Solent Wader and Brent Geese Network. BNG is a requirement of Policy NE2; the concept for which is established in the NPPF. However, Persimmon are unaware of any such requirement in national policy or the evidence base underpinning this policy, for a net gain for specific species, including protected birds.

Policy NE6 Trees, Woodland and Hedgerows

Point a) of this Policy advises that the 'unnecessary loss' of non-protected trees, hedgerow and woodland should be avoided. It is unclear what 'unnecessary loss' means in practice.

Point b) of the Policy should be a new sentence, and what is meant by the term 'unavoidable' in this context should be clarified.

Policy NE8 Air Quality

Criteria a) of this policy requires electricity charging infrastructure to be provided as part of new development (excluding Welborne). It is unclear why this Policy is not to be applied to Welborne. Presumably this is because of the impact of such provision on viability. Viability issues associated with EV charging provision are, however, not limited to Welborne.

The Local Plan Viability study incudes development cost associated with EV charging as part of £10,000 per plot contingency. Paragraph 5.3.8 of the Study states that, *'it is unclear at stage of writing if or when any of these measures will be required, so [the study takes] a very cautious and conservative approach….'* With regards to the EV charging, Policy NE8 requires such provision; there is no uncertainly as to what is expected of a development proposal. As such, the Viability Study should consider this issue in greater detail and not combine this policy requirement with other unknown cost demands on development. Combining these 'unknowns' a single contingency means that is not possible to scrutinise in detail whether the assumptions made with respect to EV is reliable.

We would highlight that the cost for providing EV charging points is around £500-£600 but this does not include additional costs associated with providing additional sub-stations on lager development sites so that all charging points are capable of being used concurrently (alongside all other energy

demands on a development), and the potential to provide enhanced electricity supply (i.e. off-site upgrades) over and above that required for the units that could challenge a scheme's viability.

As current drafted, this element of the Policy is not justified.

TRANSPORT AND OTHER INFRASTUCTURE

Strategic Policy TIN1 Transport Infrastructure, Policy TIN2 Highway Safety and Road Network and Strategic Policy TIN4: Infrastructure Delivery

These policies concern development contributions to the delivery of new infrastructure. However, it is considered the funding for such infrastructure may, in many instances, be a matter for CIL.

Notwithstanding, the above, if such Infrastructure is a requirement to make the development acceptable in planning terms, then such contribution need to meet the relevant tests set out in the CIL Regulations. It is no longer appropriate for blanket contribution to be sought by planning authorities. The Policy should be clear on this matter.

With specific reference to TIN2 it is unclear why the Council has chosen not to show the alignment of the Stubbington by-pass on the Policies Map given its strategic importance. This Policies map should be updated to show this route.

DESIGN

Policy D1 High Quality Design and Place Making

Policy D1 makes reference to a number of principles of policy and urban design, but also makes reference to guidance contained in the supporting text. For clarity and avoid any confusion over what is policy and what is supporting, text, it is suggested that this cross reference to the supporting text contained in the policy wording is deleted.

The Council should also review the policy to remove any duplication with other policies in the Plan, for example the section relating nature.

Consideration should also be given as whether the policy needs to be so detailed given that the Council has comprehensive guidance on design set out in its adopted Design SPD.

Policy D3: Coordination of Development and Piecemeal Proposal

This Policy seeks to avoid ransom situations. However, The Council will be aware of case law that prevents it from interfering on private property rights with regard to depressing or prevent returns to a landowners.

Policy D4: Water Quality and Resource
The second part of this policy requires developers to meet the Optional Technical Housing Standard for Water Efficiently (i.e. 110L/person/day). Meeting these Standards should be optional, not required. Whilst the Natural England Nutrient Methodology for the Solent area requires development to meet these standards as a means of addressing nitrate loading, there may be instances where nutrient neutrality can be achieved without doing so. The justification for requiring proposals to meet this standard are inadequate.

D5 Space Standards

The housing standards review introduced the optional space standards which local authorities could adopt by way of reference in their local plans. However, a prerequisite to the adoption of the space standards are the following tests set out in the planning practice guidance (Paragraph: 020 Reference ID: 56-020-20150327).

"Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- ***need** – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- ***viability** – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- ***timing** – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.'*

In order to meet the policy test for the inclusion of the space standards there is a requirement for the council to establish the need for the adoption of the national space standard. To this end, the Council has published a Specialist Housing Background Paper (September 2020). Para 6.7 of Background Paper states most dwellings that have been consented or are awaiting determination are consistent with the 2015'Technical housing standards –nationally described space standard. The Background paper, makes references to the larger plots not meeting this standard, with an example being made of site ref 14/19. However, on the whole most dwellings considered in the Council's Background Paper, including large units, are meeting the Optional standards. From a need perceptive, it would seem as though there is little justification for the introduction of this Policy.

In terms of first part of the viability test, the Council's Local Plan Viability Study indicates that development viability would not be negatively impacted by the introduction of the standards. This Study, however, is completed at a relatively high level, which makes it difficult to conclude whether this part of the test has been complied with. With regards to the second part of the test, no assessment has been carried out by the Council to demonstrate that the requirement for new development will not negatively impact affordability within the market.

As set out in paragraph 6.10 of the Background Paper, the Council has decided not to set a transition period for the adoption of the national space standards as it is of the view its introduction would not affect viability. For reasons set out above, we do not concur with this assessment, and suggest that a three year grace period is introduced to allow sites that are under a fixed contract to be brought forward. It is also noted that, the Council are looking to apply the draft policies in this Plan, including the requirement for national space standards prior to the examination or adoption of the plan. This contrary to the approach set out in the planning practice guidance. It is not practical to expect development proposals that are currently being considered to suddenly meet space standards.

In light of the above, Policy DS5 is not justified and should be deleted for reasons of soundness.

Local Plan Appendices

Appendix B set out a summary housing trajectory for the sites identified in the Plan. This is inadequate to properly assess the delivery expectation made by the Council with respect to individual sites. To enable proper scrutiny of the trajectory, the Council's housing trajectory should be broken down by individual sites. This is particularly important because the Council has consistently over-estimated the delivery timescales for key sites. For example, Welborne, which was originally identified in the Core Strategy (2011), was expected to commence delivery in 2014/15. The site has still not achieved an implementable planning persimmon, and commenced of development is still some way off.

4. Omission Sites

The following section provides an overview of the sites in Fareham Borough that are in Persimmon's interests, but have not be identified for allocation. These site are largely located on the periphery Stubbington and are within the ownership of the Dunley Estate. The Table below summarises the Dunley land holdings including capacity. The sites are shown on the enclosed Location Plans provided at Appendix 2.

Site Number	Address	Gross Area Acres (Hectares)	Site Capacity Estimate*
1	Land East of Burnt House Lane	23.53 (9.52)	240 - 320
2	Land West of Peak Lane	46.25 (18.72)	TBC
3	Land North of Titchfield Road	4.83 (1.95)	40 -50
4	Land South of Titchfield Road	2.78 (1.12)	10 - 30
5	Land West of Cuckoo Lane	52.76 (21.35)	150-200
6	Land at Oakcroft Lane	41.04 (16.20)	209
	Total	**171.19 (69.28)**	**649 - 809**

*Based on net developable area, not gross area.

Sites 1-3 and Site 6 fall within the South of Fareham SGA that was identified as part of the most recent Regulation 18 draft Plan. The remaining sites (Sites 4 and 5) are located outside of the SGA. The following section addresses each site in turn.

In support of the Draft Local Plan Regulation 19 Plan, the Council updated its Strategic Housing and Employment Land Availability Assessment (SHELAA) in September 2020. This replaces the previous study which published in December 2019. The conclusion of the SHELAA as related to each of the sites shown in the Table above are considered.

Site 1: Land East of Burnt House Lane

This site is located to the eastern edge of the Stubbington. Persimmon has undertaken some initial capacity testing in relation to Site 1, including an initial highways assessment and masterplanning. The outcome of this work indicates that the site is capable of delivering around 240 to 320 new homes. This accounts for on-site constraints including the provision of a noise attenuation bund, and strategic planting to the eastern and northern boundaries of the site. Adjacent to this site is the Meoncross School, which seeking alternative arrangements for playing pitches close to the school (the existing pitches are currently leased and do not adjoin the school) and additional car parking to avoid parents parking on the nearby residential streets. Persimmon is in discussion with the school about how development at the Burnt House Lane may assist in addressing the school's immediate needs. In the longer term, however, given that the school is unable to expand within its existing site, consideration is being given as to whether the facility could be relocated to the Cuckoo Lane site (Site 5) to the west of Stubbington. Permission are strongly of the view that the site is sustainable and suitable for development and it is capable of being brought forward as a standalone allocation site, or as part of a wider masterplan with the South of Fareham SGA, should the Council seek to revisit this project.

The SHELAA 2019 concluded that Site 1 (SHELAA Ref: 1040) was deliverable housing site. However, in the Council SHELAA 2020 the Council considers the site to be undeliverable due a) to a significant visual impact undermining the integrity of the Strategic Gap, and b) the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The

Council ascribes a capacity of 125 dwellings to the site. It is unclear how the Council has reached the conclusions in the new SHELAA given its assessment of the 2019 SHELAA undertaken just nine months prior. Notwithstanding this, as set in these representations, it is Persimmon's view that the Strategic Gap should be redrawn to exclude this site. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the bird site to development is not unachievable. A strategy of improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 2: Land West of Peak Lane

This site is located to the north of the by-pass and extends across much of the gap towards the urban edge of Fareham in the north. Given its location and context, the development potential of this site is considered to be limited. However, the land could be an effective nitrate mitigation and/or bird protected habitat site that mitigation solution that could be used to address the potential impact development on other sites within Permission interests and/or other sites in the Borough the require mitigation solutions.

Site 3: Land North of Titchfield Road

This site is located to the north-west of Stubbington. Whilst this site formed part of the previous SGA, it is clearly distinct from and separate from it. This site is small scale that is well-contained in landscape terms, surrounded by existing built development and is deliverable in the short-term as stand-alone site that can be brought forward either as part of outside of the SGA masterplanning process should the Council seek to revisit this project. Initial capacity assessments of Site 3 indicates that it is capable of delivering around 40-50 new homes.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3190) was a deliverable housing site. However, in the SHELAA 2020 considers the site to be undeliverable due it being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 20 dwellings to the site. It is unclear how the Council has reached these conclusions regarding the suitability of the site given its assessment of the site undertaken just nine months prior. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the site to development is not unachievable. This approach to improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 4: Land South of Titchfield Road

This small site is located to the north-west of Stubbington. It bounded to the north-east and north-west by existing housing fronting Titchfield Road and the Crofton Equestrian Centre. The site's relationship with the wider Meon Valley landscape is limited by the woodland to the south of the site. The woodland to the south and its associated watercourse (which is also within Dunley Estate ownership) is recognised as an important ecological resource. Sensitive site design, however, could provide a means of ensuring the ecological interests at this adjoining site are protected and enhanced. Initial site capacity assessment indicated that the site is capable of delivering between c. 10-30 new homes. Were the Council minded to allocate the site for residential development, it could provide an important contribution towards its small-medium site housing allowance as required by Paragraph 68 of the NPPF.

Site 5: Land West of Cuckoo Lane

This site adjoins the settlement boundary of Stubbington to its north-eastern boundary. It is characterised by a substantial arable field that is well-contained in the north by the built form of Stubbington and substantial woodland. Initial capacity testing of this site, which has allowed for a substantial ecological buffer to the woodland, strategic planting to contain the site from the wider Meon Valley, land for a new school and new parkland further south, indicates that it is capable of delivering around 150-200 new homes.

This site is assessed in the SHELAA as being undeliverable due to being located within a *'highly sensitive landscape (based on the Fareham Landscape Assessment) and within an Area of Special Landscape Quality. Significant ecological constraints associated with the adjacent SPA/SSSI affect the suitability of the site.'* The SHELAA ascribes a capacity of 240 dwellings to the site. Whilst the ecological and landscape challenges associated with this site are recognised, they are not insurmountable. Although not a consideration for the SHELAA per se, the site provides the opportunity to deliver substantial ecological and recreation benefits, alongside community benefits, including new education provision and allotments.

Site 6: Land at Oakcroft Lane

Similar to Sites 1 and 3, the Oakcroft Lane site can be delivered outside of or as part of the SGA process (should the Council revisit this project). However, as demonstrated through the planning application, the site is deliverable now as a standalone development site. Technical issues associated with the development have been resolved and Persimmon are currently awaiting determination of the application by the Council. The site is capable of delivering 209 new homes alongside a considerable area of space to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3141) was a deliverable housing site. However, in the SHELAA 2020 the Council considers the site to be undeliverable due to the site to be undeliverable due to the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 200 dwellings to the site. It is unclear how the Council has reached these conclusions given its assessment of the site undertaken just nine months prior, and considering the site-specific mitigation strategy for protected birds has the support of Natural England and the Council's ecologist via the planning application process.

Appendix 1: Oakcroft Lane Site Layout

Rev	Date	Revision Details	Dr	Ch
E	22.04.20	Bypass junction amended	br	db
D	25.02.20	see planning cover note	br	db
C	05.11.19	see planning cover note	br	db
B	20.09.19	see planning cover note	br	db
A	22.07.19	see planning cover note dated 23 July	br	db

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Job Title
Oakcroft Lane, Stubbington

Drawing Title
Site Layout

Job No	Drawing No	Rev
220	A-02-015-SL	E
Drawn	Checked	Date
BR	DB	March '19

Scale
1:1000 @ A1 / 1:2000 @ A3

metres 20 40 60 80 100

Status
PLANNING

Persimmon Homes. No dimensions to be scaled from drawing except for the puposes of Planning Applications. The contractor should check all dimensions on site. It is the contractors responsibility to ensure compliance with Building Regulations. No drawings should be copied or modified without permission from Persimmon Homes.

File Location: s:\south coast\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Appendix 2 Omission Site Location Plans

Site 1 Location Plan: Burnt House Lane, Stubbington

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Site 2 Location Plan: West of Peak Lane, Stubbington

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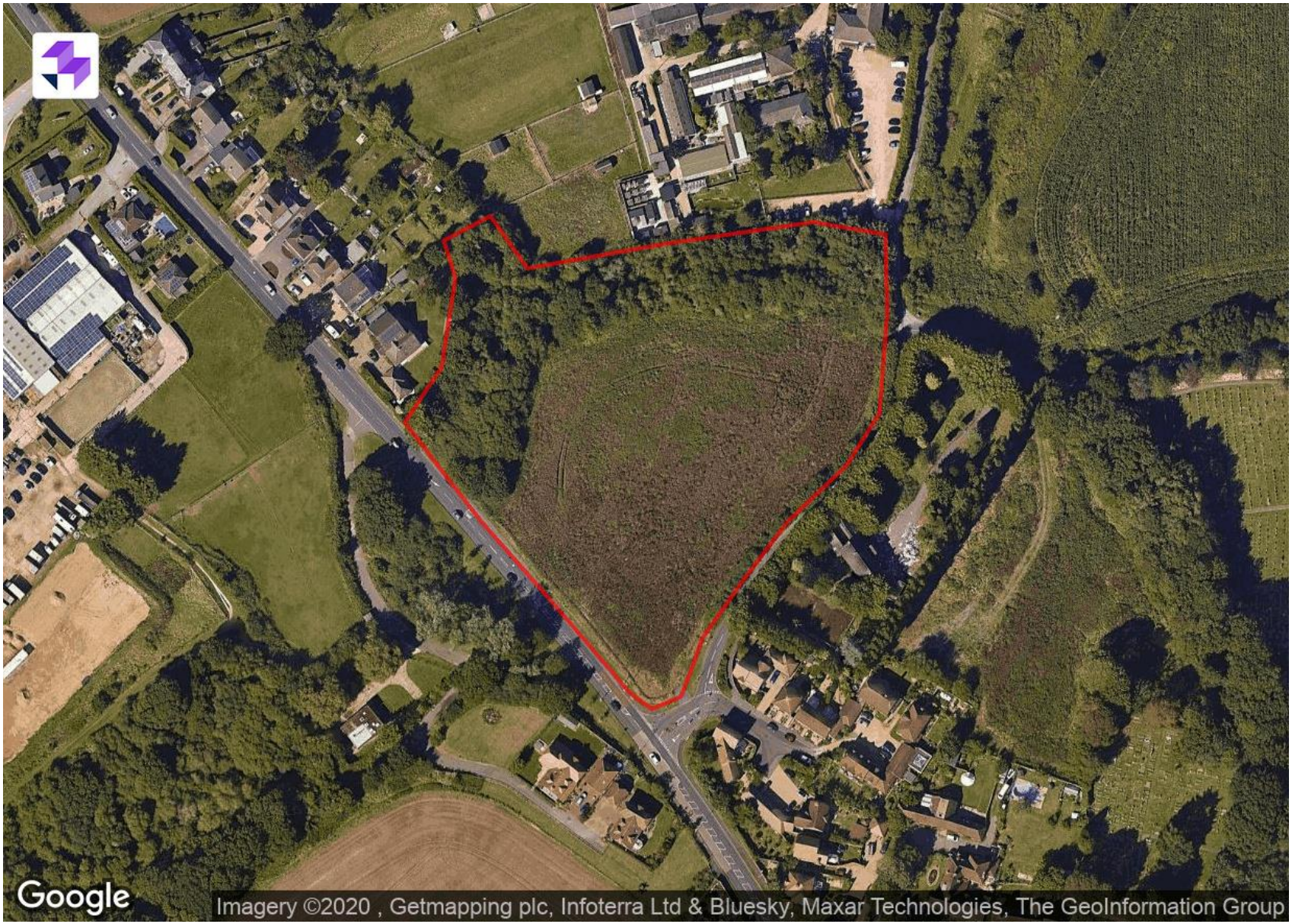

Site 3 Location Plan: North of Titchfield Road, Stubbington

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Site 4 Location Plan: South of Titchfield Road, Stubbington

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Site 5 Location Plan: West of Cuckoo Lane, Stubbington

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OFFICIAL PARTNER

Rev	Date	Revision Details	Dr	Ch
A	22.07.19	see planning cover note dated 23 July	br	db

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File Location: s:\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Portsmouth CITY COUNCIL

Planning Policy,
Planning and Economic Development

Portsmouth City Council
Civic Offices
Guildhall Square

Gayle Wotton,
Planning Strategy Manager
Civic Offices,
Civic Way,
Fareham,
PO16 7AZ

[redacted]

Ref:

17 December 2020

Dear Gayle,

Re: Fareham Borough Council - Local Plan 2037: Portsmouth City Council response

Thank you for consulting Portsmouth City Council on the emerging Fareham Local Plan. The City Council would like to make the following comments:

Approach to Housing Need

1. While the Fareham Borough Council's (FBC) 'Regulation 19' Publication Plan has been out to consultation the Government has announced a revised standard methodology for assessing local housing need, following the *Changes to the current planning system* consultation published in August 2020. For both Fareham and Portsmouth this results in the previous standard method numbers being retained (514 and 855 per annum respectively[1]) rather than the proposed lower figures put forward for consultation by Government in August (estimated to be 403 and 730 per annum respectively). The development strategy proposed by the Reg 19 verison of the Fareham Borough Council Local Plan 2037 is based on the 420 per annum figure.

2. Portsmouth has a finite capacity to accommodate new development due to its geographical constraints; changes to Portsmouth's housing target are therefore directly reflected in the cities unmet housing need. Paragraph 4.5 of the FBC's Publication Plan references the City Council's formal request for Fareham to accommodate 1,000 dwellings of Portsmouth's unmet need; Fareham's contribution in its housing supply for the plan period of 847 dwellings to the unmet need of all neighbouring authorities' is noted and welcomed. However, under the December 2020 methodology, the City Council has a total unmet need of over 3,000 dwellings. The City Council would therefore wish to maintain the request to FBC to potentially accommodate up to 1000 dwellings as a portion of Portsmouth's unmet need. The City Council is also conducting other Duty to Cooperate discussions on the matter

[1] MHCLG *Indicative local housing need* (December 2020 revised methodology) available from: https://www.gov.uk/government/consultations/changes-to-the-current-planning-system

with neighbouring authorities in the Portsmouth Housing Market Area. Gosport and Havant Borough Councils have both indicated capacity limitations. However, the City Council recognise that the distribution of housing need is broader than the PCC and FBC authority areas, and will require consideration and co-operation at the sub regional scale.

3. In response to FBC's previous Local Plan consultation (Local Plan Supplement, March 2020), the City Council welcomed the proposal for two Strategic Growth areas (North of Downend, and South of Fareham) in Fareham Borough's Local Plan, which were indicated at that time as having the potential to meet unmet development needs from the Borough's neighbouring authorities. The City Council indicated that North of Downend would be particularly suitable for accommodating unmet need from Portsmouth given its closer geographical proximity to the city and transport links via the M27/ A27, Portchester railway station and the proposed Bus Rapid Transit (BRT) line.

4. The Publication Plan has not taken the two Strategic Growth Areas forward, due to the anticipated reduction in FBC's housing target from Government. Given the potential revision in housing need targets (published 16.12.20), this would justify FBC's reconsideration of the inclusion of such sites to help meet FBC's housing need and well as unmet need from other neighbouring authorities in the Portsmouth Housing Market Area, including PCC.

5. PCC and FBC will continue to work collaboratively to address strategic planning matters, both through the Partnership for South Hampshire (PfSH) and, where necessary, on a bilateral basis. The PfSH authorities' are currently undertaking a piece of work (as part of the review of the 2016 Spatial Strategy) to identify sufficient suitable sites to accommodate unmet housing need across the sub region, with specific focus on Housing Market Areas. This will include ensuring there are sufficient sites in the Portsmouth Housing Market Area (which contains both Portsmouth and a large part of Fareham). The City Council welcome the inclusion of land at Down End and development in part of the Stubbington Gap in the PfSH Strategic Development Opportunity Area work as part of the range of strategic site options being considered. The City Council supports the specific reference to the on-going joint work with the PfSH authorities in paragraph 1.3 of the Plan.

Employment

6. In regard to employment, Portsmouth and Fareham's authority areas' form part of a wider market area, with commuters moving between the city and the surrounding towns including Fareham and the M27 corridor. PCC supports the allocations for employment land in Policy E1: Employment Land Provision, particularly the sites at Daedalus which of sub-regional importance to the local market.

7. The City Council would encourage HBC to consider how the Local Plan could help to resist the loss of employment space (e.g. a future Article 4 Direction), as well as the loss of other allocated uses that fall under Use Class E where necessary. If allocated employment land is lost to residential uses this could lead to an increase in unsustainable travel patterns and greater pressure on the wider area. We would welcome further discussion with FBC, and other Councils in Portsmouth Housing Market area and/ or PfSH area, on this matter to establish a common approach.

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Portsdown Hill

8. Portsdown Hill is an important part of the landscape in South East Hampshire, for its open space, landscape and heritage value as well as the views of and from the hill. The City Council supports the identification of Portsdown Hill as an Area of Special Landscape Quality under the FBC Publication Plan Policy DS3, and notes the evidence produced to support the allocation in the *Technical Review of Areas of Special Landscape Quality and Strategic Gaps* (Sept 2020).

9. The City council would welcome any further opportunities for joint working on the strategic approach to Portsdown Hill, together with Winchester District Council and Havant Borough Council, including as a consultee on development proposals.

Environment

10. The City Council welcomes the inclusion of NE1 - Protection of Nature Conservation, Biodiversity and the Local Ecological Network, Policy NE6: Trees, Woodland and Hedgerows, Policy NE9: Green Infrastructure which together help protect key species and habitats and promote green space coverage within south Hampshire.

11. Portsmouth are currently developing a green infrastructure network for the city, including the identification of a number of existing and proposed 'green corridors' to link up open spaces across Portsmouth, encourage active travel, enhance biodiversity and support resilience to climate change. A first draft of the proposed network was published in PCC's Green Infrastructure Background paper in February 2019; it includes the identification of several potential 'green corridors' that would meet the boundary with Fareham's authority area: Portsdown Hill Road and Southampton Road (A27). The City Council would welcome any discussion on how these proposed corridors could be extended beyond the City Council area, and/ or support for these linkages in the FBC Local Plan if possible. The identified ecological network opportunities (shown the map in Appendix C of the Publication Plan) along Portsdown Hill Road and the A27 within the FBC authority area are noted.

12. The City Council is committed to continuing to work with FBC and the other members of the PfSH Water Quality Working Group as necessary on short, medium and long term 'nutrient neutral' mitigation solutions for housing development within the Solent catchment. Current discussions indicate that mitigation solutions are likely include the identification and securing of suitable off-setting land in the Solent catchment, predominately outside the Portsmouth urban area.

13. The City Council is also mindful of the likely forthcoming requirement to provide at least 10% biodiversity net gain on development sites, as part of the anticipated Environment Act. While the City Council is currently undertaking further work to explore how such requirements could be effectively applied within an urban environment and to identify off-site opportunities for biodiversity creation and/ or enhancement within the city, there is the potential for a shortfall in net gain provisions (subject to the final provisions of the Environment Act) within the plan period. Securing land for nitrate mitigation presents one such opportunity to seek multiple environment benefits for the sub region (biodiversity net gains, carbon off-setting, Suitable Alternative Greenspaces (SANGs) for recreational disturbance,

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habitat compensation of coastal defence schemes etc). The City Council are committed to furthering these discussions with Fareham BC and the other PfSH authorities on this matter, and to consider the potential for environmental off-setting on both a sub-regional and a site by site basis as appropriate.

Education

14. The City Council continues to maintain close links with Hampshire County Council as Education Authority due to cross border pupil movement. Development in close proximity to the FBC and PCC authority borders can impact the availability of school places across authorities. The timing and size of development should therefore be closely monitored to ensure the continued availability of school places during the life of both Local Plans.

Transport

15. The City Council welcomes the reference in paragraph 10.3 of support for proposals that promote sustainable transport links through Fareham Borough to Portsmouth and Southampton. The city also supports the reference to the development of the rapid transit networks between the two authorities and linking to others in the sub region in paragraph 10.20.

If you wish to discuss any of the matters raised in our response, please do not hesitate to contact me.

Kind regards,

Rachel Cutler

Acting Planning Policy Manager

[redacted]

DRAFT

Representations | Pat Rook

1812-261942

Respondent details:

Title:	Mrs
First Name:	Pat
Last Name:	Rook
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: 9.1

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 9.10 Whereas the LPA is aspiring to Nitrate Neutrality, Strategic Policy NE1 requires designated sites be protected and ENHANCED Likewise Para 9.50 (Policy NE4) confirms permissions will be granted when the integrity of designated sites be maintained or IMPROVED. Finally, Page 199 Para 9.54 indicates that proposals for development should provide a net REDUCTION in eutrophication for designated sites in an unfavourable condition. The LPA's approach therefore contravenes both the Habitats Directive and the Publication Plan in respect of these policies. Furthermore, a leading QC's opinion is it is unclear how any development could be contemplated in the Western Wards without negatively impacting the SAC and RAMSAR sites and therefore based on proximity alone, this would invalidate the deliverability of these developments. As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves beyond scientific doubt, that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been mitigated (rather than compensated). There is doubt that the LPA is applying the Natural England advice correctly and lawfully in this respect.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

no comment

How would the modification(s) you propose make the Local Plan legally compliant or sound?

no comment

Your suggested revised wording of any policy or text:

no comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

2) Paragraph: 10.26

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 10.26 Infrastructure Delivery Plan calls for the expansion of health care provision through the addition of further GP locations in the Western Wards, However the table provided within the document only provides an historic timeline pre-dating the Local Plan

What modification(s) is necessary to make the Local Plan legally compliant or sound?

n/a

How would the modification(s) you propose make the Local Plan legally compliant or sound?

n/a

Your suggested revised wording of any policy or text:

n/a

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

giving nature a home
rspb
England

Planning Strategy
Department of Planning and Regeneration
Fareham Borough Council
Civic Offices, Civic Way
Fareham
Hampshire
PO16 7AZ

By email only: consultation@fareham.gov.uk

18th December 2020

Dear Sir/Madam

Re: Fareham Borough Council Publication Local Plan 2037

Thank you for consulting the RSPB on Fareham Borough Council's Publication Local Plan 2037 consultation. We have reviewed the Publication Local Plan 2037 and would like to make the following comments. We have focused our response on the sections of the local plan relating to **Housing Need and Supply** and the **Natural Environment**.

Housing Need and Supply

The RSPB had previously responded to Fareham Borough Council's consultation for Local Plan 2037 Supplement and Strategic Housing and Employment Land Availability Assessment (SHELAA) (February 2020) regarding concerns for sites considered by Fareham Borough Council during the SHELAA process. The RSPB highlighted two areas of concern relating to Romsey Avenue, Portchester (site ID: 207) and Land between Fareham and Stubbington (site IDs: 1341, 3008, 3059, 3190, 3199, 3200). Our concerns highlighted the inappropriate locations of these sites within the Solent Wader and Brent Goose Strategy (SWBGS); containing **one Primary Support** site, **two Secondary Support** sites, and **five Low Use** sites. The RPSB's response to Fareham Local Plan 2037 SHELAA can be found in **Appendix I**.

We welcome the exclusion of the above sites from Fareham Borough Council's Local Plan. In-combination effects of development within Fareham Borough Council are required to be assessed for impacts on the wider SWBGS network of sites and its connectivity as functionally-linked land to the Solent Special Protection Areas (SPAs). Discounting the above sites will help to protect one of the last stepping-stones between Portsmouth Harbour SPA and Southampton Water SPA from significant impacts through development and loss of SWBGS sites. It is acknowledge that sites that impact the SWBGS network may come forward outside of the local plan allocations and therefore Policy NE5 will be key in informing the requirements for these sites. We would urge that this policy makes specific reference to the SWBG Guidance on Mitigation and Off-setting Requirements (2018 and subsequent updates) for additional

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BirdLife INTERNATIONAL
The RSPB is part of BirdLife International, a partnership of conservation organisations working to give nature a home around the world.

Patron: Her Majesty the Queen Chairman of Council: Kevin Cox President: Miranda Krestovnikoff
Chairman, Committee for England: Victoria Chester Director, RSPB England: Emma Marsh
The Royal Society for the Protection of Birds (RSPB) is a registered charity: England and Wales no. 207076, Scotland no. SC037654
Registered address: The Lodge, Potton Road, Sandy, Bedfordshire, SG19 2DL

detail and would suggest that any mitigation is agreed with the SWBG Steering Group as well as the Council.

The RSPB also welcomes the inclusion of site-specific requirements addressing indirect impacts on SWBGS sites and the Solent SPAs for remaining site allocations that are relevant to these protected sites. Fareham Borough Council have identified sites that are not consistent with the SWBGS mitigation guidance[1] and discounted these sites at the appropriate stage. Sites that remain with the potential to have adverse impacts upon the SWBGS site network or Solent SPAs must ensure that site-specific requirements for Construction Environmental Management Plans (CEMPs) and site design plans to avoid potential adverse impacts highlighted within Fareham Borough Council's Publication Local Plan 2037 are adhered to.

Eutrophication in the designated sites in the Solent area

The RSPB is increasing concerned about the impact poor water quality and particularly nutrient enrichment is having on the designated sites and their features. Therefore, we are very supportive of the inclusion of Policy NE4, however, in its current form this text only sets out what is legally required. It would be useful to include some further policy wording around the need for developments to demonstrate nutrient neutrality or provide nutrient mitigation to achieve this as detailed in the following supportive text. We particularly welcome the supporting text para. 9.54 to target nutrient enrichment issues impacted the designation and the need to provide a net reduction. We would encourage the Council to explore enhancing areas for biodiversity as part of any mitigation to address nutrient enrichment.

We hope you find these comments useful. We would welcome the opportunity to discuss these comments with you in further detail.

Yours sincerely

Jack Thompson

[1] SWBGS Steering Group (2018) Solent Waders and Brent Goose Strategy (SWBGS): Guidance on Mitigation and Off-setting Requirements.

Appendix I – RSPB response to Fareham Local Plan 2037 SHELAA, February 2020

SHELAA

The RSPB recognises the challenges that Fareham Borough Council faces as it seeks to accommodate development on a scale predicted to be required within the Plan period. However, the RSPB is increasingly concerned by the incremental loss of Special Protection Area (SPA) supporting sites across the Solent and therefore concern by the number of sites assessed as developable within Fareham Borough Council's Strategic Housing and Employment Land Availability Assessment (SHELAA) which are part of the network of sites used by brent geese and waders.

Dark-bellied Brent Geese (*Branta bernicla bernicla*) are winter visitors to the Solent from their breeding grounds in Siberia. Traditionally wintering on coastal mud flats, terrestrial feeding sites such as farmland with cereals and pasture or amenity grasslands are important feeding sites for Brent Geese, with greatest use at high tide when coastal mud flats are unavailable to Brent Geese. Maintaining and enhancing scale and connectivity of these important high tide feeding and roosting sites for Brent Geese is extremely important in order to prevent the loss of wintering Brent Geese and waders.

We acknowledge the inclusion of impacts to sites identified in the Solent Wader and Brent Goose Strategy (SWBGS) within the assessment of site suitability within Fareham Borough's SHELAA. However, across the sites assessed as developable within the SHELAA **one Primary Support** site, **four Secondary Support** sites, and **nine Low Use** sites within the SWBGS will be lost or partially lost. Sites within the SWBGS are classified based on value of the site in the context of the wider network of sites, its populations in terms of national importance, and the maximum count of bird use at the site. Further information on classification can be found in the SWBGS Guidance on Mitigation and Off-setting Requirements (October 2018)[2] and Interim Project Report: Year Two (2019)[3]. We provide further comment on these sites below.

Romsey Avenue, Portchester

Romsey Avenue, Portchester (SHELAA site 207) has been identified as a 'Developable Housing Site' within Fareham Borough's SHELAA. The 12.71ha site is a Brent Geese and Solent Waders Primary Support Area. The Ecology Comment for Romsey Avenue identifies that '*partial retention of the site and its enhancement, along with financial contribution, is required to mitigate for loss of a Primary Support Area'*. Any mitigation or compensation for the loss of a Primary Support site within the SWBGS network must ensure the continued ecological function ensuring that there are significant net benefits to the wader and brent goose network through the creation and ongoing management of any replacement sites. It is preferred that schemes affecting Primary Support Areas such as this come through the local plan process, however, we are aware that a planning application for this development (P/18/1073/FP) has been submitted and is currently under consideration. The proposed Bird Conservation Area associated with this application represents a 78% reduction in the size of the Primary Support site. This is wholly inadequate to appropriately mitigate for the partial loss of the Primary Support site. Mitigation in relation to recreational disturbance of the retained area of SWBGS Primary Support site has not been considered and will need to be included in the mitigation required for the Romsey Avenue development. Therefore, based on the current information it cannot be excluded that the allocation of this site will result in an adverse impact on the integrity of the SPA.

Further work undertaken as part of the SWBGS has looked to identify areas suitable for strategic wader and brent goose reserves. This area including the allocation would be ideally placed to form part of the network of sites retained to support the SPA, we therefore urge the removal of this allocation.

Land between Fareham and Stubbington
Land between Fareham and Stubbington has been identified as a Strategic Growth Area. This area contains the largest proportion of sites assessed as developable within the SHELAA. We highlight those sites below:

- Land South of Longfield Avenue, Fareham (SHELAA site 3008) – identified as containing both SWBGS **Secondary Support** and **Low Use** sites.
- Land South of Oakcroft Lane, Stubbington (SHELAA site 1341) – identified as containing both SWBGS **Secondary Support** and **Low Use** sites.
- Land East of Titchfield Road, Titchfield (SHELAA site 3059) – identified as containing SWBGS **Low Use** site.
- Land at Titchfield Road and Ranvilles Lane (SHELAA site 3190) – identified as containing SWBGS **Low Use** site.
- Newlands Plus – Area B1 and B2 (SHELAA sites 3199 and 3200) – both are identified as containing SWBGS **Low Use** sites.

SWBGS Guidance on Mitigation and Off-setting Requirements (October 2018) states in paragraph 24 under *Secondary Support Areas* that *'In-combination, these sites (Secondary Support Areas) are essential to secure a long term, permanent network as this ensures a geographical spread of sites across the wider ecological network, thereby meeting the needs of each discrete subpopulation'*. Paragraph 35 under *Low Use* outlines the wider importance of Low Use sites: *'All Low Use sites have the potential to be used by waders or brent geese. These sites have the potential to support the existing network and provide alternative options and resilience for the future network. The in-combination loss of these sites would impact on the continued ecological function of the wader and brent goose network. In all cases proportionate mitigation, off-setting and/or enhancement measures will be required.'*

Considering the annual housing need for Fareham Borough at 520 houses per year, with a total requirement for 8,320 new houses developed over the duration of the Local Plan (not including the 10-15% buffer proposed for the new Local Plan), the RSPB is concerned by the proposed loss of sites between Fareham and Stubbington and the impact that these developments in-combination will have on the wider SWBGS network of sites and its connectivity. The land between Fareham and Stubbington provides one of the last stepping-stones between SWBGS sites from Portsmouth Harbour SPA to the east of the Borough and Southampton Water SPA to the west. Therefore, the assessment of this in-combination effort of the loss of these sites identified in the SHELAA needs to be considered within Fareham Borough Council Local Plan. Further, any development identified within 5.6km of the Solent SPAs will need to contribute towards the Solent Recreation Mitigation Strategy (SRMP). Development located immediately adjacent is likely to require more than financial contribution to the strategy in order to fully mitigate likely significant impacts upon the SPAs.

Representations | Steve Godwin

1812-581012

Respondent details:

Title:	Mr
First Name:	Steve
Last Name:	Godwin
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policy: NE1 - Protection of Nature Conservation, Biodiversity and the Local Ecological Network

Legally compliant	No
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Inadequate compliance regarding position regarding excessive levels of Nitrates in the Solent area which has rightly prevented planning applications until resolved. The legal basis of the planned offset solution should be properly considered/challenged as the offset solution does not solve the problem. I have made representations to Sean Woodward and Stella Braverman in this regard. The response from my MP was inadequate and shows this as a political fudge.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Solve the nitrate problem

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Solve the nitrate problem

Your suggested revised wording of any policy or text:

Until the nitrate problem is resolved this policy should not be adopted or implemented.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Representations | Unknown1 Unknown1

Unknown1

Respondent details:

Title:	
First Name:	Unknown1
Last Name:	Unknown1
Job Title: (where relevant)	
Organisation: (where relevant)	
Address:	
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: 1.5

Legally compliant	No
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Para 1.5 Introduction: Statement of Community Involvement and further Paragraph 2.1 says a “variety of methods” should be used to solicit comments from the public. Because paper-based documents failed to be employed across the borough, a large proportion of residents were deprived of sharing their opinion. This was exacerbated by Covid restrictions, limiting the access to libraries and the council office. The Publication Plan Introduction Page 1 specifies that representations should focus solely on “Tests of Soundness” but is contradictory to FBC’s guidance in Fareham Today which includes the additional areas of ”Legal Compliance” and “Duty to Cooperate” This is misleading and confusing to members of the public wishing to provide commentary. Since 2017 residents’ concerns have not been considered regardless of protest marches, deputations and objections raised. For example, despite a petition exceeding the prerequisite number of signatures needed to trigger a Full Council meeting debate, such debate was refused, even after a challenge was raised to the Council’s scrutiny Board. It is discriminatory that community-generated evidence carries less weight than that provided by Developers consultants. E.g. regarding previous use of land in Nitrate budget calculations similarly with traffic survey results captured by residents and Community Speedwatch teams.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

The LPA should make another attempt to achieve a reasonable level of Community Involvement

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Allow for public opinion to be expressed through the appropriate channels and provide a mechanism for evidence collected by residents groups to be equally considered as that from Developer's consultants and associates

Your suggested revised wording of any policy or text:

The LPA will hold another Public Consultation on the Plan during the Summer of 2021 where their views and concerns can be properly considered

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

2) Policy: HA1 - North and South of Greenaway Lane

Legally compliant	No
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Policy HA1: The total new homes proposed for specific sites across the Borough (not including Welborne) is 1342. It is an unfair distribution for HA1 (proposed at 830 dwellings) to contribute 62% of this quantum. Moreover, whilst FBC recently enjoyed an overall reduction in new houses of 22.5% they are now proposing Warsash should endure a 20% increase in their local number! There is no joined up “Masterplan” for HA1 (with developers working in complete isolation of one another). Therefore, another environmental impact assessment must be conducted showing the cumulative effect of HA1 in its entirety. Para 4.19 Housing policies HA(2,5,6,8,11,14,16,18,20,21,25) are no longer proposed allocations. So, why was HA1 singled out as an allocation and how was the Objectively Assessed Housing Need arrived at for this site? Developers have taken advantage of the LPA’s decision to propose HA1 within (the now defunct) 2017 Plan and have submitted Applications that the LPA have resolved to grant permission on (many ahead of and likely contrary to) the Publication Plan. Others claiming their sites fit well with HA1 has now resulted in the boundaries of HA1 being adjusted to accommodate them. This seems to mark an inappropriate powershift toward the Developers.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

HA1 needs to be re-evaluated from the point of view of reducing overall number of dwellings (by conducting an OAN on the Warsash area alone). The Plan must also ensure a "joined up" approach is taken to the many Developers sites and the CUMULATIVE effects caused rather than the current piecemeal "Salami-Slicing" approach

How would the modification(s) you propose make the Local Plan legally compliant or sound?

HA1 would be properly re-assessed (starting from the point of the Extant 2015 Plan numbers and not the unadopted abandoned draft plan of 2017)

Your suggested revised wording of any policy or text:

HA1 will be re-assessed in the light of confirming the Objectively Assessed Housing Need in Warsash and the Western Wards and any Allocation sites will be considered both individually and as a whole to ensure the Cumulative effects on the infrastructure and environment are properly taken into account

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

3) Paragraph: 9.1

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 9.10 Whereas the LPA is aspiring to Nitrate Neutrality, Strategic Policy NE1 requires designated sites be protected and ENHANCED Likewise Para 9.50 (Policy NE4) confirms permissions will be granted when the integrity of designated sites be maintained or IMPROVED. Finally, Page 199 Para 9.54 indicates that proposals for development should provide a net REDUCTION in eutrophication for designated sites in an unfavourable condition. The LPA's approach therefore contravenes both the Habitats Directive and the Publication Plan in respect of these policies. Furthermore, a leading QC's opinion is it is unclear how any development could be contemplated in the Western Wards without negatively impacting the SAC and RAMSAR sites and therefore based on proximity alone, this would invalidate the deliverability of these developments. As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves beyond scientific doubt, that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been mitigated (rather than compensated). There is doubt that the LPA is applying the Natural England advice correctly and lawfully in this respect.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

The LPA must ensure that mitigation of eutrophication complies with the directive to REDUCE overall Nitrate Levels and that inline with Natural England Advice that protected sites (SAC, SPA, RAMSAR) are not compromised because simple broader-region off-setting has been used as opposed to Local Mitigation of effects on those sites

How would the modification(s) you propose make the Local Plan legally compliant or sound?

The Plan would become consistent with Advice From Natural England and the Habitats Directive

Your suggested revised wording of any policy or text:

Sites will be allowed where Nitrate Reduction mitigation can be proven at a local area level

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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4) Policy: HA1 - North and South of Greenaway Lane

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Policy HA1 (currently a Greenfield site), is proposed to be re-designated as an urban area (via the re-definition of Settlement Boundaries ref. WW17). In the Foreword to Publication Plan: Greenfield sites are less favoured locations for development. Para 2.10 states Fareham Borough will retain its identity, valued landscapes and settlement definition and will protect its natural, built and historic assets. The proposed allocation of Policy HA1 contradicts these aspirations and those of Para 2.12 "Strategic Priorities" which strive to maximise development within the urban area and away from the wider countryside and to create places which encourage healthier lifestyles. The re-designation of the Policy HA1 to urban status and the movement of the Settlement Boundary to encompass it, is a blatant and possibly, unethical, manœuvre by stealth of the council, to suit its own objectives.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Greenfield Sites will be assessed in their own right and Settlement Boundaries shall not be altered to include large proposed Housing Allocations until the Objectively Assessed Housing Need for the immediate vicinity have been considered. Similarly no redesignation of Greenfield sites to Urban status shall be allowed until OAHN can be proven to justify this.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Remove changes to Settlement Boundary as indicated in WW17 and apply Greenfield Site aspirations to HA1

Your suggested revised wording of any policy or text:

HA1 is in the Countryside and as such any consideration of Housing Allocation should conform with the Policies for Development in the Countryside and the Aspirations of the LPA to maintain such areas as a last resort for Development

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

---

5) Policy: DS1 - Development in the Countryside

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Strategic Policy DS1 (Paras 5.6 and 3.36) deals with the need (in exceptional circumstances and where necessary and justified) for residential development in the countryside on previously developed land. Additionally, Policy HP1 calls for the efficient use of existing buildings to meet such need on a one-for one replacement dwelling basis. These conditions do not apply to HA1 and therefore it seems the “convenient” alternative was for FBC to redraw the urban boundary!

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Do not redraw the Settlement Boundary in WW17 and exclude HA1 as it does not meet requirements of DS1

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Would then comply with DS1 and HP1

Your suggested revised wording of any policy or text:

HA1 is in the Countryside and outside Settlement Boundary. It does not meet the requirements of existing dwelling replacement in HP1 and therefore should not be considered for allocation without meeting the further requirements for development in the Countryside

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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6) Policy: HP4 - Five-year Housing Land Supply

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Policy HP4 (Para 5.24) HA1 fails to meet criteria e) as the proposal would demonstrably have unacceptable environmental, amenity and traffic implications.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Re-Assess HA1 in respect of being outside the Urban settlement and in terms of OAHN and Local Sustainability from an amenities and infrastructure perspective

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would ensure that Development in the Countryside is only considered with the requirements set forth in the relevant Policies and that any allocation proposed is locally sustainable through the addition of amenities and infrastructure to support the number of new dwellings proposed.

Your suggested revised wording of any policy or text:

HA1 Allocation needs to be re-evaluated to ensure the appropriate amount of infrastructure and amenities are delivered before any Development begins

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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7) Policy: HA1 - North and South of Greenaway Lane

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Policy HA1: Page 51 refers to traffic routes and despite recommendation to limit access to 6 dwellings on Greenaway Lane, the plan proposes for up to 140 dwellings to use this as access through a widening of the Lane. This will result in a considerable negative impact on the character of the lane and to the safety of its non-vehicular users. In general, Page 54 suggests 7 new accesses onto the already very busy Brook Lane and Lockswood Road, as well as one additional access at Brook Lane, via 3 entry points from Greenaway Lane. The position and proximity of these access points will be a recipe for serious gridlock and accident blackspots

What modification(s) is necessary to make the Local Plan legally compliant or sound?

A full Local Transport Assessment needs to be conducted for the routes serving HA1

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would ensure that traffic and safety implications of an additional 830 dwellings in a relatively compact area have been properly considered

Your suggested revised wording of any policy or text:

The LPA will carry out a Full Local Transport Assessment for HA1 to determine the flow of traffic and congestion cause through the additional 1600 vehicular movements each day. In particular the safety of Brook Lane will be reviewed in the light of the "Pinch point" just beyond the School, which is on a blind corner and likely to result in injury or fatality, either from a head on collision or a vehicle striking a pedestrian from having to mount the kerb.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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8) Paragraph: 10.15

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Para 10.15 Transport plan does not include an analysis of streets where the majority of the houses are proposed. Why, when there are 830 new dwellings proposed, hasn't more consideration been given to HA1 in the transport assessment. With an average of 2 cars per dwelling, an additional 1660 vehicles will be on local roads and there is no reference for the mitigation required to reduce congestion by 2037. The Plan fails the Test of Soundness by not being Positively Prepared in this respect.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

A full local Transport Assessment will be conducted for the routes serving HA1

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would ensure it was Positively prepared by taking into account the challenges of increased vehicular movements caused by HA1

Your suggested revised wording of any policy or text:

The LPA will conduct a full and thorough Local Transport Assessment to determine any traffic and safety issues created by HA1 and will ensure that the appropriate mitigation has been agreed before any allocation is approved.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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9) Policy: HA1 - North and South of Greenaway Lane

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 14.6 of Final Transport Assessment reads; "In conclusion, based on the work of this Strategic Transport Assessment, it is considered that the quantum and distribution of the development proposed in the Fareham Local Plan, and the resulting transport impacts, are capable of mitigation at the strategic level, and that the plan is therefore deliverable and sound from a transport perspective." This statement doesn't include the area HA1, of the local plan with 830 homes and isn't assessed within the Transport Plan document.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

The Transport Assessment has only been done at the Macro level (Strategic) and not local level - Need a detailed Transport Assessment for HA1

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would ensure that the appropriate mitigation is in place for the additional traffic created by an extra 830 dwellings in the local area

Your suggested revised wording of any policy or text:

The LPA shall conduct a detailed Local Transport Assessment for HA1 before an allocation is approved

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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10) Policy: HA1 - North and South of Greenaway Lane

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Policy HA1: Page 52 indicates the need for the provision of “2 junior football pitches” Why are these not shown in the Masterplan?

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include on the Masterplan where the two junior football pitches are proposed

How would the modification(s) you propose make the Local Plan legally compliant or sound?

The Masterplan would be made consistent with Policy HA1

Your suggested revised wording of any policy or text:

Two Junior football pitches to be shown on the masterplan

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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11) Paragraph: 3.27

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Para 3.27 fig 3.2 There are actually more than the indicated 8 potential growth areas shown on the map (assuming that these are construed as being the proposed allocations). This needs correction.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Either change the number of potential growth areas or modify the Map to be consistent with the figure of 8

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be consistent

Your suggested revised wording of any policy or text:

Update the Map or change the number (8) mentioned in Para 3.27

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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12) Paragraph: 3.37

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Para 3.37 is in conflict with Para 4.13 over the definition of small-scale development – is it sites of less than 1 Ha or development of not more than 4 dwellings?

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Ensure the numbers are the same in both Paras

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be consistent

Your suggested revised wording of any policy or text:

Change either Para 3.37 or 4.13 to make them consistent

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Representations | Charlotte Varney

2011-171355

Respondent details:

Title:	Mrs
First Name:	Charlotte
Last Name:	Varney
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: BOROUGHWIDE POLICIES (HP4, HP10, H1, E1, R1-4, CC1-4, NE1, NE3-6, NE8-10, TIN1-2, D1-3, D5, HE1, HE3-6)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

The map boundaries for the Warsash area have been moved post the planning. This is not legal, sound or compliant with a duty to cooperate.

Para 1.5 Introduction: Statement of Community Involvement Paragraph 2.1 says a “variety of methods” should be used to solicit comments from the public. Because paper-based documents failed to be employed across the borough, a large proportion of residents were deprived of sharing their opinion. This was exacerbated by Covid restrictions, limiting the access to libraries and the council office. The Publication Plan Introduction Page 1 specifies that representations should focus solely on “Tests of Soundness” but is contradictory to FBC’s guidance in Fareham Today which includes the additional areas of ”Legal Compliance” and “Duty to Cooperate” This is misleading and confusing to members of the public wishing to provide commentary. Community Involvement Since 2017 residents’ concerns have not been considered regardless of protest marches, deputations and objections raised. For example, despite a petition exceeding the prerequisite number of signatures needed to trigger a Full Council meeting debate, such debate was refused, even after a challenge was raised to the Council’s scrutiny Board. It is discriminatory that community-generated evidence carries less weight than that provided by Developers consultants. E.g. regarding previous use of land in Nitrate budget calculations similarly with traffic survey results captured by residents and Community Speedwatch teams. Para 4.7 The Warsash Neighbourhood Forum (although now defunct) were never consulted with respect to their intention to allocate housing, in line with Para 66 of the NPPF.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Return to original boundaries

The Publication Plan Introduction Page 1 specifies that representations should focus solely on “Tests of Soundness” but is contradictory to FBC’s guidance in Fareham Today which includes the additional areas of ”Legal Compliance” and “Duty to Cooperate” This is misleading and confusing to members of the public wishing to provide commentary

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Return to original boundaries would be the correct thing to do.

The Publication Plan Introduction Page 1 specifies that representations should focus solely on “Tests of Soundness” but is contradictory to FBC’s guidance in Fareham Today which includes the additional areas of ”Legal Compliance” and “Duty to Cooperate” This is misleading and confusing to members of the public wishing to provide commentary.

Your suggested revised wording of any policy or text:

I am not a legal expert and therefore suggest the people who wrote the policy make the correct amendments

The Publication Plan Introduction Page 1 specifies that representations should focus solely on “Tests of Soundness” but is contradictory to FBC’s guidance in Fareham Today which includes the additional areas of ”Legal Compliance” and “Duty to Cooperate” This is misleading and confusing to members of the public wishing to provide commentary.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

No, I don't want to take part in a hearing session

2) Paragraph: 1.16

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 1.16: No mention is made of the 2017 unadopted draft Plan and Officers confirm it is the previous, 2015 plan which is extant. Para 4.8 Allows the LPA to consider Housing sites allocated in the previous adopted (extant) Local Plan. Yet, whilst HA1 did not feature in the extant 2015 Plan, page 38 ignores this, stating that housing will be provided through HA1 and other local sites. The total new homes proposed for specific sites across the Borough (not including Welborne) is 1342. It is an unfair distribution for HA1 (proposed at 830 dwellings) to contribute 62% of this quantum. Moreover, whilst FBC recently enjoyed an overall reduction in new houses of 22.5% they are now proposing Warsash should endure a 20% increase in their local number! Housing Allocations There is no joined up “Masterplan” for HA1 (with developers working in complete isolation of one another). Therefore, another environmental impact assessment must be conducted showing the cumulative effect of HA1 in its entirety. Para 4.19 Housing policies HA(2,5,6,8,11,14,16,18,20,21,25) are no longer proposed allocations. So, why was HA1 singled out as an allocation and how was the Objectively Assessed Housing Need arrived at for this site? Developers have taken advantage of the LPA’s decision to propose HA1 within (the now defunct) 2017 Plan and have submitted Applications that the LPA have resolved to grant permission on (many ahead of and likely contrary to) the Publication Plan. Others claiming their sites fit well with HA1 has now resulted in the boundaries of HA1 being adjusted to accommodate them. This seems to mark an inappropriate powershift toward the Developers

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Para 4.19 Housing policies HA(2,5,6,8,11,14,16,18,20,21,25) are no longer proposed allocations. So, why was HA1 singled out as an allocation and how was the Objectively Assessed Housing Need arrived at for this site?

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Developers have taken advantage of the LPA’s decision to propose HA1 within (the now defunct) 2017 Plan and have submitted Applications that the LPA have resolved to grant permission on (many ahead of and likely contrary to) the Publication Plan. Others claiming their sites fit well with HA1 has now resulted in the boundaries of HA1 being adjusted to accommodate them. This seems to mark an inappropriate powershift toward the Developers.

Your suggested revised wording of any policy or text:

Developers have taken advantage of the LPA's decision to propose HA1 within (the now defunct) 2017 Plan and have submitted Applications that the LPA have resolved to grant permission on (many ahead of and likely contrary to) the Publication Plan. Others claiming their sites fit well with HA1 has now resulted in the boundaries of HA1 being adjusted to accommodate them. This seems to mark an inappropriate powershift toward the Developers.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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3) Policy: CC1 - Climate Change

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 8.60 Section 8 mentions the requirement of meeting CO2 emission reduction targets, but instead of stating what the targets should be, the Plan simply refers to individual developments power generation rather than what each should deliver over and above Building Regulations requirements, on this basis the plan is not Positively Prepared Carbon Reduction Para 11.34 The council will support applications where development exceeds Building Regulations but no percentage target for improvement has been set. The Plan is therefore not a Sound and effective approach to carbon emissions reduction in the Borough. Para 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the Government promised carbon reductions. The council therefore should set standards to ensure developers are designing for sustainability much like the London boroughs that are using new standards of SAP10 which although not yet within building regulations, should be adhered to

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Para 8.60 Section 8 mentions the requirement of meeting CO2 emission reduction targets, but instead of stating what the targets should be, the Plan simply refers to individual developments power generation rather than what each should deliver over and above Building Regulations requirements, on this basis the plan is not Positively Prepared Carbon Reduction Para 11.34 The council will support applications where development exceeds Building Regulations but no percentage target for improvement has been set. The Plan is therefore not a Sound and effective approach to carbon emissions reduction in the Borough. Para 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the Government promised carbon reductions. The council therefore should set standards to ensure developers are designing for sustainability much like the London boroughs that are using new standards of SAP10 which although not yet within building regulations, should be adhered to

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Para 8.60 Section 8 mentions the requirement of meeting CO2 emission reduction targets, but instead of stating what the targets should be, the Plan simply refers to individual developments power generation rather than what each should deliver over and above Building Regulations requirements, on this basis the plan is not Positively Prepared Carbon Reduction Para 11.34 The council will support applications where development exceeds Building Regulations but no percentage target for improvement has been set. The Plan is therefore not a Sound and effective approach to carbon emissions reduction in the Borough. Para 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the Government promised carbon reductions. The council therefore should set standards to ensure developers are designing for sustainability much like the London boroughs that are using new standards of SAP10 which although not yet within building regulations, should be adhered to

Your suggested revised wording of any policy or text:

Para 8.60 Section 8 mentions the requirement of meeting CO2 emission reduction targets, but instead of stating what the targets should be, the Plan simply refers to individual developments power generation rather than what each should deliver over and above Building Regulations requirements, on this basis the plan is not Positively Prepared Carbon Reduction Para 11.34 The council will support applications where development exceeds Building Regulations but no percentage target for improvement has been set. The Plan is therefore not a Sound and effective approach to carbon emissions reduction in the Borough. Para 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the Government promised carbon reductions. The council therefore should set standards to ensure developers are designing for sustainability much like the London boroughs that are using new standards of SAP10 which although not yet within building regulations, should be adhered to

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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4) Paragraph: 9.1

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 9.10 Whereas the LPA is aspiring to Nitrate Neutrality, Strategic Policy NE1 requires designated sites be protected and ENHANCED Likewise Para 9.50 (Policy NE4) confirms permissions will be granted when the integrity of designated sites be maintained or IMPROVED. Finally, Page 199 Para 9.54 indicates that proposals for development should provide a net REDUCTION in eutrophication for designated sites in an unfavourable condition. The LPA's approach therefore contravenes both the Habitats Directive and the Publication Plan in respect of these policies. Furthermore, a leading QC's opinion is it is unclear how any development could be contemplated in the Western Wards without negatively impacting the SAC and RAMSAR sites and therefore based on proximity alone, this would invalidate the deliverability of these developments. As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves beyond scientific doubt, that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been mitigated (rather than compensated). There is doubt that the LPA is applying the Natural England advice correctly and lawfully in this respect.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Para 9.10 Whereas the LPA is aspiring to Nitrate Neutrality, Strategic Policy NE1 requires designated sites be protected and ENHANCED Likewise Para 9.50 (Policy NE4) confirms permissions will be granted when the integrity of designated sites be maintained or IMPROVED. Finally, Page 199 Para 9.54 indicates that proposals for development should provide a net REDUCTION in eutrophication for designated sites in an unfavourable condition. The LPA's approach therefore contravenes both the Habitats Directive and the Publication Plan in respect of these policies. Furthermore, a leading QC's opinion is it is unclear how any development could be contemplated in the Western Wards without negatively impacting the SAC and RAMSAR sites and therefore based on proximity alone, this would invalidate the deliverability of these developments. As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves beyond scientific doubt, that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been mitigated (rather than compensated). There is doubt that the LPA is applying the Natural England advice correctly and lawfully in this respect.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Para 9.10 Whereas the LPA is aspiring to Nitrate Neutrality, Strategic Policy NE1 requires designated sites be protected and ENHANCED Likewise Para 9.50 (Policy NE4) confirms permissions will be granted when the integrity of designated sites be maintained or IMPROVED. Finally, Page 199 Para 9.54 indicates that proposals for development should provide a net REDUCTION in eutrophication for designated sites in an unfavourable condition. The LPA's approach therefore contravenes both the Habitats Directive and the Publication Plan in respect of these policies. Furthermore, a leading QC's opinion is it is unclear how any development could be contemplated in the Western Wards without negatively impacting the SAC and RAMSAR sites and therefore based on proximity alone, this would invalidate the deliverability of these developments. As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves beyond scientific doubt, that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been mitigated (rather than compensated). There is doubt that the LPA is applying the Natural England advice correctly and lawfully in this respect.

Your suggested revised wording of any policy or text:

Para 9.10 Whereas the LPA is aspiring to Nitrate Neutrality, Strategic Policy NE1 requires designated sites be protected and ENHANCED Likewise Para 9.50 (Policy NE4) confirms permissions will be granted when the integrity of designated sites be maintained or IMPROVED. Finally, Page 199 Para 9.54 indicates that proposals for development should provide a net REDUCTION in eutrophication for designated sites in an unfavourable condition. The LPA's approach therefore contravenes both the Habitats Directive and the Publication Plan in respect of these policies. Furthermore, a leading QC's opinion is it is unclear how any development could be contemplated in the Western Wards without negatively impacting the SAC and RAMSAR sites and therefore based on proximity alone, this would invalidate the deliverability of these developments. As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves beyond scientific doubt, that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been mitigated (rather than compensated). There is doubt that the LPA is applying the Natural England advice correctly and lawfully in this respect.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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5) Paragraph: 2.1

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Policy HA1 (currently a Greenfield site), is proposed to be re-designated as an urban area (via the re-definition of Settlement Boundaries ref. WW17). In the Foreword to Publication Plan: Greenfield sites are less favoured locations for development. Para 2.10 states Fareham Borough will retain its identity, valued landscapes and settlement definition and will protect its natural, built and historic assets. The proposed allocation of Policy HA1 contradicts these aspirations and those of Para 2.12 "Strategic Priorities" which strive to maximise development within the urban area and away from the wider countryside and to create places which encourage healthier lifestyles. The re-designation of the Policy HA1 to urban status and the movement of the Settlement Boundary to encompass it, is a blatant and possibly, unethical, manœuvre by stealth of the council, to suit its own objectives. Strategic Policy DS1 (Paras 5.6 and 3.36) deals with the need (in exceptional circumstances and where necessary and justified) for residential development in the countryside on previously developed land. Additionally, Policy HP1 calls for the efficient use of existing buildings to meet such need on a one-for one replacement dwelling basis. These conditions do not apply to HA1 and therefore it seems the "convenient" alternative was for FBC to redraw the urban boundary

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HA1 (currently a Greenfield site), is proposed to be re-designated as an urban area (via the re-definition of Settlement Boundaries ref. WW17). In the Foreword to Publication Plan: Greenfield sites are less favoured locations for development. Para 2.10 states Fareham Borough will retain its identity, valued landscapes and settlement definition and will protect its natural, built and historic assets. The proposed allocation of Policy HA1 contradicts these aspirations and those of Para 2.12 “Strategic Priorities” which strive to maximise development within the urban area and away from the wider countryside and to create places which encourage healthier lifestyles. The re-designation of the Policy HA1 to urban status and the movement of the Settlement Boundary to encompass it, is a blatant and possibly, unethical, manœuvre by stealth of the council, to suit its own objectives. Strategic Policy DS1 (Paras 5.6 and 3.36) deals with the need (in exceptional circumstances and where necessary and justified) for residential development in the countryside on previously developed land. Additionally, Policy HP1 calls for the efficient use of existing buildings to meet such need on a one-for one replacement dwelling basis. These conditions do not apply to HA1 and therefore it seems the “convenient” alternative was for FBC to redraw the urban boundary

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Policy HA1 (currently a Greenfield site), is proposed to be re-designated as an urban area (via the re-definition of Settlement Boundaries ref. WW17). In the Foreword to Publication Plan: Greenfield sites are less favoured locations for development. Para 2.10 states Fareham Borough will retain its identity, valued landscapes and settlement definition and will protect its natural, built and historic assets. The proposed allocation of Policy HA1 contradicts these aspirations and those of Para 2.12 “Strategic Priorities” which strive to maximise development within the urban area and away from the wider countryside and to create places which encourage healthier lifestyles. The re-designation of the Policy HA1 to urban status and the movement of the Settlement Boundary to encompass it, is a blatant and possibly, unethical, manœuvre by stealth of the council, to suit its own objectives. Strategic Policy DS1 (Paras 5.6 and 3.36) deals with the need (in exceptional circumstances and where necessary and justified) for residential development in the countryside on previously developed land. Additionally, Policy HP1 calls for the efficient use of existing buildings to meet such need on a one-for one replacement dwelling basis. These conditions do not apply to HA1 and therefore it seems the “convenient” alternative was for FBC to redraw the urban boundary

Your suggested revised wording of any policy or text:

Policy HA1 (currently a Greenfield site), is proposed to be re-designated as an urban area (via the re-definition of Settlement Boundaries ref. WW17). In the Foreword to Publication Plan: Greenfield sites are less favoured locations for development. Para 2.10 states Fareham Borough will retain its identity, valued landscapes and settlement definition and will protect its natural, built and historic assets. The proposed allocation of Policy HA1 contradicts these aspirations and those of Para 2.12 “Strategic Priorities” which strive to maximise development within the urban area and away from the wider countryside and to create places which encourage healthier lifestyles. The re-designation of the Policy HA1 to urban status and the movement of the Settlement Boundary to encompass it, is a blatant and possibly, unethical, manœuvre by stealth of the council, to suit its own objectives. Strategic Policy DS1 (Paras 5.6 and 3.36) deals with the need (in exceptional circumstances and where necessary and justified) for residential development in the countryside on previously developed land. Additionally, Policy HP1 calls for the efficient use of existing buildings to meet such need on a one-for one replacement dwelling basis. These conditions do not apply to HA1 and therefore it seems the “convenient” alternative was for FBC to redraw the urban boundary

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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6) Paragraph: 5.24

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Policy HP4 (Para 5.24) HA1 fails to meet criteria e) as the proposal would demonstrably have unacceptable environmental, amenity and traffic implications. Policy HA1: Page 51 refers to traffic routes and despite recommendation to limit access to 6 dwellings on Greenaway Lane, the plan proposes for up to 140 dwellings to use this as access through a widening of the Lane. This will result in a considerable negative impact on the character of the lane and to the safety of its non-vehicular users. In general, Page 54 suggests 7 new accesses onto the already very busy Brook Lane and Lockswood Road, as well as one additional access at Brook Lane, via 3 entry points from Greenaway Lane. The position and proximity of these access points will be a recipe for serious gridlock and accident blackspots. Infrastructure Para 10.15 Transport plan does not include an analysis of streets where the majority of the houses are proposed. Why, when there are 830 new dwellings proposed, hasn't more consideration been given to HA1 in the transport assessment. With an average of 2 cars per dwelling, an additional 1660 vehicles will be on local roads and there is no reference for the mitigation required to reduce congestion by 2037. The Plan fails the Test of Soundness by not being Positively Prepared in this respect. Para 10.14 The Local Plan Strategic Transport Assessment at Para 14.16 reads; "In conclusion, based on the work of this Strategic Transport Assessment, it is considered that the quantum and distribution of the development proposed in the Fareham Local Plan, and the resulting transport impacts, are capable of mitigation at the strategic level, and that the plan is therefore deliverable and sound from a transport perspective." This statement doesn't include the area HA1, of the local plan with 830 homes and isn't assessed within the The Local Plan Strategic Transport Assessment document. Policy HA1: Page 52 indicates the need for the provision of “2 junior football pitches” Why are these not shown in the Masterplan

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HP4 (Para 5.24) HA1 fails to meet criteria e) as the proposal would demonstrably have unacceptable environmental, amenity and traffic implications. Policy HA1: Page 51 refers to traffic routes and despite recommendation to limit access to 6 dwellings on Greenaway Lane, the plan proposes for up to 140 dwellings to use this as access through a widening of the Lane. This will result in a considerable negative impact on the character of the lane and to the safety of its non-vehicular users. In general, Page 54 suggests 7 new accesses onto the already very busy Brook Lane and Lockswood Road, as well as one additional access at Brook Lane, via 3 entry points from Greenaway Lane. The position and proximity of these access points will be a recipe for serious gridlock and accident blackspots. Infrastructure Para 10.15 Transport plan does not include an analysis of streets where the majority of the houses are proposed. Why, when there are 830 new dwellings proposed, hasn't more consideration been given to HA1 in the transport assessment. With an average of 2 cars per dwelling, an additional 1660 vehicles will be on local roads and there is no reference for the mitigation required to reduce congestion by 2037. The Plan fails the Test of Soundness by not being Positively Prepared in this respect. Para 10.14 The Local Plan Strategic Transport Assessment at Para 14.16 reads; "In conclusion, based on the work of this Strategic Transport Assessment, it is considered that the quantum and distribution of the development proposed in the Fareham Local Plan, and the resulting transport impacts, are capable of mitigation at the strategic level, and that the plan is therefore deliverable and sound from a transport perspective." This statement doesn't include the area HA1, of the local plan with 830 homes and isn't assessed within the The Local Plan Strategic Transport Assessment document. Policy HA1: Page 52 indicates the need for the provision of “2 junior football pitches” Why are these not shown in the Masterplan

How would the modification(s) you propose make the Local Plan legally compliant or sound?

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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7) Paragraph: 3.27

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 3.27 fig 3.2 There are actually more than the indicated 8 potential growth areas shown on the map (assuming that these are construed as being the proposed allocations). This needs correction. Housing Need Methodology Para 3.37 is in conflict with Para 4.13 over the definition of small-scale development – is it sites of less than 1 Ha or development of not more than 4 dwellings? Para 4.2 of the Publication Plan is unsound because it bases housing numbers on a proposed new methodology for calculating need and there is a tangible risk that it may not be adopted by the government. In addition Page 37 Paras 4.12, 4.16 and Policy HP1 Illustrates that whilst a contingency buffer of 1094 homes has been made, the Plan is heavily reliant on the certainty of delivery on 4858 houses at Welborne.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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8) Paragraph: 5.41

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 5.41 The LPA argues for an average occupancy rate of 2.4 for a 4/5 bed dwelling in regards to Nitrate budget calculations. To the contrary, it is stated here that the spectrum of occupancy for affordable homes will be in the range of 4-6. The claims in the Publication Plan are therefore not reflected in the council's own proposals and requirements.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

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How would the modification(s) you propose make the Local Plan legally compliant or sound?

Make the numbers reasonable and recalculate the proposal realistically

Your suggested revised wording of any policy or text:

Use occupancy rates of 4-6

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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9) Paragraph: 8.6

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

ara 8.60 Section 8 mentions the requirement of meeting CO2 emission reduction targets, but instead of stating what the targets should be, the Plan simply refers to individual developments power generation rather than what each should deliver over and above Building Regulations requirements, on this basis the plan is not Positively Prepared

What modification(s) is necessary to make the Local Plan legally compliant or sound?

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How would the modification(s) you propose make the Local Plan legally compliant or sound?

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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10) Paragraph: 11.34

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 11.34 The council will support applications where development exceeds Building Regulations but no percentage target for improvement has been set. The Plan is therefore not a Sound and effective approach to carbon emissions reduction in the Borough

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No, I don't want to take part in a hearing session

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11) Paragraph: 11.36

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

ara 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the Government promised carbon reductions. The council therefore should set standards to ensure developers are designing for sustainability much like the London boroughs that are using new standards of SAP10 which although not yet within building regulations, should be adhered to

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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12) Paragraph: 7.13

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 7.13 Local retail/commercial facilities figures do not cater for the additional houses in Warsash. For example, no additional convenience goods floor space has been allocated to Warsash. Facilities Para 7.18 Out of town shopping is discussed, but not defined; Out of town shopping will take jobs and customers away from local shopping areas and will increase traffic on the routes in and out of Warsash and Locks Heath

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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13) Paragraph: 10.26

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

ara 10.26 Infrastructure Delivery Plan Section 5.4 Education is planned with HCC but the period of any proposed extensions for child placements is only up to 2021 whereas the Plan covers up to 2037. This is not a sound approach for the education of our children. Education Para 10.27 Infrastructure Delivery Plan Table item 83 calls for section 106 provisions of additional Early Years Foundation Provision (EYP) within the Western Wards however HA1 does not indicate the placement of a nursery or pre-school within the development area. Where is the child placement contribution to be allocated as the IDP calls for the addition of 83 placements whereas there are over 1000 new dwellings being proposed for the Warsash area alone.

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14) Paragraph: 10.26

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Sound	No
Complies with the duty to co-operate	No

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

15) Paragraph: 1.28

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 1.28 In agreeing to take up a shortfall in homes of 847 from Portsmouth, Fareham Council are taking a risk as the new methodology for calculating Housing Need has not been signed off by the Government and the Housing Delivery test will not be available during this public consultation period.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Steve Matthews 18-12-2020

Warsash Inshore Fishermen's Group

RESPONSE TO CONSULTATION ON FAREHAM LOCAL PLAN 2037

Dear Planning Team

I am responding on behalf of the local fishermen here at Warsash and Southampton Estuary to the Fareham Local Plan 2036 (Final version;Publication Plan (fareham.gov.uk)).

We have some serious issues regarding the Plan's ability to deliver sustainable housing development without guarantee of protection (beyond reasonable doubt) of certain marine ecosystems within the Solent European Maritime Site and without guarantee of positively enhancing local commercial fishing businesses.

Although the features and species listed under the Habitats Directive (Special Areas of Conservation and Special Protection Areas) have already been evaluated by both Natural England (NE) and the Environment Agency (EA) in the respective Habitats Regulation Assessments (SCA's/SPA's), there are clearly some significant **Assessment oversights and gaps in the evidence base** which are of direct relevance and concern to the local Fishing Industry and also, we would suggest, to the future viability of the Solent Oyster Regeneration Project (Blue Marine Foundation).

These assessment oversights mean that the Fareham Plan, if implemented as stands, will likely lead to and exacerbate environmental effects within the SEMS . The specific issues we raise regarding the existing overgrowth of red seaweed (also known colloquially as 'The Red Menace') have not been evaluated by NE or the EA or mentioned in the Fareham Plan's evidence base.

The Plan fails to pass the test of soundness, (paragraph 1.5) in that it is discriminatory in that community-generated evidence carries less weight than that provided by the Councils (and developers) statutory consultants. Furthermore, there has been no formal involvement from the Councils statutory advisers with local fishermen with regard to seaweed eutrophication and the effects of wider seaweed overgrowths on their local industry.

The Plan fails under section 9 Natural Environment:

Specifically, NE4 water Quality effects and likely fails under NE1, protection of local ecological network (regarding sandbanks within the SEMS).

Paragraph 9.16 states: '*Paragraph 174b of the NPPF states that the Plan should promote the conservation and enhancement of priority habitats, ecological networks and the protection and recovery of* ***priority species****. Development proposals within the Borough are therefore expected to contribute to achieving this objective*.'

Solent native oyster, *ostrea edulis*, is currently a priority species for regeneration (Blue Marine Solent Oyster regeneration project). Nutrient exacerbated growth of smothering seasonal red seaweed masses leads to a significant negative effect upon the spatfall of the native oyster (ref: Warsash Fishermen SEMS enclosed)

The Plan fails to pass the test of soundness, in that there is a question regarding its long-term effectiveness with respect to Nitrogen-Mitigation. This strategy has not been proven. There is doubt that the Local Planning Advice is applying the Natural England advice lawfully in this respect.

However, as we have outlined above, there is a systemic failure here in that NE have not thus far considered the wider environmental issues we have brought to their recent attention (by email letters) and outlined comprehensively in this letter and attached paper. **These represent the 'evidence gaps' mentioned previously.**

It is the duty of NE and other Statutory Consultees to provide relevant evidence, ***where gaps in the evidence base have become available during the Consultation process, (NE submission to the Council, 2020).***

Para 9.5 of the Plan fails on the test of soundness. It assumes the Mitigation policy will be effective throughout the SEMS. Although the Local Planning Authority (LPA) is aspiring to Nitrate Neutrality, paragraph 9.1 requires designated sites be protected and ENHANCED as well as Strategic Policy NE1. Additionally, Para 9.50 (Policy NE4) confirms: 'Planning permission will be granted where the integrity of the designated sites is maintained, having regard to the effect of nutrients on the designated sites arising from increased wastewater production'. SEMS is a designated site.

The Plan fails to include the likely increase in bacterial contamination of shellfish (within sand-gravel bank seabed features) from increased sewage overspills, not mentioned in the Plan.

Para 9.38 through to 9.43 of the Plan indicates that proposals for development should provide a biodiversity net gain (including enhancements). This cannot be guaranteed.

The Plan fails under Para 9.5, under Policy NE4: '*Planning permission will be granted where the integrity of the designated sites is maintained, having regard to the effect of nutrients on the designated sites arising from increased wastewater production*'. This implies a REDUCTION in eutrophication for <u>designated sites</u> in an unfavourable condition. The LPA's approach therefore

cannot be proven to support the Habitats Directive, because ***the NE solutions are entirely untested, rely entirely on hypothetical modelling and fail to consider wider seaweed overgrowth issues specific to the fishing industry exacerbated by excessive nutrient loadings into Solent waters.***

The SEMS is already in an unfavourable condition with respect to localized seasonal seaweed aggregations and Southampton Water also receives frequent unfavourable shellfish classifications due to direct sewage overspills after heavy rain. Both significantly affect the local fishing fleet. (see enclosed paper, Warsash Fishermen SEMS)

It is inconceivable that additional development could be contemplated in the Western Wards without negatively impacting the SEMS, SAC and RAMSAR sites. This would invalidate the deliverability of these developments.

As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves ***beyond scientific doubt,*** that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been **effectively** mitigated (rather than just compensated for). There is no evidence the N-Mitigation Plan will be effective throughout all areas of the SEMS affected by red-seaweed overgrowths.

We are of the opinion that the Plan fails badly in that respect.

If implemented as stands, the Plan is unlikely to:

1) ensure that red floating seaweed overgrowth within the wider SEMS (which already seriously restricts Commercial Fishing Activity within the SEMS) is not further exacerbated by increasing nutrient loadings in Solent waters, especially with respect to the Solent sewage outfall pipe serving Peel common effluent and its immediate marine environs.

2) ensure that water quality with respect to undesirable bacterial and viral contamination of shellfish beds in Southampton Water and the wider SEMS is not further exacerbated. (by post-rain/ storm waste-water overspills)

3) ensure that intertidal algal matts (seaweed overgrowth /deposition on mudflats) do not increase.

Although the Statutory Consultees for this Consultation (NE and EA) have included Assessments relating to point 3) above (intertidal Eutrophication) in line with their Statutory duties under the Habitats Directive, (SAC's/SPA's) **they have not made any Assessments regarding points 1 and 2. This is a serious oversight and failure of the process.**

If it is not the remit of either NE or EA to evaluate these effects (1 and 2), then we suggest further consultation with any relevant monitoring bodies. NE or CEFAS may be able to provide advice as could the fishery regulator, Southern IFCA.

We have already prepared a paper (enclosed) which comprehensively outlines the negative effect of seaweed overgrowth on the efficiency of commercial fishing businesses operating in the SEMS. As you will see from the report, the Solent is almost unique in this respect, distinct from other inshore commercial fisheries, which makes it imperative that the wider commercial and ecological impacts of increasing nutrient loadings in Solent waters are determined by the relevant Statutory or science-monitoring bodies.

This should be done <u>before</u> the Secretary of State is presented with this Plan for consideration.

Our enclosed paper also raises the issue of wastewater overspills after heavy rain which subsequently lead to shellfish beds becoming contaminated by E-coli and viral agents., not covered by this Plan.

There is no indication in the Fareham Plan that these contamination events will <u>not</u> increase and there is no indication from the EA or Southern Water advice with respect to that point.

In Part 2 of our paper (Warsash Fishermen SEMS, enclosed), we cast serious doubt on the ability of Natural England's Nitrogen Mitigation strategy to deliver a positive impact on seasonal seaweed overgrowths in the SEMS (specifically the red floating weed described in our paper).

The specific failure regarding this involves the assumptions made by the mitigation scheme rationale.

For the record we will expand on that here:

"NE's N-Mitigation strategy assumes that the effluent exiting the Peel Common outfall pipe in the Eastern Solent, homogenously disperses with all Solent Waters. This clearly is highly unlikely. The sewage effluent plume data available from Southern Water reveals that there is already likely to be an unequal dispersion of the effluent due to distinct variations in tidal flow rates/timings throughout the SEMS (which fishermen are highly aware of already).

Furthermore, it is entirely unknown whether offsetting land on the Isle of Wight will positively impact marine sites within the SEMS (already seasonally infested with the red seaweed masses) which are spatially and tidally distinct from the offset watershed. In other words land offset north of Wooton is highly unlikely to reduce sub surface seaweed overgrowths along the Lee-on Solent shore, due to incomplete tidal mixing.

Because of these tidal variations, the area between East Bramble and Meon Shore will still likely receive a critical dose of nitrogen/phosphate and oestrogenic compounds on the westward/north-westward flowing ebb-tide. These compounds must already be having a site-specific impact on already present seaweed overgrowth here and due to shifting, already must be creating negative impacts on the wider SEMS in other bays of the Solent (that fishermen are already aware of). Potentially the Blue Marine oyster regeneration project, will also be negatively impacted, where dense algal deposits can prevent oyster spat-fall in the summer. (see historic reference to this, Warsash Fishermen's SEMS paper)

The local fishermen here have long supposed that the sewage outlet off Browndown must effectively 'feed' the growth of the red-filamentous floating weed throughout the spring and into summer growth season. Because of the behavior of the tidal flows in the Bramble East area, this weed congregates en masse along the contours of the seabed, including the greater Brambles Bank, eventually becoming spread along a wide area. It often persists into the Autumn and makes commercial net fishing with set nets and trawls very difficult. One area usually seriously affected is between the Lee post and Meon bouy (off Chilling Cliffs, but there are numerous weed infested spots throughout the Solent at peak seasonal growth times). It is not clear how much of this is attributable directly to the Peel outfall distinct from other outfalls in the catchment and this would require further Assessment as our paper suggests, but it IS more likely to be directly accelerated by significant localised sourcesof N-loading directly discharged from the Sewer discharge pipe.

Unless there is a significant lowering of nutrient transfer from agricultural land between Warsash and Lee-on Solent into this stretch of the fishery, as part of the Mitigation, then the nutrient loading from the Peel offshore outfall pipe would likely still encourage these overgrowths to occur along that stretch of the seabed and, without effective at- source Nitrogen/Phosphate removal at the Peel Common Waste-Water Treatment Works, would likely increase in proportion with increasing housing development and population density. ''

The Evidence base for the Fareham Plan includes the subsection 4.3.24, *'sandbanks which are slightly covered by seawater at all times.'.* We are advised that this would include the Brambles Bank and subtidal areas of sand/gravel shoals along the stretch between Lee and Chilling, together with other such banks throughout the SEMS which form important fishery locations and features for local fishermen who use a variety of fishing practices from set-netting and trapping, to trawling and shellfish dredging.

Therefore, the Plan fails on the test of soundness in that it fails to supply evidence that these banks have been fully considered in the scoping advice with respect to: seaweed overgrowths and deposition effects on the seabed habitat and associated negative impact on commercial fishing operations. We would include the likely effects on the Solent oyster regeneration project in this.

Therefore, **the Plan also fails under paragraph 6.3 (Employment)** in that it fails to consider likely significant impact to local fishing businesses with regard to *seaweed overgrowth* impacts and potential bacterial/viral *shellfish contamination* from untreated sewage overspills. There will be a likely significant impact with respect to both parameters.

Natural England's latest advice to the Council is that: '.. t*his approach may be refined if greater understanding of the eutrophication issue is gained by thorough new research or updated modelling*.' (section 4.3 and 4.11, ADVICE ON ACHIEVING NUTRIENT NEUTRALITY FOR NEW DEVELOPMENT IN THE SOLENT REGION, version 5, 2020)

We advise Fareham Borough Council to instruct, with immediate effect, its Statutory and non-Statutory Consultees that research should be extended to include:

- -the seasonal floating seaweed overgrowths in the SEMS and related consultation with the local fishing fleet and Blue Marine Native Oyster Regeneration Project.
- -a study of the possible interference effects of seasonal red seaweed depositions on native oyster spatfall in inshore zones of low tidal flows. (seaweed is not dispersed effectively inshore)
- -An enhanced and detailed study of the tidal variations in the Peel sewage outfall environs specific to sewage effluent dispersal.
- -seasonal floating red seaweed deposition in the local inshore zone (SEMS) and biodegradability study.
- -A thorough assessment of the efficacy of land offsetting/N-mitigation in specific areas of the Solent catchment (eg; the Wooton Creek farm) and an evaluation on the extent of mitigation effects (seaweed growth) in areas that are *not within the immediate vicinity* of the designated N-mitigation/offsetting site. (this relates to seawater tidal mixing disparities, and that our contention that offsetting in one area may not impact seaweed overgrowth/ depositions in another part of the SEMS due to tidal flow differences)

We would also request that the issues we have highlighted here be retrospectively applied to the Welborne development.

Finally, in addition to the failure of the Plan regarding the subject of seaweed overgrowth and water quality and effects on local fishermen, the Plan fails the test of soundness on:

Section 4 Housing Need and Supply:

The total new homes proposed for specific sites across the Borough (not including Welborne) is 1327. The allocation for Warsash is 924 dwellings (HA1 Greenaway north and south and including the Warsash Maritime site, HA7). This contributes around 69.6% (or thereabouts) of the entire allocation proposed by the Plan, excluding Welborne. This allocation is a massively unrealistic distribution and will lead to a number of negative impacts locally and therefore unsound.

Prepared on behalf of the Warsash and Southampton Estuary Fishermen

Co-ordinated by and signed:

Stephen P Matthews,

[redacted]

Copies to: Natural England, Environment Agency, Blue Marine Foundation, Chief Fishery Officer Southern IFCA

Councillor Keith Evans (Warsash ward)

Suella Braverman MP and Fishing News.

Communication from Warsash Inshore Fishermen's Group.

November 2020

Subject: The effect of seaweed overgrowth and poor water quality (sewage effluent) on local inshore commercial fishermen in the Solent European Maritime Site (Part 1) and critique of Natural England's provision for nitrate mitigation (Part2).

Overview

The increased presence of nitrates and phosphates entering the Solent European Maritime Site (SEMS) via the watercourses in the riverine catchment area in Hampshire has recently shown to have had a significant adverse effect on the SEMS mudflat habitats locally, due to extensive deposits of putrefying seaweed arising from accelerated overgrowth. This led to a temporary closedown of house-building activity in the Fareham Borough while a 'mitigating solution' was found.

Part 1 of this report will focus on this issue from the perspective of the local fishermen operating from Warsash, Hants and will widen the perspective beyond just what has been reported in the media.

In **Part 2** it will be seen that serious doubt will be cast as to the suggested effectiveness of the nitrate mitigation plan as advised by Natural England and widely being adopted by Councils since hard evidence that the plans will be successful is lacking.

It should be noted that our views regarding the extensive seasonal presence of seaweed (Part 1) generally align with other fishermen within the wider Southampton Water and Solent region together with some of the reported experiences of local sea anglers.

Since we are now highlighting the important extensive seaweed problem and committing our views to paper for the first time in local history, the reader will be able to see the significance of the seaweed issue in relation to the urgent requirement to maintain our various local net fishing practices (severely affected by weed) which are currently under threat by local fishery regulators.

PART 1:

Solent Seaweed: An Historic Local Problem

(*Note the use of the term 'weed' or 'seaweed' refers mainly to invasive, free floating varieties, not species like bladderwrack or kelp which usually are not an extensive problem for fishermen here).

For many years the local fishermen that fish the Solent and estuarine areas nearby have had ongoing issues with seaweed* overgrowth, with different types of weed causing different effects at differing times and interfering with the deployment and function of fishing gear in the district. There is also some anecdotal evidence that the decay of various types weed and deposition onto the seabed may be having some serious implications for seabed sea life and for the current ongoing Solent Oyster Regeneration Project (see below).

There has not been much, if any, serious scientific exploration of the wider seaweed overgrowth problem in the SEMS and no one has sought out the fishermen's views on this matter, until now. We are outlining here how seaweed affects fishing operations, not offering specific statements as to possible causes of seaweed overgrowth (That is covered in **Part 2**).

Local fishermen here know that recent focus by ecologists on the green seaweed overgrowth on the mudflats within the SEMS is only part of the story and obscures the wider unseen problem of floating red-seaweed overgrowth in the less visible areas, away from the general view of the public.

Fishermen here however are widely acquainted with the issue as they are effectively sampling the sea every time they go out fishing. Our intimate knowledge of the Solent seabed and the characteristics of the tidal streams is unparalleled. The next best authority (in our humble opinion) would be professional divers and maritime hydrologists.

Seaweed overgrowth and interaction with fishing practices

Local fishermen at Warsash have used a variety of fishing practices throughout the last fifty-year period. During the height of the Solent oyster fishery, (1970s to 2007), the main seasonal winter fishery was oyster dredging with some clam dredging as well. During spring and summer seasons there have historically been inshore trawling for demersal fish and cuttlefish and later, the extensive use of traps for cuttlefish, together with whelk potting. Set nets, drift nets and baited longlines is also a common practice continuing until today.

All of these methods can be significantly hampered (and some methods often made literally unviable) when floating seaweed begins to grow in late April and into the summer months. This is the main fishing season for Warsash fishermen. Some fishing methods will be affected more than others.

It is said locally that Solent fishermen have to be much more determined than common as they have to contend with the extra burden and challenges of the ever-present seaweed problem, not to mention the challenge of working in a fast tidal area with extensive ship and sailing craft to contend with as well. The fisherman's decision of 'where to fish today?' is often accompanied by a question to another fishermen friend to the effect of: 'what was the weed like in that area?'..

The 'red weed', as we call it, is known by different names and grows rapidly locally (as does the green varieties of lettuce-like and filamentous green weed, often found in the mudflat areas near freshwater/brackish environments and identified by NE as contributing to eutrophication of the SEMS mudflat habitats).

There is a rapid growth of both red and green weed from the end of April into summer. Large tides (Springs) tend to disperse the red weed throughout the water column and it can sometimes be seen near the surface. It is a free floating, filamentous weed and when it stops growing in late summer is deposited in the bays and bank contours throughout the Solent with some areas being affected more than others. It can persist well into the Autumn and can still be present in some areas (Osborne Bay, Stanswood Bay, Inner Hurst, Beaulieu etc) into the winter months, when it will have already been decomposing for a month or two.

It is regularly identified by sea anglers as being the main obstacle to rod fishing, both by shore and by boat. But that is just the tip of the iceberg.

The green weed mentioned in connection with the mudflat habitats with the SEMS also can hamper inshore fishing and angling activities on occasions. These areas are not regularly fished heavily commercially. One fishery in this environment is the historic mullet net fishery. Some of the Warsash Fishermen have inshore mullet fishing permits supplied by the River Hamble Harbour Authority. This allows them to fish seasonally and legally for mullet within the River Hamble in small boats. The fishery is similar to that of Poole Harbour which has been going for decades.

Any significant deposit of either green or red seaweed in these inshore areas will often be the deciding factor for the fisherman as to whether the net is safely deployable or not. We have noticed an increased abundance of the green weeds in the mudflat areas in recent years and the red variety is always present in the wider Solent area and can be more or less abundant depending on environmental factors like temperature, rainfall, tide strength, sunlight etc. Storm events can often move coagulated deposits inshore and dump it onto seabed contours.

The public slipway at Warsash hardway has to be regularly cleaned by the Council when often large masses of mainly green weed are taken away.

Furthermore, we must state that there may be a connection with the increasing tendency for returning mullet shoals to avoid inshore mudflats during the height of the green seaweed overgrowth. This observation has been recently noted by the fishermen locally and we wonder if it connected to the decaying effect and subsequent chemical release onto the mudflats, together with the effect of mudflat 'eutrophication' and water oxygen depletion. That will need further investigation by scientific study.

Netting in the Solent (SEMS) and seaweed overgrowth issues.

Set Nets/Drift/Ring

Throughout the UK the extensive use of **set-nets** (nets secured on the seabed) is a common practice and fishermen are able to have a relatively reliable fishing method for much of the fishing season when the fish target species are abundantly available. This is not the case in the Solent and Southampton Water.

Go to any fishing port west of Swanage or east of Selsey Bill and you will be able to observe the nearly year-round use of set nets, tides permitting, (for sole for example) with little, if any, troubling effect from floating red weed. This is not to say it does not occur sometimes and there are increasing reports we hear from outside the Solent of weed events, so it appears that the issue is increasing across the south, apparently in direct correlation with population density and growth.

In our case, the use of nets can be severely restricted and made impossible by the abundance of mobile seaweed. Nets cannot be left for as long as other fishermen do in other areas. Some years, it is virtually impossible to use

extensive lengths of set nets with any reasonable expectation of making an easy living, especially in the shallower zones, where red weed settles. At other times it may be possible to leave a surface net for a short time and still catch a few fish to make it just about worthwhile. Those nets are nearly always attended by the fishermen.

Fishermen here have to modify their deployment of set nets by either stopping much earlier than many of their UK counterparts (when the weed situation becomes intolerable, usually as early as the beginning of May) and switching fishing methods (traps or bottom set lines for example) or by seeking areas in the Solent and Southampton estuary where the weed may not yet have reached 'critical mass', or by limiting the amount of net and using short soak times. The potential loss of income is considerable compared to weed free areas in the UK.

Later in the year, Autumn, the weed situation can improve markedly in some spots which can allow the resumption of some netting activity, but it can still be a liability.

Seeking out other areas to fish may, in some cases, mean going out into deeper areas off the contours of the channels in order to avoid a negative weed event ('dose of weed' is the usual local term). However, it should be stated that this has a high risk attached as the tidal currents are often greater out deeper and if the fisher gets it wrong, a 'dose of weed' will likely result, with either the loss of the gear or a long period of cleaning out the nets.

Long hours cleaning nets from weed is physically wearing, mentally demotivating and economically counter-productive. Furthermore, the practice of having to deploying nets in deeper waters just to avoid floating sea weed is a risky business due to shipping movements/small craft and is usually restricted to smaller nepe tides only, as nets do not fish well in fast flows.

We have reason to believe that the Marine Management Organization (DEFRA) which regulate quotas and legislate nationally have yet to fully acknowledge and comprehend the difficulties that Solent fishermen face with regard to this seaweed issue, affecting their ability to provide fish for the table and secure a reasonable living. Regulation on the use of nets in the inshore zone throughout the UK and locally <u>always</u> fails to take into account the hampering effect on fishermen due to extensive mobile weed effects.

Furthermore, we should also state for the record that the Warsash Inshore Fishermen's critique of the proposed restriction on netting practices within the estuaries of the Southern Inshore Fisheries and Conservation Authority (SIFCA) and wider district should also be seen in the context of the difficulty of deploying nets locally, due to extensive hampering from the presence of seaweed. Again, this has not yet seriously been a consideration by the Authority and we hope they will take these comments here into consideration during their Consultation.

Fishermen also use a variety of drift net practices throughout the UK. The local fishermen here can fall back onto a drift net fishery to a certain extent, in line with national legislation requirements, when the setting of fixed nets is made impossible by sea-weed overgrowth. Drift nets are highly size selective. Because the net drifts with the tide the worst of the seaweed can often be avoided, but this is not always the case.

The use of drift nets (and also set nets) is severely restricted by the incoming yearly natural growth of a plankton called nocticula, (known locally as 'the fire'**) which is bio-luminescent and lights up the water when disturbed (for example by a moving vessel, boat propellor and also by tidal currents).

**'Fire' appears with the return of the 'May Water' when the 12 degree (celsius) seawater thermocline reaches the local area, usually by mid May, .

Tidal currents moving across either a drift net or a set net will cause the plankton to literally light up the net, sometimes leaving a jelly-like deposit on the mesh. Some species of fish that have good eyesight, will often be able to see the net glowing in the dark (as nets are often deployed after dark) especially in clearer water conditions and this will often highly restrict the catch at times. Other fish species like sole do not seem to be affected by the 'fire'. 'Fire' makes the use of nets for some fish much less effective and therefore reduces the effective netting season by a large degree.

The increased presence of nutrients like nitrates and phosphates in the seawater will likely exacerbate the overgrowth of this plankton and this is an additional concern for us. Further scientific study will be required.

The 'fire' problem is commonly known by fishermen, but again, as with seaweed presence, is underappreciated by local and National commercial fishing authorities who may inadvertently seek to restrict or regulate the

seasonal deployment of nets without duly taking these already significant 'natural' restrictions on net deployment into account.

Another netting method which can be used to overcome the natural restriction of 'fire' and weed is ring netting in daylight hours in a small circle with a short length of net, (effectively a set net). This has already been officially recognised as a method of net fishing by Danish/Dutch authorities and we are seeking a similar classification here liaising through the NFFO with the use of (attended) short lengths of surface net, which also significantly lower the risk of salmonid interception in estuaries. This, if successfully negotiated with the local Authority will be a first for UK inshore fishermen.

This method is also the common method used in the Poole harbour mullet fishery. Because the net is deployed for a short time only, a 'dose of weed' can often be avoided, but not always. Short time net deployments locally are therefore the only real option left for local fishermen at most times of the year.

Longlines

When the red weed has reached maximum growth the use of longlines in certain areas can be rendered much less efficient. May through June is not really much of a problem in the deeper areas. By high summer the longline fishery should be in full swing with line caught fish like bass, skate and ray being a viable fishery.

The best areas to deploy to avoid weed are in the deeper sections of the Solent away from the contours where weed tends to get dumped by the tidal flows. Some areas by late July are usually un-fishable by longlines. These usually include inshore at Osborne Bay, Stanswood bay, Chilling and Hillhead and most of the stretch between Beulieu and Hurst. Some areas of Southampton Water can get bad also; near Calshot and the Thorn Channel are notorious as well for gathering red weed masses in summer, with some years better/worse than others.

Off the 40' contour however, it is usually possible to find a relatively weed free stretch on some tides. However, this year (2020) some fishermen had to cease line fishing late July as most of the best offshore areas were infested with red weed for a few weeks as well. This was the case for at least one Lymington fisherman that we know also, working further west, (personal communication).

By September 2020, most of the weed in the deep had been shifted by tides and wind with fewer areas affected offshore. Some of it had still remained inshore however in the areas which do not benefit from regular tidal flushing (bays) and tidal dead-spots such as Norris near Cowes.

Apart from the obvious interference of weed on the hooks of a longline (reducing fish catches) red weed packs onto the buoy- to- anchor line with the moving tide, taking down the marker buoy and in some cases, it will only reappear later in the slower part of the tide cycle. This means that the fisher has much less time to retrieve gear before the tide turns and begins flowing back in the opposite direction. It can become then a race against the clock. Therefore, the fisher will have a tendency to be less motivated to shoot the number of longline sets they usually would deploy.

Furthermore, retrieval of a weed packed buoy line means that a significant time loss will ensue as the fisherman will have to pull off (by hand) the weed packed onto the buoy line. This is easier said than done. Often the amount of weed is considerable, with historically nine to twelve-foot columns of weed measuring a foot wide packed solid onto the line not uncommon. Again, as with net cleaning, this represents a serious time wasting and physically draining extra operation which would not be the case if there was a lot less or no weed present.

Trawling

There are a few trawlers which regularly fish in the Solent and the skippers tend to be very cautious about where and when they deploy the gear due to the potential for a 'dose of the weed'. As with lining, the deeper areas are often favoured, away from weed strewn areas.

In September 2020 we had a report from a Gosport fisherman who deployed a trawl inshore in the Solent and filled the entire trawl up with the free-floating red weed. Simply put, a trawl just will not fish effectively if there are significant quantities of seaweed on the Solent sea bed. It is very disheartening for trawl skippers as they have a higher fuel cost overhead to pay than some smaller non-towed gear vessels and waisted efforts due to the presence of weed are de-motivating.

Shellfish dredging

Toward the end of the now defunct historic Solent Oyster fishery (2007) the presence of large masses of red weed sitting (and rotting) on the inshore seabed was cited by some fishermen as being a significant detrimental effect to the deposition of juvenile oyster spat. This problem was part of the perfect storm which sealed the fate of the already reducing return spat falls of the Solent Oyster largely triggered by the invasion of the American tingle driller whelk.

Other factors such as a failure to close the fishery earlier were also at play, (which led to over-fishing an already non renewing stock) but it is commonly accepted by local Warsash fishermen that seaweed overgrowth also played a significant role in the last days of the fishery.

The red seaweed overgrowth has also been raised at a recent committee meeting of the Southern IFCA relating to the oyster regeneration project. (September 2020). It is possible that the comment was 'minuted'.

Along Chilling and Hill Head, we have at least one testimony from a member of the Warsash group which describes the required effort to continually hold the same line of dredging for a considerable time in order to 'get through the weed' before any oysters could be reached.

The success of the Solent Oyster Regeneration project instigated by the Blue Marine Foundation will rest mainly upon the successful spatfall of small juvenile oysters onto the seabed. Many variables will be at play, including the presence of oyster pests like starfish, but the presence of large areas of trapped seaweed in the summer to autumn in some local bays not subject to much tidal flushing will severely reduce the success of this project in our opinion; since the numbers of adult oysters being set in cages in the marina environment represent nowhere near the kind of density of oysters that we remember on the seabed during the height of the fishery in the late 1970's and through to the 1990's. Back then, the seabed was literally thick with healthy, thriving oysters. Even the 'smell' of the sea was different, as we remember it.

The fishermen living now, that were involved in that industry, are the last living link to an important part of social history and all that knowledge will disappear with them.

The disappearance of the Solent oyster also has a cumulative knock-on effect, since there is no longer the massive water filtering capacity that was once present (one adult oyster filters up to 200 litres a day). Increasing seasonal,

mobile red weed on the seabed which eventually settles, decays and reduces seawater oxygen content is more likely then, to have a localised negative environmental impact, making the seabed even less hospitable to newly hatched oysters. It is doubtful this has been extensively studied, so more work would be required.

Although we wish the Blue Marine oyster project every success, the local fishermen are not very optimistic and even less so, when we know there is a largely unseen and un-acknowledged seaweed overgrowth problem which has not been factored in as well as the fact that oyster pests have not yet been removed.

Scallops

This year (2020) the newly emerging Solent scallop fishery* was affected by the mass of seaweed in Osbourne bay (mid summer) which stopped effective dredging for scallops there (Warsash Group fisherman's testimony). Sighting data from the Southern IFCA would be able to confirm that point. Only when the weed had cleared on the bed enough did the fishermen return there (mid September into October). At the time of writing (November 2020) the scallop areas in the bay have cleared and are largely weed free.

The efficient functioning of any shellfish dredge will be highly reduced if red-weed and other weed species are in abundance. The only option for the scallopers is to find spots out much deeper, but with the added increase risk associated with dredging in deeper waters (quick capsize after snagging on seabed being an ever-present and potentially lethal threat)

*With the disappearance of many oysters, a relative newcomer has begun to take hold; the scallop. Which is good news for the local fishermen.

Shellfish Beds in the SEMS and Southampton Water

There are many different shellfish types in the area. Oysters, clams, cockles whelks, winkles and scallops. All of these can be fished under fishing license and are very sensitive to water quality, especially the bi-valve varieties like clams and oysters.

The main issue is the detrimental effect of bacterial and viral contamination resulting from inefficient sewage treatment and/or sewage overspills, the latter being a more likely after high rainfall events, like torrential downpours.

The classification of shellfish is carried out regularly and reported in a UK wide Sanitary Survey.

The Southampton Water is regularly tested for E-coli by the Food standards Agency in Southampton and a shellfish will only be designated if the species in question is tested. Once that occurs a designation will result; class A, B or C.

For many years now, mannila clams and pelourdes clams in the upper Southampton Water have regularly received a class C designation or the areas have been closed completely due to high E-coli levels, making the shellfish unfit for human consumption. Therefore, fishing activity is severely affected.

This situation has gone on for many years to the detriment of the local fishing industry. No schemes are in place to compensate fishermen for the yearly loss of potential earnings. Furthermore, the longer the beds remain unfishable, the less the shellfish will benefit from regular turning which can lead to the terminal decline in quality of the beds.

The recent upgrade to the sewage treatment works at Woolston will theoretically lower the E-coli/viral loadings from the effluent which is a positive development. However, with increasing pressure on the sewage system infrastructure due to an expanding population density in Southampton, it is questionable as to whether there will be any change in the shellfish quality as sewage overspills after heavy rain will still likely occur, (our assumption). (The population of Southampton grew by around 18 percent between 2001 and 2011; it is even higher now)

This is further re-inforced by the fact that climate change models predict far more frequent torrential downpours, leading to the increased risk of sewage overspill events (CSO's), allowing raw sewage to make its way into the shellfish production areas.

This is already an increasing problem in the Poole Harbour district, with at least one shellfish cultivation business currently being negatively affected.

As to the wider Solent: The current shellfish classification is taken to be Class B (which means the shellfish must be tanked for a short period with UV filtering in place). Any lowering of the water quality due to increasing sewage overspills and/or increasing sewage effluent discharges (from expanded development) will be a severe negative for the local fishing industry.

Part 2:

Analysis of the Nitrate Mitigation proposal (Natural England)

Author: Steve Matthews, Fishing Vessel, Sandie Ann, Warsash.

Disclaimer: The following analysis is solely that of the author alone and may not necessarily reflect the views of all inshore fishermen throughout the district. The causes of the wider Solent seaweed overgrowth problem outlined in the description above (Part 1), should be investigated by independent scientific assessment.

Pending further scientific study, it is reasonable to assume that the problem of the largely hidden red filamentous seaweed overgrowth issue we have uniquely outlined in Part 1 above is causally linked to the green seaweed inshore deposits, already identified as a significant problem on the SEMS mudflat areas by Natural England and wildlife organizations (Eutrophication).

It is also reasonable to assume that the existence of excess nitrogen compounds/phosphates and their sources (sewage and farm run-off being just two) is also causing the *offshore* red seaweed issue which can seriously interfere with commercial licensed fishing activities and has done so, unacknowledged by Government environmental bodies, for many years.

Our group estimates that for local set netting alone the seasonal fishery potential net worth is reduced by as much as 80% from May to September due to the presence of free-floating red weed restricting the effective use of fishing nets. This is therefore a serious concern.

Other trawler skippers that operated locally would also be able to give similar estimates.

The solution presented by Natural England (NE) of offsetting farmland in the water catchment area (taking out of agricultural production/re-wilding) has been suggested as a solution to the SEMS nitrate problem and looks, on the face of it, to be a reasonable one.

However, it is only a recent methodology, still highly hypothetical (rolled out in Poole, only a few years back) and there is no hard guarantee that the problem will be solved throughout each separate estuarine area and in the wider Solent (SEMS).

Indeed, the introduction of the Poole and Purbeck nitrogen mitigation scheme in 2017 may have had some local effect on the green weed overgrowth (has

that been scientifically demonstrated yet?), but clearly the shellfish cultivators there still have a problem with E-coli.

Therefore, it would appear that Combined Sewage Overspills (CSO's) are still occurring there (mitigation scheme or not and assuming sewage transfer from leisure craft have remained static) and that therefore, nitrogen is still being delivered directly into the aquatic environment from raw sewage sources, leading to ongoing seaweed overgrowth as well as associated E-coli/Norovirus shellfish contamination.

Since that is the case in Poole, serious doubts as to the effectiveness of the Nitrogen mitigation Scheme (Natural England) applied to the Solent water catchment are not unreasonable to raise.

Furthermore, the NE model appears not to factor in the climate change models into the N-mitigation methodology. Higher seawater temperatures will likely further accelerate seaweed growth, quite possibly negating any nitrogen-offsetting effect. The appearance of nocticula ('fire') as described in Part 1 is highly temperature dependant, just one or two degrees, as is the appearance of migrating fish.

Increasing torrential downpours will likely increase run off events and CSO's. Increasing housing development in the Solent catchment will lead to increasing hard-surfacing of the countryside and road building. *Those two causes, downpours and hard-surfacing, working together, will likely lead to an increasing irreversible compounded effect*: ie; a higher delivery rate of water run-off (and therefore nitrate/nitrogen compounds from various sources) to the SEMS. This does not appear to have been taken into account by the NE model.

Also, the nitrogen leaching effects from groundwater exacerbated by increasing run offs into the proposed development pond systems (SUDS) appear <u>not</u> to have been factored in either. Since those ponding systems are supposed to 'return water as quickly as possible', there is an un-quantified factor here also.

Additionally, the 110litre per day water compliance for developments is un-enforceable and therefore the wastewater flow determinations will likely to be higher in many cases.

The Natural England models and calculations *assume complete tidal mixing* of the run-offs and effluents with Solent tidal waters into the SEMS. As stated above, local fishermen's knowledge of the Solent seabed and tidal streams in the Solent is unparalleled and lead the author to conclude that if offsetting is carried out on the Isle of Wight (for example) to allow exclusive continued development of green-field sites on the mainland then the effluent nitrate offset from re-wilding a farm north of Wooton (for example) is highly unlikely to make any difference to seaweed overgrowth at Chilling (for example) due to the way the tidal flows move in Osbourne Bay.

That is a serious oversight by NE.

Note: The Southern Water sewer plume map (made available at time of writing) only shows the eastward flow of the plume from the outfall off Lee on Solent/Browndown. This is only the flood tide representation and not the ebb tide (westward flow). All of the hydrological modelling and mapping of the plume flows would need to be made available by Southern Water in order to be able to draw any further conclusions.

As well as the delivery of nitrogen via the watercourses, the NE calculations for nitrate loading and subsequent guidance for housing developers appear not to take into account sewage overspills (CSO's) after extended heavy rain/torrential downpours and subsequent likely nitrogen, bacterial and viral delivery and contamination of shellfish beds.

Unless developers are building adequate sewage flow infrastructure into the development then Combined Sewage Overspills (CSO's) will still likely increase in proportion to increased development. Food Standards Agency (FSA) limits for shellfish *may still continue to get worse* as they regularly do most years in Southampton Water after FSA monitoring.

In other words, *the viability of our inshore shellfish beds will still likely be at risk and will likely have an even higher risk in proportion to ever increasing development in the SEMS catchment.*

Even with nitrate land 'offsetting' more local to the proposed development this fact will likely not change due to CSO's.

The models used by the NE and the EA have not factored in the future (with increased development) considerable nitrogen loading into Solent catchment resulting from nitrogen loading from increasing car exhaust emissions and industrial development. All the science shows that with increasing development and road use and vehicle numbers, the nitrogen loading will increase significantly.

As with increased chance of CSO's after heavy rain due to more hard-surfacing, their will a similar increase delivery flow rate of dissolved nitrogen compounds to the SEMS; again, a factor not taken into account in the NE model.

The Fareham Borough and Eastleigh Council for example, must already know that the local road systems have been pushed to over-capacity in a very short time within the last few years, evidenced by virtual gridlock on the A27 road (just an example) at peak flow times: their highway modelling has already clearly failed local people who are living daily traffic nightmares in Locks heath, Sarisbury Green, Hamble, Fareham and Southampton. It is not clear whether any scientific assessment has been carried out as to the increased delivery of nitrogen compounds via vehicle exhaust emissions from increasingly free standing/engine idling traffic in gridlock and increased traffic flows in general. All of this extra nitrogen is likely ending up in the Solent and NE has failed to include it in their calculations. Another massive oversight.

And it is not just local. This would also include the entire road infrastructure, including motorway areas in South Hampshire, where exhaust emission nitrogen contaminated road water run-off feeds into SEMS. Increasingly wider gridlock events and increasing traffic in South Hampshire must be supplying significant emission-dissolved nitrogen compounds to the water catchment adjacent to many roads. (This has been widely studied in the USA).

Notwithstanding micro-particulates from tyre rubber and oils, washing into the same catchment systems; the biological effect on water borne fauna (like salmonids and other fish) from these particulates has simply not been scientifically determined.

All of this leads to the reasonable assertion that the calculations for nitrate loadings in the NE models are highly likely to be inaccurate by a significant degree, the expected offsetting effect: doubtful. There will still be a doubt regarding the current 'nitrate'/seaweed problem which is already being exacerbated by overdevelopment in the Hampshire water catchment zone feeding into the Solent (SEMS).

Further development in proportion with an ever-expanding population growth will likely further exacerbate these problems. It is simply the law of cause and effect in action.

The conclusion is that it is <u>highly uncertain</u> that the SEMS water quality with respect to nitrates/phosphates will *practically* change and that it is *highly*

uncertain that all the affected estuarine habitat (SAC's and SPA's) areas relating to seaweed overgrowth on mudflats and the wider SEMS where we fish will improve consistently throughout the district.

Secondly, it is highly unlikely that the water quality with respect to E.coli/norovirus contamination in shellfish will improve since CSO's will still be happening in proportion with increasing development without considerable improvements in the infrastructure/treatment of sewage.

Thirdly: any increasing CSO's will still deliver a loading of nitrogen (other than 'nitrate') in other nitrogen compound forms from raw sewage overspills, along with bacterial and viral contamination into the SEMS and Southampton Water, so there is some reasonable doubt that NE's nitrate offsetting methodology will actually be practically effective in reducing wider free-floating red seaweed overgrowth and improving the microbial quality of shellfish beds in Southampton Water and SEMS.

Regarding shellfish quality: most wider SEMS Food Standards Agency classifications are currently assumed as class B. However, that could easily be reduced to Class C with more frequent testing and an increasing CSO threat resulting from increased development. That must be avoided, the fishermen will not be happy if that happens.

Class C shellfish rating would be a disaster for the local clam shell fishing industry, the emerging Solent scallop fishery and the Solent Oyster Regeneration Project (Blue Marine Foundation). The potential loss of the Solent shell fishing industry would be incalculable. This is already a clear possibility and looming threat for Poole Harbour. Although Poole Harbour does not benefit from tidal flushing in the same way as the Solent, there is still a reasonable degree of doubt for the SEMS, so it would behove NE to take our warnings seriously. This year for example we have already seen an extension south, down the Southampton Water towards Chilling, of an unfavourable Class C rating for one clam species. (see FSA survey 2020).

Currently, in Poole Harbour, shellfish cultivation businesses are significantly being affected due to bacterial sewage contamination. (personal communication/Southern IFCA Committee meeting comment Sept 2020)

Any increase risk of contamination from sewage overspills applied to the local shellfish fishery most likely to prove detrimental to the quality of our local

shellfish beds and fishery will most certainly result in litigation with the water companies. We are watching the situation closely.

It appears that the local Councils together with NE and the Environment Agency have rushed through this nitrate mitigation 'solution' in order to enable the ever-expanding over-development of green field sites by developers within the SEMS water catchment area to continue. This will mean that over-development will continue and that the un-studied negative environmental effects like red seaweed overgrowth will also likely continue.

It is alarming that such on- the- hoof science (without hard, long-term proof that the measures will be successful) can be fast tracked through by Government Agencies who are failing to protect not only our green field areas but the very unique landscape of parts of southern England.

It should be their responsibility to assert that Central Government implement sensible policies which control the drivers of unsustainable housing demand (namely the drivers of population growth and movement of people). In short, sustainable policies for sustainable population growth, which include a revocation of existing legislation that currently enable unbridled green-field development by housing developers.

This would also help ease pressure on offshore marine aggregate dredging (which supports the building industry) which often takes place in environmentally sensitive juvenile fish spawning grounds in the English Channel and elsewhere. These grounds are being dredged back to bedrock in some cases, partly to feed ever-expanding UK housing/population growth.

Therefore, pending those long overdue changes to Central Government policy, and taking into consideration our analysis above, it would be pertinent that all current development in the Solent (SEMS) water catchment cease with immediate effect, until further long-term studies and peer review has been carried out.

Steve Matthews

Warsash Inshore Fishermen's Group

Warsash, Hants.

[redacted] November 2020

Technical Note

Site:	HA2
Client:	Bargate Homes and Miller Homes
Job Number:	A097690-2
File Location:	I:\Projects\Projects 097000 on\A097690-2 Newgate Lane East\REPORTS

Introduction

This Technical Note has been prepared to provide support in relation to Ecology to representations to the Fareham Borough Local Plan for the former strategic housing allocation HA2 Newgate Lane South.

This comprises the following three sites within the Strategic Housing and Employment Land Availability Assessment (SHELAA) prepared by Fareham Borough Council:

- Copps Field, Newgate Lane, Peel Common (3028);
- Land East of Newgate Lane, Peel Common (3057); and
- Land East of Newgate Lane East, Peel Common (3002).

The SHELAA includes comments in relation to Ecology and reasons for discounting the sites. For all three sites, the Ecology comments include the following:

> *"The site is a Brent Geese and Solent Waders 'Low Use' site. All such sites have the potential to support the existing network and provide alternative options and resilience for the future network. Therefore proportionate mitigation, off-setting and/or enhancement measures will be required. Natural England should be consulted."*

For Copps Field, it is also stated that:

> *"The hedgerows on site should be retained and protected by a planted buffer. Due to the presence of suitable habitats on site, it is likely that reptiles, Badgers, Water Voles, amphibians, Dormice and bats are present on site."*

For Land East of Newgate Lane it is stated that there is:

> *"Potential for badger, bat, reptile and green sandpiper."*

All three sites share the same reasons for discounting, one of which relates to Ecology. This states that:

> *"Site is designated as a Brent Geese and Solent Waders Low Use site and there is no evidence of a strategy compliant solution."*

Proposed Sites

Land East of Newgate Lane East, Peel Common (3002)

Land East of Newgate Lane East is currently the subject of an outline planning application P/19/1260/OA. As part of this application, a Wader and Brent Goose Mitigation Strategy has been devised by WYG and submitted to Fareham Borough Council and assessed as part of a Report to Inform Habitats Regulations Assessment Stage 1 and Stage 2 prepared on behalf of the applicants. This involves the creation of a mitigation area at Land West of Old Street, Stubbington and is designed to deliver mitigation for a further two sites currently the subject of appeals (Land at Newgate Lane North and Land at Newgate Lane South).

Although this has not yet been formally assessed by Fareham Borough Council through their Appropriate Assessment for P/19/1260/OA, the strategy has been reviewed by the Council's Ecologist for the two appeal sites and is agreed as part of the relevant Statements of Common Ground. Therefore, it is reasonable to conclude that this represents a 'strategy compliant solution' and as such this should not represent a reason to discount the site.

Copps Field (3028) and Land East of Newgate Lane (3057)

These two sites are not covered by the mitigation strategy discussed above, however; the presence of this strategy demonstrates that there are suitable opportunities to deliver mitigation.

The reasons for discounting refer to a 'strategy compliant solution', this in relation to the Solent Waders and Brent Goose Strategy (SWBGS). Under the SWBGS, mitigation for the loss of Low Use sites (such F15 which is covered by HA2) comprises compensatory funding to be used to maintain and enhance the network. The intention of this approach is for funding to be managed by the Local Authority to support schemes across the network, including within neighbouring authorities. In Fareham Borough, there is no scheme or schemes towards which the authority can direct this funding. Where no strategic approach is available, then it is necessary for a suitable mitigation solution to be provided by the applicant. This is confirmed by Natural England's written statement in respect of the above appeals. According to Policy NE5 of the Fareham Local Plan for Low Use sites:

> *"For development proposals of all kinds, proportionate mitigation, enhancement and/or offsetting will be required. Measures should avoid and/or adequately mitigate the impact of development on site in the first instance. However, where it is demonstrated that this is not practical or feasible, off-site options and / or a financial contribution for mitigation should be considered."*

In the case of each of these sites, on site mitigation is not possible (as any areas of open space retained would be unsuitable for waders and brent geese due to the reduces size and proximity of new development). Therefore, a suitable off-site mitigation solution, such as that proposed for Land East of Newgate Lane East, would be policy compliant. In addition to a scheme such as this, we are also aware of other opportunities for mitigation which are likely to be practical during the new plan period. Following discussions with Hampshire and Isle of Wight Wildlife Trust and Hampshire County Council, both bodies are in the process of identifying suitable sites which could be funded by mitigation payments under Policy NE5. Hampshire County Council already own large areas of suitable land within the wader and brent goose network, and the Wildlife Trust are considering acquiring land in a similar manner to their approach to providing mitigation for nitrogen outputs.

Policy NE5 is taken into account as mitigation within the Fareham Local Plan HRA prepared by Urban Edge Consultants which concludes that there will be no adverse effect on the integrity of the Solent and Southampton Water SPA or Portsmouth Harbour SPA (alone or in combination) as a result of site specific impacts (which includes loss of SWBGS sites). It can therefore be concluded that provided any development of these two sites is compliant with Policy NE5 (which it must be in order to be granted consent) there will be no impact on the integrity of the associated European sites or the wader and brent goose network. Given the presence of this policy, it is unreasonable to dismiss the sites on these grounds, or to require detailed mitigation at the plan stage (when Policy NE5 provides sufficient security).

It should also be noted that two proposed allocations within the Local Plan (employment allocations 3113 Farady Business Park and 3114 Swordfish Business Park) are incorrectly stated to have no constraints within the SHELAA. In fact, both these sites lie within a Low Use site (F13) and would also result in an adverse effect. Neither allocation is supported by a site-specific or detailed mitigation strategy and in the Local Plan HRA it is stated that mitigation for these allocations will be meeting the requirements of Policy NE5. On the grounds of consistency, either these two allocations should also be discounted, or a requirement to comply with Policy NE5 should be acceptable for all sites which affect Low Use sites.

Local Plan Policies

As requested, a review has also been undertaken of the proposed Natural Environment policies within the Local Plan relevant to our area of expertise. This includes Policies NE1 – NE5. These are summarised below along with a brief commentary in relation to the HA2 sites.

Policy	Description	Comments
NE1	Protection of Nature Conservation, Biodiversity and the Local Ecological Network	This policy relates to the protection of designated sites which is included within previous plans. It adds protection of the Ecological Network. The Local Ecological Network Map identifies 3028 as a 'Network Opportunity', which means it has been identified as an area which could be improved or managed to achieve measured biodiversity net gain (see NE2). None of the sites within HA2 comprise statutory or non-statutory designated sites.
NE2	Biodiversity Net Gain	This requires 10% gains in biodiversity for all sites and is in line with forthcoming government requirements. It is likely that this requirement can be achieved for HA2 (it has been demonstrated for 3002 in the submission) as a whole.
NE3	Recreational Disturbance on the Solent Special Protection Areas (SPAs)	This policy requires a financial contribution to mitigate recreational disturbance and is consistent with previous local plan policy.

NE4	Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent.	This requires the production of nutrient budgets and delivery of suitable mitigation to make sure that developments result in a net reduction in nitrogen outputs.
NE5	Solent Wader and Brent Goose Sites	Discussed above, this policy requires mitigation where there will be impacts on the wader and brent goose network. Mitigation is proposed for 3002 and suitable mitigation in compliance with NE5 will be required for 3028 and 3057 at the application stage. In Para 9.74, it states that *'off-site options and / or a financial contribution'* are suitable for mitigation, however it then only goes on to discuss financial contributions. In the absence of clear identification of where contributions will be applied, the policy wording should be make it clearer that bespoke mitigation solutions which do not result in such payments are also acceptable (where they satisfy the requirements of the Habitats Regulations).

[redacted]

David West CEnv MCIEEM

Associate Ecologist

Representations | June Ward

312-181427

Respondent details:

Title:	Mrs
First Name:	June
Last Name:	Ward
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: 1.5

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

I do not think I have had access to a variety of methods from which to comment. Had to ring up and get a copy of Fareham today which took a week to come.I think to the layman a lot of the language used is very contradictory and misleading i.e. “tests of soundness” does not seem to add up to FBCs Legal compliance and Duty to cooperate.The community have tried to become involved but everything that we have done deputations, objections and protest marches have been denied..

What modification(s) is necessary to make the Local Plan legally compliant or sound?

More weight appears to be given to the developers rather than to the residents. I am totally opposed to the nitrates budget calculations and consider this needs to be challenged.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

I think that the residents would consider that their concerns have not been taken into account and our opinions appear to be negated.

Your suggested revised wording of any policy or text:

The plan does not meet the legal requirements as the community has been disenfranchised.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

Because it is my right to hear exactly what arguments are put for and against.

2) Paragraph: 1.6

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

No joined up thinking for HA1; developers have been allowed to work in isolation, so the area is dotted with developments with no thought of the environmental impact. There should be another Environmental impact assessment to show what this will mean if it was all carried out.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

No mention made of the 2017 an unadopted draft plan because the planning authority allows for housing sites which had previously been allocated in an extant local plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would appear that everything leans towards the developers as more and more land appears to have been gobbled up by them. And as everything is being looked at in isolation you cannot get a coherent view of how this once agrarian landscape is being swamped by housing.

Your suggested revised wording of any policy or text:

I do not consider the plan to be effective as it does not take into account the reasonable alternatives available within the Fareham district.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

Legal right as feel disenfranchised.

Representations | Pamela Charlwood

1012-13157

Respondent details:

Title:	Ms
First Name:	Pamela
Last Name:	Charlwood
Job Title: (where relevant)	Co Chair
Organisation: (where relevant)	Hill Head Residents' Association
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: 4.2

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

The lower number of houses required is based on a yet to be confirmed government change of mind. In parallel with that, there has been considerable debate nationally over the policy approach set out in the government's consultation which ended in October, with many MPs objecting. Other than the 847 contingency, we see no recognition of the uncertain ground upon which the current numbers in this plan are based. The Plan (para 3.20) implies that the so called Strategic Growth Area in South Fareham is discounted from this new version of the Plan but is that land still designated as such? If so, in the event of any substantial increase in the housing numbers currently assumed as a basis for the Plan, would that retained designation cause it to be immediately vulnerable?

What modification(s) is necessary to make the Local Plan legally compliant or sound?

More contingency plans should higher housing numbers be needed, together with transparency as to where they would be located.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would build in scope for national variation in housing numbers required so that the Local Plan was based on consultation which was valid even in teh light of that variation

Your suggested revised wording of any policy or text:

I cannot suggest appropriate wording other than the approach have set out above, with a realistic margin of housing numbers, greater than is currently allowed for

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

I speak on behalf of a substantial number of residents of Hill head and -particularly with the limitations set upon public consultation during the COVID period, I would welcome the opportunity to put formally the points I am raising

2) Paragraph: 4.9

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Para 4.9 (together with paras 1.17 and 1.18) declare the current Welborne plan 'fit for purpose' but evidence is needed: no information is given on funding and project dates for work to Junction 10 of the M27, which is an essential precursor to work commencing on Welborne. Far more confirmed detail is required before this can be accepted as credible.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Timescales and confirmed funding sources for Welborne, together with contingency plans in respect of annual housing numbersin the event of Welborne slipping further or failing altogether

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would render more robust and credible the housing numbers which are the basis of the Local Plan and would mean that contingency plans and their would be clearly set out and their implications would be transparent to local people

Your suggested revised wording of any policy or text:

See two paras above, please - with the numbers requested

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

See previous submission - I wish to speak on behalf of a substantial number of residents of Hill Head

3) Paragraph: 4.4

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Is Fareham now certain about the scale of any possible additional requirements likely to be received under our duty to cooperate with neighbouring authorities, principally Portsmouth and Gosport? We note (para 3.17) the joint approach which will be taken by PfSH to achieve a statement of common ground and the bilateral discussions with neighbouring authorities, but we see no reference to evidence set out in the CPRE Hampshire report showing the amount of brownfield land which could be considered as available in both Gosport and Portsmouth (CPRE report published 2 November 2020). That report estimated that in Portsmouth 119 hectares of brownfield land could be considered available and in Gosport 115.5 hectares. We also note the comments of the Prime Minister emphasising the priority which should be given to brownfield development before building on greenfield sites is considered. Whilst we recognise the importance of the Duty to Co-operate, we believe this should be on a basis that feels credible to local people.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

An approach which demonstrates to local people that neighbouring authorities are seriously assessing all brownfield site possibilities within their own areas before requesting assistance from Fareham Borough Council

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would demonstrate that FBC is not being asked to do more than its share to meet the national housing need

Your suggested revised wording of any policy or text:

Evidence of the response of Portsmouth CC's and Gosport BC's serious assessment of brownfield site potential

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

As stated in previous submissions -to speak on behalf of a substantial number of Hill Head residents

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4) Policy: DS2 - Development in the Strategic Gaps

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Whilst we wholeheartedly support the policy regarding the Strategic Gaps D2 and paras 3.9 and 3.44) we note with concern the comments at 3.46 regarding the Fareham/Stubbington strategic gap and the caveat about its current boundaries. We urge FBC to adopt a coherent and transparent approach to land management, resisting erosion around the edge of current Strategic Gaps, together with a coherent and consistent approach to mitigation bids. In the area of Stubbington and Newgate Lane, this will be particularly important when the impact of the new bypass becomes evident in 2021/22.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Openness and clarity about what is really intended in respect of the boundaries of Strategic Gaps, together with a clear policy on use of land for 'mitigation'

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would provide detailed information which would clarify important issues - ie the boundaries of the Strategic Gaps - which is currently vague

Your suggested revised wording of any policy or text:

Para 3.46 must be clarified

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

As stated in previous submissions -to speak on behalf of a substantial number of residents of Hill Head

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5) Policy: D4 - Water Quality and Resources

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Policy D4 on Water Quality and Resources and subsequent paragraphs do not address sufficiently the seriousness of the need to improve water quality: Southern Water is the worst performing water company regarding water quality (see EPA report released October 2020). More detailed actions should be set out, with more coherent policies on mitigation which are currently left largely to individual developers(see also paras 4.17 and 11.52)

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Much more rigorous approach with Southern Water, with clear targets for improvement of water quality. An open and coherent policy from FBC on mitigation, particularly in respect of nitrates.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

By showing how FBC intends to meet ecological targets which are of concern nationally as well as locally, through its Design policies

Your suggested revised wording of any policy or text:

See two paras above for what needs to be covered

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

See previous submissions: I wish to speak on behalf of a substantial number of residents of Hill Head

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6) Policy: NE5 - Solent Wader and Brent Goose Sites

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Para 9.78 (policy NE5) refers to candidate sites for Brent Geese and other waders, but gives little detail. This is consistent with the frustrating lack of a coherent policy in respect of mitigation (eg for Brent Geese and other waders, as well as for nitrates): the fields west of Old Street, Hill Head could be considered for this purpose, having previously been frequented by Brent Geese when subject to appropriate cultivation. This site was the subject of an unsuccessful development application and appeal in 2018, and has since put forward by developers as a candidate site for mitigation, first for nitrates and latterly for Brent Geese.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

A clear strategic approach and policy in respect of mitigation, together with greater clarity about potential sites

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would ensure that FBC is in the driving seat rather than allowing individual developers to put forward ad hoc proposals.

Your suggested revised wording of any policy or text:

See above for issues that need to be covered

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

See previous submissions - I wish to speak on behalf of a substantial number of residents of Hill Head

Representations | James Morgan

1812-381913

Respondent details:

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First Name:	James
Last Name:	Morgan
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Organisation: (where relevant)	[No Reply]
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Postcode:	[redacted]
Telephone Number:	[redacted]
Email Address:	[redacted]

1) Policy: HP2 - New Small-scale Development Outside Defined Urban Areas

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

I believe small scale development is important in providing necessary bespoke housing to an area and often helps to safeguard the environment which it sits within while enabling bespoke houses which utilise the best technology and sustainable techniques in what could perhaps be described as sensitive / valuable locations.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

2) Policy: HP9 - Self and Custom Build Homes

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

I would also like to support HP9 by with a caveat that HP8 should look to promote one off self build and custom build properties which would fall under HP2. Custom build within areas of special landscape quality should also be considered on their merits especially where they would effectively be a partial infill on a road where previous development has been permitted or planning granted such as the site between Egmont Nurseries and Cawtes Reach on Brook Avenue. The urban area boundary should be moved to include Yorkdale, Cawtes Reach and Egmont Nurseries and all the land in-between this area.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

none

How would the modification(s) you propose make the Local Plan legally compliant or sound?

I would move the defined urban settlement boundary as previously state.

Your suggested revised wording of any policy or text:

none

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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3) Policies map: URBAN AREA BOUNDARY (DS1)

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

I believe the urban area boundary on Brook Avenue needs adjusting to include Yorkdale, Cawtes Reach and all the parcels of land in-between this. The area no longer fits in with DS3 and should be adjusted accordingly.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Adjust plan as previously suggested on Brook Avenue, Warsash.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would encompass areas already developed along with areas which already have outline planning and those sites in-between.

Your suggested revised wording of any policy or text:

None

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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4) Policy: NE5 - Solent Wader and Brent Goose Sites

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

These sites need protecting into the future.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

LRM PLANNING LIMITED

FAREHAM LOCAL PLAN 2037

Regulation 19 Publication Draft

Response prepared on behalf of Hallam Land Management Limited

December 2020

Report Control

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Client: Hallam Land Management Limited

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Executive Summary

Local Plans should be prepared to contribute to the achievement of sustainable development. They should be positively prepared and seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change. As the starting point, strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas. These requirements exist within the context of the Government's now longstanding objective to significantly boost the supply of homes.

The Regulation 19 Plan, which is meant to be the Plan the Council intends to submit for Examination, is not founded on the Government's published Standard Method as required by the NPPF and NPPG.

Rather, the Council has alighted upon the possible outcome of a Government consultation document and has based the Development Strategy, Policy H1 and the strategy to meet housing needs on this lower level of housing. This is manifestly unsound.

The fact that the Council do not intend to submit its plan until there is certainty as to a change to the Standard Method does not mitigate the cost of conducting this consultation to the public purse or unnecessary expenditure by other public and private bodies. Moreover, this approach plainly risks undermining public confidence in the plan-led system, if, as is possible, the housing requirement has to be increased. The Council has simply acted prematurely in seizing upon a consultation document that suggests a lower housing requirement; this may be expedient but is the antithesis of positive planning. Put simply, there is no basis for the Council to have formed this consultation document at the present time.

In the event that the Government decides not to proceed with its amendment to the Standard Method, or that such an amendment results in a different outcome for Fareham, the Council will need to further amend the plan. In that instance, a wholly new consultation exercise would be required given the likely magnitude of amendments that would be necessary, adding further delay to the plan-making process, and cost to the public purse and to interested parties, whilst, regrettably, undermining confidence in the Local Plan process.

Moreover, the Council has not recognised the context within which this Plan is being prepared. Housing delivery relative to the Core Strategy has resulted in a substantial shortfall in new housing over past years and this Plan provides an opportunity for positive and ambitious planning to ensure development needs are met and the principles of good growth are achieved. The Plan fails in this regard.

The Council purports to make a contribution towards meeting the unmet need of its neighboring authorities; however, this does not reflect the scale of the unmet needs identified by the Partnership for South Hampshire (PfSH) of over 10,000 homes. It is not at all apparent that this Plan is founded on constructive, active and on an ongoing engagement as required by Section 33A.

It is instructive that whilst Welborne was identified to provide housing to meet sub-regional requirements, its role has now changed to meeting the Borough's housing needs first and foremost;

consequently this Plan makes a significantly lower contribution to the wider sub-regional needs which plainly have not diminished.

Furthermore, the Plan has exaggerated the likely housing supply from Welborne and other sources to such an extent that a shortfall in housing supply is inevitable.

The Plan overlooks the opportunity provided by the previously identified Strategic Growth Area at South Fareham which would make an important contribution to housing supply in the short term and providing surety of supply over the longer term. The suitability of this location is apparent from the Council's evidence base; it is accessible to the Borough's main urban area, it is not an area that is sensitive in landscape terms, development can be accommodated without undermining the principle of separation between Fareham and Stubbington, there are no environmental designations that preclude development and the transport modelling and its' conclusions has assumed development in this location. A development scheme in this location can also deliver nitrate neutrality and biodiversity net gain. Development to the South of Fareham can achieve *Good Growth*.

Unfortunately, the Sustainability Appraisal does not consider higher levels of growth consistent with the January 2020 Local Plan Supplement, and, as such, fails to consider a reasonable alternative.

The following Modifications are considered necessary for the Local Plan to be sound:

- The minimum housing requirement should be defined by reference to the existing Standard Method;
- The housing requirement should be increased further to take account of the low level of completions from 2018 onwards compared to the level of local housing need;
- The level of unmet need that is accommodated should be based on constructive, active and on ongoing engagement with neighbourhing authorities;
- Assumptions about the delivery of new housing at Welborne should be revisited and revised down;
- The windfall allowance should be revised down;
- Alternatively, the level of contingency should be increased;
- Additional housing allocations should be provided for;
- Land South of Fareham should be allocated for housing development; and
- Separate from the allocation of land South of Fareham, the boundary of the Strategic Gap south of Longfield Avenue and west of HMS Collingwood should be amended so as not to include the land identified by the Borough Council's *Technical Assessment* that is not considered integral to the Gap function.
- The designation associated with Waders and Brent Geese on the Policies Map should be altered with consequential changes to Policy NE5.

1 Introduction

1.1 Hallam Land Management Limited ('Hallam') control a substantial tract of land to the South of Fareham, south of Longfield Avenue, west of HMS Collingwood and adjoining the Stubbington Bypass, the construction of which has recently commenced.

1.2 In successive representations to the Local Plan Review we have draw attention to the merits and advantages of locating development to the South of Fareham and how this would achieve the Borough Council's objective of *Good Growth*.

1.3 In the January 2020 Local Plan Supplement, this land, along with other parcels in this location, was identified by the Borough Council as a potential Strategic Growth Area.

1.4 In the current consultation document, such an allocation has not been carried forward.

1.5 On this occasion, the Borough Council's has alighted upon the possible revision to the Government's Standard Method for assessing local housing need, which suggests a lower level of housing for Fareham.

1.6 In our opinion, the Borough Council are wrong to have published this consultation document in this form given the status of this version of the Plan is afforded by the Local Plan Regulations; *the Plan a Local Planning Authority intends to submit for Examination*. To have based a Plan on the possible outcome of a Government consultation is plainly premature and, regrettably, the Plan's housing strategy is not positively prepared and is unsound.

1.7 The Plan's housing strategy is not an effective one. It has no regard to past performance relative to the objective assessment of housing need and the level of contingency is not sufficient when the likely delivery of Welbourne is viewed objectively. Over the plan period a significant shortfall in new housing is inevitable.

1.8 For the reasons given in this representation, additional housing land should be allocated in Policy H1.

1.9 Land South of Fareham is an eminently suitable and sustainable location for future development and should be identified accordingly. In the context of the Borough Council's *Good Growth* principles that underpin the Plan's Development Strategy, Hallam's development proposals achieve the high-level development principles and requirements set out in the Local Plan Supplement which remain entirely appropriate.

1.10 It is especially significant that the Borough Council's assessment of Strategic Gaps has drawn the conclusion that new development can be located south of Longfield Avenue without harming the integral purpose of this earlier designation. We agree with this conclusion, which accords with our previous submissions that carefully planned development will not result in the coalescence of Fareham and Stubbington and that the separate identities of these settlements can be retained.

1.11 Development at South Fareham can be brought forward to provide new homes, associated community and commercial facilities within an overall scheme that provides accessible green infrastructure and open space that will enable residents and visitors to experience a high quality

of life and well-being. The accessibility of this location can be capitalised upon with investment in new sustainable and active modes of travel. By locating new development here, valued landscapes and natural environments will be preserved.

1.12 As such, and for the reasons given herein, the previous potential Strategic Growth Area at South Fareham should have be retained in the Local Plan for future development.

1.13 In our representations in the following Sections we set out that, whilst the Plan's Vision and Strategic Priorities are correct, absent amendments to Policy H1, this version of the Local Plan will not provide sufficient housing and this will run counter to its stated intention to address housing needs by the end of the plan period.

2 Vision and Strategic Priorities

2.1 In this Section of our representations we consider the consultation document's Vision and the Strategic Priorities that the Borough Council has identified. It is instructive to consider the extent to which the Plan's policies and proposals will, in practice, contribute towards this Vision being realised and the Strategic Priorities being met, in the context of what the NPPF's anticipates of a Local Plan.

National Planning Policy Framework

2.2 Para 15 of the NPPF requires that each Local Plan should provide a positive vision for the future of its area; a framework for addressing housing needs and other economic, social and environmental priorities. (emphasis added)

2.3 Para 17 requires that a Local Plan includes strategic policies to address the local authority's priorities for the development and the use of land in its area.

2.4 Para 20 states that strategic policies should set out the overall strategy for the pattern, scale and quality of development**,** and make provision for, *inter alia*, housing, employment, retail, leisure and other commercial development, infrastructure, community facilities and conservation and enhancement of the environment.

2.5 Para 22 states that strategic policies should look ahead over a minimum 15-year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure.

2.6 Para 23 states that strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area.

2.7 In the context of plan making making, the NPPF's presumption in favour of sustainable development is framed in the following terms:

a. plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;

b. strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

2.8 In this context, it is important to recognise the significance of the Regulation 19 stage in the plan-making process. This is the Plan the Borough Council intends to submit to the Secretary of

State for the purpose of Examination pursuant to Section 20 of the Act. This is explained in the NPPG "*The publication stage plan should be the document that the local authority considers ready for examination*". Therefore, this is the Plan and the approach to meeting objectively assessed need that the Borough Council now consider appropriate.

2.9 But, as the Borough Council has suggested it won't decide whether or not to submit the Plan until it knows the outcome of the Government's review of the Standard Method, this is little more than a "wait and see" approach. This is plainly wrong given the importance of the plan-led system in overall terms, the alacrity with which an up-to-date Local Plan is needed in Fareham, and the need to maintain public confidence in the plan-making system generally.

2.10 As will be shown later, the practical difference between a housing strategy based of 520 dwellings per annum and 403 dwellings per annum is an 'end date' five years hence. When viewed in the context of providing surety over the longer term and the emphasis in the NPPF on exceeding the minimum requirement, adopting a higher growth level at this stage would have been the positive and responsible response to this circumstance.

The Vision

2.11 The Borough Council's Vision as set out in the consultation document intends that it:

- *"<u>will accommodate development</u> to address the need for new homes and employment space in Fareham Borough; and*
- *new housing will <u>address the particular needs in the Borough</u>, such as our growing housing need and an ageing population and creating attractive places to live".*

2.12 The Vision is framed by reference to the Borough's needs, whereas Fareham is part of the established Partnership for Urban Southampton and has a role in contributing to meeting the housing needs of the sub-region. Indeed, there is no reference to Fareham's sub-regional role on any of the text associated with the Vision and Strategic Priorities in Section 2 of the Plan. In this context, the Vision should be drawn more widely.

2.13 Significantly, the allocation at Welborne in the Core Strategy was specifically for a sub-regional purpose, but its role by the present time appears to have been recast entirely; a matter we return to later.

2.14 Without prejudice to the above, achieving any Vision requires policies and proposals that are genuinely aligned with it. In respect of housing, the outcome of the Local Plan's policies and proposals should be that the Borough's housing needs are met.

2.15 As such, the Local Plan must, first, establish the correct strategic housing requirement in Policy H1 i.e. the overall number of new homes that need to be built by 2037 and, second, ensure a housing supply strategy that has the necessary surety that this can be achieved.

2.16 What experience both in Fareham and elsewhere has shown is that there must be an element of theoretical overprovision as part of the housing strategy to ensure that sufficient new housing is built.

2.17 To an extent the consultation document recognises this, but, as will be shown, it significantly

misjudges housing supply to such an extent that it undermines achievement of the Vision.

2.18 Conversely had a positive approach to plan-making been adopted, the Local Plan would have provided a robust planning strategy for the Borough.

Strategic Priorities

2.19 In the context of the Vision, the first Strategic Priority is to:

- *address the housing and employment needs by the end of the plan period in an appropriate and sustainable manner, creating places people want to live or where businesses want to locate.*

2.20 Again, there is no reference to Fareham's wider sub-regional role. In the context of Section 33A of the Planning and Compulsory Purchase Act, which requires constructive and active engagement on strategic matters, this is a surprising omission.

2.21 Without prejudice to this point, as a matter of principle, such a strategic objective is soundly based and is aligned with the significant importance the Government attaches to housing provision. Such a Strategic Priority is universally found in Local Plans national-wide.

2.22 However, in this instance, the apparent driver to the Publication Draft has been an attempt to reduce the scale of housing provision despite the Vision and Strategic Priority. This is the only conclusion that can be drawn from the Council having based its Regulation 19 Plan on a consultation document concerning a potential revision to the Standard Method.

2.23 This approach is plainly not sound for the following reasons:

2.24 Firstly, it departs from the method of calculating local housing need set out in para 60 of the NPPF. No exceptional circumstance has been suggested other than a lower figure is derived from the potential revision to the Standard Method. In a recent comment the Planning Minister referred to outputs based on the consultation exercise as "*entirely speculative*".

2.25 Secondly, even if that figure is correct, it is in no way obvious how the wider needs of the sub-region are to be met; across the wider geographic area as a whole the level of local housing need is suggested to be greater than has hitherto been the case.

2.26 Thirdly, the approach to housing supply significantly overstates likely housing delivery and the scale of contingency is simply not sufficient to ensure future housing supply would meet identified need.

2.27 The inevitable conclusion is that this version of the Local Plan is not positively prepared, justified, effective or consistent with national policy. Therefore, whilst the Plan may have a clear strategic priority to address the need for new homes in the Borough, its subsequent policy to base the strategic housing requirement of 403 dwellings per annum means, when considered objectively, that it fails to do so. To consciously plan for 20% less housing than has been identified firstly as necessary, and secondly as capable of being accommodated, is not properly addressing the need for new homes in the Borough.

2.28 In short, the Plan provides for too few houses over the plan period. This in turn will give rise to

adverse effects. It will restrict the number of people who are able to purchase new housing from doing so and constrain the operation of the housing market. It will also reduce the amount of affordable housing that is built because that is a proportion of the overall amount of housing. Moreover, by restricting market housing it creates an additional and greater incidence of housing need as people who would otherwise have been able to buy a market home are prevented from and they fall into housing need. This will have harmful socio-economic effects and runs counter to the Vision to meet the Borough's housing need.

2.29 For these reasons, the consultation document is not soundly based.

3 Development Strategy

3.1 The preceding Section has considered the Regulation 19 Plan's Vision and Strategic Priorities as they relate to housing provision and has identified that, as a practical effect, its policies and proposal will not deliver the intended outcome in terms of meeting housing need by the end of the plan period. In this Section, we consider the proposed Development Strategy and the extent to which it could accommodate a greater level of development if necessary.

3.2 The Plan's Development Strategy, set out on pages 17 – 32, and its associated Key Diagram and more detailed Policies Map, are framed by the Borough Council's approach to housing provision. This is evident from comparing the direction of travel outlined in the January 2020 Local Plan Supplement based on the published Standard Method and which identified the need for Strategic Areas of Growth to be allocated for future development, and the present approach which includes very few new housing allocations.

3.3 In the event the Borough Council has to re-cast its approach to housing provision, it will also need to adjust its Development Strategy in order to be able to deliver the strategic objective to address housing need. In this regard, it is of note that para 3.5 of the consultation document acknowledges that *"the [Local Plan] Supplement consultation in early 2020 identified the Council's preferred approach to its Development Strategy which it proposes to use to guide the focus of development until at least 2037"*. This clearly illustrates the suitability of the Strategy at that time as the basis of plan-making presently.

3.4 In the following paragraphs we comment on the various elements of the Council's Development Strategy both as articulated presently but also in the context of a revised housing strategy which would require additional land to be identified for development in the plan period.

Good Growth

3.5 The 2019 Issues and Options consultation established the principle of ***Good Growth*** as the keystone for the Local Plan's Development Strategy.

3.6 *Good Growth* was defined in the 2020 Local Plan Supplement in the following terms:

- building homes and creating employment spaces in such a way as to improve the quality of life whilst protecting the most valued and natural historic environments.
- respecting environmental protections and delivering opportunities for environmental gain, providing opportunities for reduced energy demand and waste production, whilst sensitively managing the countryside and valued landscapes.
- providing open space and leisure opportunities to encourage healthy and active lifestyles and encouraging more of us to use active forms of travel rather than the car.

3.7 This definition has been retained in the Regulation 19 Plan.

3.8 These principles exist within an overarching scale of development that the Borough will need to provide for over the plan period. It is of paramount importance that, in the context of the Plan's Vision and Strategic Priorities, this scale of development is correctly defined at the outset; only then can it be said the Plan will address housing and employment needs adequately,

appropriately and sustainably. If the housing requirement is drawn too low, it will have negative social and economic effects.

3.9 It follows that, at the plan-making stage, the Local Plan is able to set out strategic and development management policies that have *Good Growth* principles at their core; both in terms of determining which locations in the Borough are to be allocated for new development and then the form and nature of such development.

3.10 The ensuing Land Use Strategy should prioritise locations that are able to achieve the principles of *Good Growth*, albeit there are instances where there are competing interest and, as with all planning decisions, balanced judgements will be necessary.

Development Strategy

3.11 This Section of the Regulation 19 Plan describes the factors that the Council has used to determine its Development Strategy. Because of the range of considerations that are inputted to, and then flow from this, what the Plan is actually describing is its land use strategy, namely where development is acceptable and conversely where factors determine new development would not be appropriate and other considerations are more important.

Landscape and countryside

3.12 We agree that there are parts of the Borough which have a fundamental importance in landscape terms and it is right that preservation of the landscape in those locations is the principal consideration. Figure 3.1 which illustrates the Key Diagram identifies "Areas of Special Landscape Quality" and we agree with the designation of the areas shown in this regard. Policy DS3, which we comment on later, should be worded to ensure that preserving the special landscape quality of these areas is given primacy.

Settlement boundaries

3.13 Settlement boundaries delineated in earlier development plans were drawn in the context of development needs as determined at that time.

3.14 Where the scale of development cannot be met on land within the Borough's urban area, development in the countryside adjoining main settlements is a wholly necessary and legitimate proposition.

3.15 As a consequence of allocating land for development to meet identified needs, settlement boundaries can and should be amended accordingly. In short, the existing settlement boundaries are not immutable.

The desire to respect settlement identity

3.16 Given that Areas of Special Landscape Quality have been assessed and delineated on the Key Diagram it is also necessary to consider whether land identified in the current Development Plan as Strategic Gap still requires such protection, whether its boundaries can justifiably be amended in light of up-to-date circumstances or whether any areas of land subject to that designation can be developed in order to contribute to a sustainable pattern of development.

3.17 The *Technical Review of Areas of Special Landscape Quality and Strategic Gaps* considers existing Strategic Gaps in the adopted Local Plan and concludes that land south of Fareham, east of Peak Lane and west of HMS Collingwood does not perform the same function in terms of maintaining separation between Fareham and Stubbington as other land that is subject to this designation and is more integral to the purpose of preserving identity.

3.18 Chapter 4 of that Study, Paragraph 10 states that "*there exists some opportunities for development to be absorbed within the strategic gap subject to scale and future detailed design, without compromising its gap function combined with mitigation measures that can support green infrastructure enhancement*".

3.19 It follows as a matter of principle that this land should not be designated as Strategic Gap in this Local Plan as this designation plainly cannot be justified in that location. Conversely, to continue to propose this land as Strategic Gap is not justified on the basis of the Council's own evidence.

3.20 It is highly material that the Local Plan Supplement had anticipated a Strategic Growth Area in this location, reflecting the broad conclusions of the earlier Options testing that this represents a sustainable and accessible location for new development and that such development can be accommodated without harm to the separation between Fareham and Stubbington. The significance of this is especially important in the context of the greater scale of development the Local Plan should accommodate and as such this represents an eminently suitable location for development. The fact this land is outside of the settlement boundary is in no way an overriding determinant that would preclude its allocation.

Climate change, flood zones and coastal management areas

3.21 We agree that the Local Plan should not direct major new development to areas identified as having a role in mitigating the impacts of flooding or coastal erosion. It is noteworthy that the areas of potential flood risk are associated with the River Hamble, River Meon, River Wallington and Lee-Solent estuary and are largely subject to nature conservation designations and landscape designations which limit the extent these locations would be suitable for development in any event.

3.22 In this context, the land identified as suitable for future development to the south of Fareham is not subject to flood risk and can be developed with Sustainable Urban Drainage measures that would not increase the risk of flooding elsewhere.

Protected areas for nature conservation

3.23 There are strategic nature conservation constraints that exist in the Borough in the form of International and Nationally designated sites. These overlap with other environmental designations and exert a significant constraint on where development can be located, limiting the extent of land absent a constraint. None of these constraints directly affect the land south of Fareham referred to in proceeding paragraphs.

Transport corridors and opportunities to encourage more active travel modes

3.24 The NPPF advises that the planning system should actively manage patterns of growth to support sustainable travel. Significant development should be focused on locations which are

or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.

3.25 In this regard, the Local Plan Strategic Transport Assessment states the following: *The proposed growth locations in the Local Plan to accommodate forecast population and economic growth, took a wide range of factors into consideration, including transport and access implications. Most of the Local Plan growth is located either within or on the edge of existing conurbations, providing good opportunities for trips to be made by modes of transport other than the private car. Consequently, the proposed growth in the Local Plan is generally in sustainable locations in terms of transport and access".*

3.26 It is important to stress that this Transport Assessment in fact includes development at the Strategic Growth Areas, therefore, this conclusion reflects the suitability of new development in this location in these terms.

3.27 Whilst certain representations have previously raised concern about traffic impacts, the Transport Assessment concludes that the scale of development proposed (including the Strategic Growth Areas) and the resulting transport impacts are capable of mitigation at the strategic level, and that the Plan is therefore deliverable and sound from a transport perspective.

Need to encourage diversity in the housing market

3.28 We agree that there needs to a balance in the portfolio of housing sites. We comment later on the likely delivery of housing from Welborne, which can only represent a modest supply of housing in anything other than the longer term.

3.29 To meet the objective of providing sufficient housing, additional housing allocations are required for all of the reasons in this representation and in particular those in response to Policy H1. Whilst development to the south of Fareham will change the character of part of the undeveloped land between Fareham and Stubbington, this must be balanced with the material benefits of the scheme in terms of the new housing to increase housing supply in the short term and to provide a surety of supply over the longer term.

3.30 The opportunity to the south of Fareham is of a sufficient scale to meet the identified need for market housing, affordable housing, specialist accommodation and self-build and custom build housing, along with the co-location of local services and facilities to support a new neighbourhood.

Sustainability and accessibility to services

3.31 Fareham is identified in the Core Strategy as a 'key growth point' in the South Hampshire sub region and a 'secondary regional centre'. The town is the largest in the Borough with a population of approximately 37,000 people. Fareham is also an important economic centre, which has developed further over recent years, with the success of The Solent Enterprise Zone at Daedalus to the south of the town supported by significant investment in infrastructure improvements including improvements to Newgate Lane, Peel Common Roundabout and the construction of the Stubbington Bypass.

3.32 Amongst the advantages previously identified for the South Fareham Strategic Growth Area is

its proximity to the town centre, the Solent Enterprise Zone at Daedalus, the railway station and existing local services and amenities with good access to walking, cycling, and public transport links. Local facilities are situated along Bishopsfield Avenue and at Broadlaw Walk. Large-scale out-of-town retail facilities are located at Newgate Lane and Fareham Road to the east of Longfield Avenue.

3.33 Large-scale development to the south of Fareham, rather than a more dispersed pattern, would maximise opportunities to prioritise pedestrian and cycle links and extend public transport to maximise sustainable modes of travel.

The requirement to meet housing and employment needs

3.34 *Good Growth* can only be achieved if the Local Plan intends to meet objectively assessed need for housing, which for the reasons set out in response to Policy H1, it does not achieve this at the present time.

Spatial Interpretation

3.35 As a matter of principle, the identification of deliverable or developable previously developed land should be a priority, however, it is widely understood that such opportunities do not exist to accommodate the scale of new housing and employment required in the Borough.

3.36 Accordingly, the allocation of greenfield sites for future development is both a legitimate and necessary measure.

3.37 The morphology of the Borough is comprised of three urbanised areas: Fareham, Portchester and the 'Western Wards', which are part of a coastal conurbation that extends from Portsmouth in the east to Southampton in the west. Fareham is the pre-eminent urban area within the Borough in terms of services and facilities and public transport. Portchester and the 'Western Wards' are characterised more as residential suburbs.

3.38 Interspersed to a greater and lesser degree between these settlements are areas of separation comprising Portsmouth Harbour, Alver Valley, Meon Valley and the River Hamble. These are strategically important corridors that separate the main urban areas, protect their identity and prevent settlements within the coastal conurbation from merging together.

3.39 To the north of the M27, the Borough is of a more rural character, noting of course the proposed new community at Welborne which will undoubtedly change the character of this area over a long period of time.

3.40 Stubbington, a residential suburb, lies south of and separate from Fareham's urban area along with the sub-regionally important employment and logistics node at Daedalus. The Borough Council have stated aspirations to maximise the potential of the airfield's land and infrastructure assets through new commercial development, providing clusters for aviation, non-aviation and skills/innovation activity. This will contribute positively to the creation of skilled jobs in the Solent Enterprise Zone.

3.41 These characteristics have led the Council, rightly in our opinion, to consider the designation of Valued Landscapes as part of the Local Plan and in this context we are aware that the 2017 Landscape Assessment acknowledges the intrinsic landscape character of the Meon, Hamble

and Hook valleys.

3.42 We agree that the Meon Valley is a distinctly valued landscape. In our 2019 response to the Issues and Options consultation we referred to various Appeal decisions that alight upon the value of the landscape in this location. Continuing to protect this area from development and formalising a landscape designation in the Meon Valley would be appropriate.

3.43 The extent to which land around the 'Western Wards' is capable of accommodating new development is constrained by the extent of nature conservation designations close to the existing urban area which limits development opportunities to small scale schemes at most.

3.44 On the basis of the above, it follows that **locations that adjoin Fareham town, as distinct from villages away from it located in the rural hinterland to the north and west of the Borough, are inherently more suitable in terms of reflecting the morphology of the Borough, preserving its natural environment and maximizing accessibility to services and facilities to achieve the most sustainable pattern of development.**

3.45 The extent to which new development opportunities in those locations can consolidate and enhance the accessibility advantages of Fareham Town Centre and Daedalus are consistent with the *Good Growth* principles set out in paras 3.5 and 3.6 above.

Development Strategy Policies

3.46 Para 3.2 of the consultation document defines the Development Strategy as providing the "*distribution, scale and form of development and supporting infrastructure, a set of proposals to deliver the strategy, policies against which to assess planning applications, and proposals for monitoring the success of the plan*".

3.47 In addition to the narration of the Strategy, this Section of the Plan includes three policies; the first controlling new development in the countryside, the second in respect of the Strategic Gap and a third concerning Landscape. These policies do not set out a Settlement Hierarchy or Spatial Strategy for the Plan area and such policies do not appear elsewhere in the Plan either. The practical effect of this is that there is no policy that delivers the spatial objectives in so far as where new development should be located i.e. affording a priority to locations within and adjoining Fareham town as the most sustainable location in the Borough.

3.48 Given that para 3.2 suggests the role of the Development Strategy provides a set of policies that direct where and how new development should be located, the omission of what are usually commonplace policies is significant.

Strategic Policy DS1: Development in the Countryside

3.49 Policy DS1 seeks to control the use of land outside defined settlement boundaries i.e. in countryside locations.

3.50 In some circumstances it would be appropriate to grant planning permission for new development in such locations. In those instances, the benefits of a development proposal would need to be considered against the criteria in part two of the policy. In this context, we do not agree that Criterion 'v' is drafted correctly.

3.51 On certain occasions other considerations associated with a development proposal would merit planning permission being granted notwithstanding the agricultural classification of the land concerned. In this regard, whilst the NPPF affords a preference to development of lower quality agricultural land, it does not preclude the development of best and most versatile land (see footnote 53 of the NPPF).

3.52 As presently drafted Policy DS1 conflicts with the expression of this policy approach in the NPPF; as such criterion 'v' should be reworded as follows: "*avoid or minimise the loss of best and most versatile agricultural land*".

Strategic Policy DS2: Development in Strategic Gaps

3.53 In earlier representations we have identified that the evidence base provided by the *Technical Review of Areas of Special Landscape Quality and Strategic Gaps* does not justify the delineation of the Strategic Gap south of Fareham in the manner shown on the Key Diagram.

3.54 In particular, that Report identifies that the land south of Longfield Avenue and west of HMS Collingwood could accommodate new development without a significant adverse effect on the objectives of the Strategic Gap designation.

3.55 If follows that this land is not an integral part of the Fareham and Stubbington Gap.

3.56 As such the Strategic Gap should not extend across this land, as this would add a policy restriction that ought not apply on the basis of the published evidence. Put simply, such a designation should not include more land than is necessary to achieve its purpose.

3.57 For the Local Plan Key Diagram to be justified, and for the Local Plan to be sound, the delineation of the Strategic Gap south of Fareham should be amended accordingly.

Strategic Policy DS3: Landscape

3.58 The Local Plan intends to formalise Areas of Special Landscape Quality to reflect their valued status as determined through the *Technical Review of Areas of Special Landscape Quality and Strategic Gaps*. As written, Policy DS3 does not however afford any particular level of protection to these areas beyond Policy DS1, which in any event requires development proposals in the Countryside to *"conserve and enhance landscapes"*.

3.59 Policy DS3 also appears to permit major development proposals in these locations whereas the Development Strategy has sought to avoid new allocations in these locations because of their landscape sensitivity. The definition of major development is provided in the Glossary[1] and when applied to this Policy, could see large scale development proposals being advanced when this is what the Local Plan is seeking to avoid. As drafted, this Policy does little to enforce the Plan's Development Strategy.

[1] For residential schemes, major development includes those of 10 dwellings or more or on a site of 0.5 hectares or more. For other development, it includes building(s) with a floor area of 1000sq.m or more or on a site of 1 hectare or more.

4 Policy H1: Addressing housing needs by the end of the plan period in an appropriate and sustainable manner

4.1 In this Section we consider specifically Policy H1 and whether, as presently formed, the Borough Council's strategic housing requirement and housing supply strategy are sound.

4.2 The NPPF expects the planning system to significantly boost the supply of new housing by providing, in the first instance, a sufficient amount of development land where it is needed (para 59 refers).

4.3 It is clear that a Local Plan's housing requirement is to be calculated by reference to the Government's Standard Method, unless exceptional circumstances can be proven (para 60 refers).

4.4 In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

4.5 As discussed in Section 2, the Plan's Vision and Strategic Priorities establish the intention to address the Borough housing and employment needs by the end of the plan period in an appropriate and sustainable manner, creating places people want to live or where businesses want to locate.

4.6 For the Plan to address, and indeed meet, housing needs by the end of the plan period, it is important to have regard to the following considerations which are material to determining a sound strategy in the context of the Government's presumption in favour of sustainable development:

– context and the backdrop to this Local Plan;

– an objective assessment of local housing need;

– unmet need from neighbouring authorities;

– the Plan's housing deliver strategy and whether this is sufficiently robust.

4.7 As will be shown, the consultation document will not achieve this, and when measured objectively, a shortfall in housing supply over the plan period will be inevitable, contrary to the stated Vision and Strategic Priority.

Context

4.8 The earlier Core Strategy set out a Development Strategy for the period to 2026 that has hitherto been achieved in part only. This partial achievement has had significant implications for housing delivery in the plan area.

4.9 In aggregate, the Core Strategy intended that some 9,000 new homes would be built in Fareham

in the 20 years between 2006 and 2026. This comprised:

- 5,350 at the North Fareham Strategic Development Area (Welborne) to meet sub-regional needs as identified in both the South East Plan and the South Hampshire Sub-Regional Strategy; and
- 3,729 elsewhere in the Borough[2];

4.10 Over the 13 years since the start of the Core Strategy's plan period (2006/7 and 2018/19) only 4,200 new homes have been built. This is equivalent to 46% of the housing requirement in 68% of the plan period.

4.11 In comparison with the trajectory on page 21 of the Core Strategy, new housing has had to be accommodated in locations outside of allocated Strategic Development Area; in the four years from 2016, almost twice as many new homes have been provided elsewhere in the Borough than the 469 intended for the whole of that 5 year period 2016/21.

4.12 Following the Core Strategy, when the Welborne Plan was prepared in 2015, and to reflect the changed circumstances by then the Council re-calculated likely delivery at the Garden Village. Policy WEL3 identified approximately 6,000 new homes to be completed by 2036. First completions were to be achieved in 2015/16, 1,500 completions were to have been achieved by 2021 and 2,860 completions by 2026.

4.13 Plainly this hasn't been achieved and without question there has been a substantial shortfall in housing provision compared to the Core Strategy.

4.14 Manifestly, this shortfall is significant and cannot simply be put to one side. It is striking that Welborne was identified originally to meet sub-regional needs but because it hasn't delivered it now represents a source of housing to meet in a substantial part the Borough's own housing need and thus the Borough's contribution of the wider sub-regional need is much reduced.

4.15 Given the strategic objective defined by the Council, and in the context of the NPPF's presumption in favour of sustainable development, this has a clear implication for plan-making in Fareham. National Planning Policy invites Local Authorities to exceed the minimum housing requirement and to adopt a positive approach to planning for future housing. Plan-making should not be a simple mathematical exercise but a fundamental examination of how to best plan for the long-term future of the Borough. In this instance, and as the Local Plan Supplement was endeavoring to achieve, this enables the Council to develop a strategy for the longer term.

4.16 The change of direction in the Regulation 19 consultation document appears to be framed by precisely the opposite; planning for the minimum plan period and the least amount of new development plausible. Patently, that approach does not include the flexibility which a Local Plan should provide.

4.17 For example, had the Regulation 19 Plan retained the level of housing calculated by reference to the published Standard Method – 520 dwellings per annum – and had a lower housing requirement in fact materialized, the practical effect of this would merely have been a housing supply strategy that would endure beyond the end of the plan period. In simple terms, the

[2] Policies CS2 and CS15 refer

housing strategy would cater for an addition 5 years worth of housing. Given that it is beyond comprehension that housing need will not cease after 2037, this would have been a positive, adaptable, plan-led, longer term strategy.

4.18 The fact that the Council has alighted upon a potentially lower housing requirement without apparently considering the practical effect of retaining the existing housing requirement manifestly demonstrates a negative, rather than positive, approach to plan making.

4.19 Moreover, the Sustainability Appraisal has plainly not considered this as a reasonable alternative and, as such, is flawed. The Assessment of Alternatives in Section 5 of the Sustainability Appraisal relates to development locations rather than the overall quantum of development The PPG advises that "*a sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic and social characteristics of the area and the likely situation if the plan were not to be adopted*". The purpose of testing reasonable alternatives is to determine that a Local Plan promotes sustainable development when judged against reasonable alternatives, to achieve relevant environmental, economic and social objectives.

4.20 This negative approach is further evident when considering the components of the housing strategy which again illustrates a do-minimum approach.

Local Housing Need

4.21 Application of the Standard Method to calculate the Local Plan's local housing need would require 520 new homes to be provided each year, or 8,320 new homes in total between 2021-2037.

4.22 Alternatively, the Regulation 19 Plan is based on 403 new homes each year which is derived from the proposed revisions to the Standard Method published as a consultation document by the Government in the Summer. These proposed revisions carry no weight at the present time and do not provide any basis for the calculation of housing need for the purpose of this Local Plan at the present time.

4.23 Only if the proposed revisions are carried forward without alteration by Government would this serve as a basis to underpin the Plan and enable it to be submitted. Any change to the formula, as it relates to Fareham or any of its neighbouring authorities, would require reconsideration of the housing requirement in Policy H1. The Regulation 19 Plan is contingent therefore on the outcome of that entirely separate process, rather than being a Plan which the Council is able to submit for Examination. It is, for want of a better term, a "wait and see" plan.

4.24 As the Council appear to acknowledge themselves by the intention not to submit the Plan for Examination until the outcome of the Government's consultation is known, it is plainly not a sound approach at the present time.

4.25 Little more can be said about this, other than to draw attention to the obvious difficulties that have arisen in light of the Government's consultation, which have led to a significant level of opposition to the suggested changes. As recently as mid-November the Planning Minister referred to estimates of local housing need derived from its consultation exercise as "*entirely speculative*" and indicating that the revised formula was being re-evaluated.

4.26 It is also important to consider when the Standard Method was introduced and the practical effects of this which the Council don't appear to acknowledge.

4.27 The Standard Method was introduced in 2018 and the assessed level of local housing need was based on a period of 2016 onwards. The Council appear not to have grappled with the guidance in the Planning Practice Guidance in respect of this: "*Strategic policy-making authorities will need to calculate their local housing need figure at the start of the plan-making process. This number should be kept under review and revised where appropriate*". Plainly we are someway into the plan making process which commenced in 2017 and this requires the Council to have asked themselves how have housing completions compared with the level of local housing need from that point.

4.28 The published requirement was 520 dwelling per annum from 2016 onwards, whereas the highest number of completions was 349 in 2016/17 and less than half for the two years since where monitoring information is available.

4.29 The Standard Method takes account of backlog but only in so far as affordability will have increased in the years prior to the calculation and does not take account of underprovision since then. In these terms, the shortfall between the assessed level of housing need by reference to the Standard Method and actual completions has to be taken into account going forward.

4.30 The following table illustrates this:

Year	Number of Completions	Level of Local Housing Need	Shortfall
2018/2019	290	520	230
2019/2020*	263	520	257
2020/2021**	132	520	388

*Projected housing supply April 2019
**Projected housing supply June 2020

4.31 This indicates in the three years since the Standard Method was first published, the cumulative shortfall in housing completions is expected to be 875. No account is taken of this in the current consultation document. Even if the lower figure of 403 was taken as the level of local housing need, the shortfall would be in excess of 500 new homes.

4.32 In the circumstance where housing delivery in the Borough has been below both that anticipated by the Core Strategy and the measure of local housing need derived from the Standard Method, however calculated, the Council are plainly wrong to have selected a plan period that takes no account of this and a housing strategy that has no regard to that underprovision. This further undermines any notion of a positively prepared plan.

Unmet Need

4.33 Section 33A of the Planning and Compulsory Purchase Act 2004 requires a local planning authority to cooperate with, *inter alia*, other local planning authorities, and engage constructively, actively and on an ongoing basis in the preparation development plan documents, so far as relating to strategic matter. Paragraph 25 of the NPPF says 'strategic policy making authorities should collaborate to identify the relevant strategic matters which they need

to address in their plans'. Unlike problems associated with soundness, a failure to discharge the obligation in Section 33A cannot be remedied once the plan has been submitted for examination.[3]

4.34 It is clear from the work of the Partnership for Urban South Hampshire that housing provision is a strategic matter and thus there is a need for co-operation between constituent plan-making authorities. In this regard, the 'plan-making' section of the PPG provides guidance in relation to the duty to cooperate. Paragraph 022 states that strategic policy making authorities are expected to have addressed key strategic matters through effective joint working, and not deferred them while relying on an inspector to direct them. It states "[An] Authority will need to submit comprehensive and robust evidence of the efforts it has made to cooperate and any outcomes achieved; this will be thoroughly tested at the plan examination."

4.35 The consultation document makes an allowance of an additional 847 houses as a contribution to meeting unmet need from Fareham's Neighbourhing Authorities. But as this is the Submission version of the Plan, this allowance should have regard to the co-operation referred to above. There is no evidence that this is anything other than an allowance made by Borough Council without reference to the joint working through PUSH; this is nothing else but a '"cart before horse" approach.

4.36 The consultation document acknowledges that there is "*a significant likelihood of a substantial level of unmet need in the sub-region*" (para 4.4) and that over the plan period the level of unmet need in the sub-region could be circa 10,750 new homes. It is instructive that the references to unmet need in para 4.5 of the consultation document are in the context of the current Standard Method and not the higher sub-regional figure that the proposed Standard Revision indicates. In this regard, the plan appears to be "comparing apples and pears".

4.37 The following table compares the housing requirement from the current Standard Method and that indicated by the proposed revision.

LPA	Current Local Plan Requirement	Average Delivery (last 3 years)	Current Standard Method	Proposed new Standard Method	Difference between current and proposed SM
Portsmouth	547	328	855	730	-125
Fareham	147	310	514	403	-111
Gosport	170	145	238	309	+71
Havant	315	402	504	963	+459
Winchester	625	643	692	1025	+333
PUSH East	1804	1828	2802	3430	+628
Southampton	815	1148	1012	832	-180
Eastleigh		857	694	885	+191
New Forest	521	346	729	782	+53
Test Valley	588	834	550	813	+263
PUSH West	1924	3183	2977	3312	+335

4.38 The above illustrates that whilst the Fareham figure might decline, across the sub-region the

[3] *Samuel Smith Old Brewery (Tadcaster) v Selby DC [2015] EWCA Civ 1104 paragraphs 38 and 40*

overall scale of housing is greater both in PUSH East and West.

4.39 Over a 16-year period, the difference between the proposed new Standard Method would require an additional 10,000 new homes to be built across PUSH East. Compared to average delivery over the past 3 years, almost twice as many new homes will need to be built. This is unquestionably a step change in housing delivery and each Local Authority area will need to contribute towards this and maximise its contribution to the sub-regional requirement.

4.40 In September 2020 the PUSH Report to its Joint Committee looked at the potential implications of housing supply relative to Local Housing Need, and using the proposed revision to the Standard Method this still identified a shortfall of over 6,500 across the PUSH East sub-region.[4]

4.41 At para 4.5 of the consultation document, the Borough Council put forward a contribution of 847 dwellings towards meeting unmet need. There is no evidence of how this figure has been derived. All that is evident from the earlier passages of that paragraph is the very unclear picture that exists and which is subject to additional work by PUSH. Consequently, the proposed contribution of 847 dwellings – 13% - to unmet need doesn't appear to have any basis in a full and proper assessment of future housing requirement and supply across the sub-region. This is significant because, historically, Welborne had been identified to provide housing supply for that sub-regional purpose whereas now its contribution almost entirely to meet Fareham's housing need.

4.42 Switching the role of Welborne in this fashion is taking away a supply of housing identified previously to meet sub-regional needs in the longer term, when plainly that need still exists, and elevating supply available to meet the Borough's need. This denies the original intention of Welbourne, and places a very heavy reliance on one source of housing to meet local needs; on the basis of the Council's strategy, some two thirds of the Borough's housing needs would be met at Welborne.

4.43 Again, this illustrates why preparing a Regulation 19 Plan on this basis isn't justified and does not contribute to effective planning across the sub-region.

4.44 Moreover, on this basis, the evidence to justify the Council having discharged its duty under Section 33A is not at all obvious; this is particularly significant as this is the Regulation 19 Plan to be submitted for Examination.

Plan Period

4.45 The current consultation document is based on the plan period 2021-2037. This is 16 years and would accord with the 'at least 15 years' in the NPPF, if the Local Plan were in fact adopted in 2021. Experience of Local Plan Examinations and the length of time between Regulation 19 and adoption suggests this is highly unlikely. But assuming the Plan is adopted in the 2022 this would provide the bare 15-year plan period.

4.46 It is in this context that one has to consider whether the plan is *"sufficiently flexible to adapt to rapid change"*. For the reasons given later we say it does not meet this requirement.

[4] Table 4 Comparison of Housing Need and Supply 2020-2036

Delivery at Welborne

4.47 The consultation document's housing strategy is heavily reliant on housing delivery at Welborne, which was previously identified to meet sub-regional requirements. Table 4.2 of the consultation indicates that over 4,000 new homes are to be built at Welborne by 2037 to meet Fareham Borough's local housing need.

4.48 This is not a realistic assumption.

4.49 It has been readily apparent for some time that past delivery assumptions at Welborne could not be achieved. Despite the Core Strategy and the Welborne Plan assuming a significant number of new homes would have been built at Welborne by the present time, there is still no outline planning permission some 14 months after the Borough Council's Planning Committee resolved in October 2019 to grant permission for the outline planning application (P/17/0266/OA).

4.50 In our response to the January 2020 Supplement, we noted that it wasn't surprising that by that time the Section 106 had not been signed given the particular scale of that development.

4.51 However, by the present time, the absence of an outline planning permission raises a more fundamental concern about delivery at Welborne.

4.52 Nowhere do the Council provide any evidence as to when they expect outline permission to be granted, the extent of any pre-commencement works and their associated timescale, when reserved matters applications are expected and when first completions will be achieved. The closest the Council gets to any justification is that the housing trajectory has been agreed with the developer Buckland.

4.53 We are aware that there will also need to be Highway Agreements relating to works to the M27 Junction 10 prior to those works being commenced; again, in our experience such highway agreements are complex and can take a long period of time to complete. The works to be undertaken to the M27 and A32 are substantial. The Planning Officer's Report highlights the estimated costs of these works as £80m-£90m and that funding gap exists in relation to these works. More recently, we understand the Council has had to seek additional funding from Government to cover earlier Local Enterprise Partnership funding that has since been lost. Hampshire County Council has recently confirmed that: "The J10 works are not fully committed at this stage and there is no defined timescale for delivery." This is clearly a major risk in overall terms but also in terms of when such works will be undertaken and the duration of such works.

4.54 This is germane to timescales as to when development at Welborne can be anticipated, notwithstanding the milestone it reached in 2019.

4.55 A number of housing trajectories have been proposed for Welborne at different stages. The Borough Council's January 2017 Background Paper concerning Welborne set out the Council's assumption at that time. This suggested that 4,090 new homes would be built at Welborne by 2036. Whilst this would align with the current assumption, this overlooks the fact that circumstances have already moved beyond the key dates suggested therein.

4.56 If the 2017 trajectory is simply rolled forward to the present day and it is assumed that outline planning permission is granted in 2021/2022 and development commences in 2023/24 then the

total number of completions would be 3,090 dwellings by 2037 – see *Appendix 1*.

4.57 This trajectory is clearly sensitive to assumptions. Any delay in commencing development beyond will 2023/24 will cause fewer completions in the plan period.

4.58 Moreover, the extent to which 250 dwellings can be built and sustained each year from 2026 onwards is also a highly sensitive assumption.

4.59 We note that more recent research from Lichfields[5] suggests that for sites of more than 2000 dwellings, the average period of time from planning to delivery is 2.9 years. Moreover, that research indicates that for scheme the size of Welborne the number of houses built each year averaged 140 dwellings.

4.60 If a mid point between these two assumptions of 185 dwellings per annum were achieved and sustained as the peak output, this would only yield 2,360 dwellings in the plan period.

4.61 It is instructive to note that to achieve 4,020 completions in the plan period would require a build rate from 2024/25 onwards of 309 dwellings per annum. A build rate in excess of 300 dwellings per annum was rejected by the Council in 2017.

4.62 What is clear from the above is that Welborne's contribution to housing supply during the plan period has been over-estimatated. This component of housing supply is not justified and consequently the housing supply strategy is not effective.

Proposed Allocations

4.63 From our analysis of proposed allocations we have been able to identify that, whilst a number of subject to current planning applications, a significant number are subject to constraints that could delay there development. A number of Sites are owned by public bodies or are subject to multiple landownerships and with existing uses[6]. Moreover, a great many are Sites within the urban areas which are likely only suited to flatted schemes to achieve the capacity numbers and may not be suitable to developers.

4.64 Other Sites are subject to nitrates constraints[7] which may require a strategic solution to enable their release.

4.65 Consequently, it is questionable whether they will all be developed and this supports not only the principle of a contingency allowance but also the importance that that allowance reflects the overall level of uncertainty associated with the housing supply strategy.

Windfall

4.66 Table 4.2 of the consultation document includes a windfall allowance of 1,224 new homes between 2021 and 2037.

4.67 The principle of including a windfall allowance is explained in the NPPF at para 70 in the

[5] Start to Finish (2016), Driving Housing Delivery (2018)
[6] FTC1, FTC2, FTC3, FTC4, FTC5, HA7, HA13, HA22, HA24, HA31, HA36-39, HA42, HA44
[7] HA1, HA12, HA34, HA40

following terms:

- Firstly, there should be compelling evidence that they will provide a reliable source of supply.
- Secondly, any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.

4.68 It is evident that the above is much more than a consideration of historic windfall delivery and requires the plan-maker to actively consider future supply from this source.

4.69 The Council's Windfall Background Paper projects forward 51 windfall completions on small sites from 2024/25 and an additional 52 windfall completions from large sites from 2025/26. The only source of information that the Council has used to arrive at these figures is its breakdown of past windfall delivery from 2009 – 2019 which averaged 101 dwellings (51 for small sites and 52 for large sites).

4.70 Para 3.6 of the Background Papers states: *"The estimated rate of windfall development is based on past completion rates…."* (emphasis added)

4.71 Para 3.9 of the Background Paper states: *"To ensure that a cautious approach is taken and windfall projections are not overly optimistic, the projections have only taken account of windfall delivery since 2009/10*".

4.72 The very next paragraphs states *"Based on the preceding analysis, the windfall projections for the Borough are 51 dwellings per year from small site delivery and 51 dwellings per year from large site delivery"*.

4.73 It is clear that the assumption in Table 4.2 of the consultation document is derived solely from past trends and it is claimed that this demonstrates *"a compelling case"*. However, nowhere in the analysis is there consideration of whether this is a reliable source of future supply, rather it is just a forward projection of what happened in the past. The analysis does not provide any consideration of expected future trends.

4.74 It is important to recognise that windfall opportunities are finite. Opportunities to redevelop vacant or redundant land will have largely been exhausted by the present time because of planning policies that have prioritised such sources of supply for the past decade and longer. Consequently, future windfall over the plan period will rely to a much greater extent on recycling of land (i.e. existing uses being changed). This is inevitable a less certain source of housing supply.

4.75 For the purpose of assessing whether the Plan's housing supply strategy is sound, we have adjusted the windfall contribution by 25% i.e. 918 completions over the plan period.

Revised Housing Strategy

4.76 In the preceding Sections we have considered both the level of local housing need and the housing supply strategy providing a reasoned justification why this Regulation 19 Plan is not sound. The following table illustrates the effect of this.

Housing Component	Dwellings	Notes
Local Housing Need 2021-2037	8,320	520 dpa
Under-supply 2018-2020	875	Added to reflect actual housebuilding relative to LHN
Unmet need from Neighbouring Authorities*	847	No adjustment
Strategic Housing Requirement	**10,050**	No adjustment
Commitments	552	No adjustment
Sites with the benefit of Resolution to Grant	838	Excludes Welborne but no other adjustment
Welborne	3,090	Reduced to reflect roll-forward of 2017 Trajectory
Allocations in the Publication Plan	1755	No adjustment
Windfall Development	918	Reduced by 25% to reflect finite supply
Total Supply	**7,150**	Sum of Supply estimates
Shortfall	2,900	

*retained at 13% of unmet need for illustrative purposes absent any Statement of Common Ground

4.77 The above illustrates that with these alternative assumptions, addition land needs to be identified for some 3,000 new homes.

4.78 Even if the strategic housing requirement were calculated simply by reference to 403 dwellings per annum, there would be no contingency to take account of changing circumstances over the plan period, contrary to the assertion in the plan to this effect.

Housing Component	Dwellings	Notes
Local Housing Need 2021-2037	6,448	403 dpa
Under-supply 2018-2020	nil	N/A
Unmet need from Neighbouring Authorities*	847	No adjustment
Strategic Housing Requirement	**7,295**	No adjustment
Commitments	552	No adjustment
Sites with the benefit of Resolution to Grant	838	Excludes Welborne but no other adjustment
Welborne	3,090	Reduced to reflect 2017 Housing Trajectory
Allocations in the Publication Plan	1755	No adjustment
Windfall Development	918	Reduced by 20% to reflect finite supply
Total Supply	**7,153**	Sum of Supply estimates
Shortfall	142	

4.79 The above analysis clearly shows that Policy H1 has not be prepared in accordance with National Planning Policy, is not justified, is not effective and is not positively-prepared. Policy H1 should be amended to increase the strategic housing requirement and for this to be phrased as a minimum, and, both because of this, and necessary adjustments to assumptions about housing supply, additional housing land should be allocated for development.

4.80 In the following Section we submit that the Strategic Growth Area identified in the Local Plan Supplement 2020 should be allocated for housing development.

5 South Fareham Strategic Growth Area

5.1 In our previous representations we supported the inclusion of Strategic Growth Areas in the Local Plan. Hallam control a substantial tract of land to the South of Fareham, adjoining the Stubbington Bypass, the construction of which has recently commenced. This land, along with other parcels in this location, is identified in Figure 3.2 of the Local Plan Supplement Consultation Document as the Proposed Strategic Growth Area South of Fareham.

5.2 The justification for the allocation of a Strategic Growth Areas is evident from the preceding Section which identified a significant shortage in the amount of new housing to be provided in the Borough and the amount of future development land allocated for this purpose. Development South of Fareham could provide housing land over the plan period, both in the immediate term and continuity over the long term.

South of Fareham

5.3 Fareham is a sub-regional centre and is the main focus for facilities and services in the Borough. The town is the largest in the Borough with a population of around 37,300. It follows that development which adjoins the existing urban area will benefit from accessibility and connectivity to these facilities and services, enhancing opportunities for active travel and supporting the vibrancy and vitality of the town.

5.4 Fareham is also an important economic centre, which has developed further over recent years with the success of The Solent Enterprise Zone at Daedalus to the south of the town supported by significant investment in infrastructure improvements including improvements to Newgate Lane and the Peel Common Roundabout.

5.5 A new, mixed use masterplanned development to the South of Fareham, contiguous with Longfield Avenue, benefits from its proximity to the town centre, Daedalus, the railway station and existing local services and amenities with good access to walking, cycling and public transport links. These are locational merits that align with *Good Growth*.

5.6 Stubbington and Hill Head form a single urban area and have a population of c.14,300. These settlements have a range of services with a local centre, doctors, dentists, two primary schools, a secondary school and a community centre.

5.7 Local employment has improved with the development at Daedalus, which lies to the south east of the settlement. Development in south Fareham would delivery homes close to this economic and employment zone, providing housing for the growing workforce.

5.8 The Stubbington Bypass is being constructed to connect Gosport Road, Peak Lane and Titchfield Road. This will inevitably create an urbanising influence through the centre of the existing Strategic Gap. Development to the south of Fareham would assist in assimilating the bypass into the landscape and soften the impact of the road on the gap, beyond what could be achieved from constructing the bypass alone.

Development Potential

5.9 Paragraph 3.24 of the consultation document identifies high-level development principles and

requirements. Hallam support these intended outcomes and these have underpinned their proposals for a mixed-use masterplanned development.

5.10 Work undertaken over a long period of time has identified the suitability of the land controlled by Hallam to accommodate new development, how development can be arranged and the extent of mitigation required.

5.11 In our response to the 2019 Issues and Options consultation, we identified potential areas for development in this location and for convenience we have attached this at *Appendix 1*. Whilst this considered only land which Hallam control, we recognise that there are other smaller scale development opportunities within the general location, and that the Borough Council intend to work with landowners and site promoters to develop a Council-led masterplan which will focus on the delivery of community benefits as part of Good Growth. In this context, Hallam are committed to working with the Council and others to develop these proposals further as part of a co-ordinated approach.

5.12 A development scheme could comprise the following:

- Approximately 1,200 units
- a new healthcare facility
- a primary school
- a care home
- community hub
- local shops
- sports hub and
- Green Infrastructure to include public open space, equipped areas of play, Sustainable Drainage Systems (SuDS), tree, hedge and shrub planting, meadows, structural woodland planting, allotment gardens and permissive footpaths and cycleways.

5.13 Development would be accessed from a primary and secondary access from Longfield Avenue, along with associated improvements to the existing Long field Avenue/Bishopsfield Road junction and carriageway and a primary access from Peak Lane.

5.14 An outline planning application for such a proposed development was submitted in June 2020 and is presently undetermined.

Accessibility and Movement

5.15 The accessibility advantages of this location enables positive promotion of active travel. The proposed development will be served by an internal network of footways and access arrangements that can be utilised by both pedestrians and cyclists. The site is surrounded by Public Rights of Way (PRoW) that in turn can serve as cycle/walking connections from the site to other roads in the vicinity of the site. These will be maintained and improved in order to encourage more sustainable modes of travel as an alternative to the conventional car.

5.16 Bus based public transport is also a feasible means of sustainable travel from this location. Service provision on the route number X5 operated by First Group provides opportunity for peak commuter travel and also for off-peak travel. The scale of development proposed is

sufficient to deliver dedicated public transport coverage between the Site and key destinations that will have the frequency and reliability to attract patronage to secure long term viability. Any improvement will be discussed with the necessary stakeholders, but it is envisaged that the development will support the introduction of new services.

5.17 The Eclipse Busway - a Bus Rapid Transport scheme between Fareham and Gosport opened in 2012 providing a priority public transport route connecting the two towns. The BRT scheme provides a more efficient service using new, comfortable, low-emission buses that encourages bus travel through enhancing the bus travel experience. Using the new busway, buses are able to avoid congested parts of the highway network including A32 so that passengers can benefit from reliable journey times and can plan their onward travel connections.

5.18 A number of new highway improvements works have been implemented or are currently under construction which is intended to improve bus journey reliability, and encourage more people to switch from car travel to using the bus. This would have an effect of helping reduce traffic numbers and traffic congestion between Fareham and Gosport, including along Newgate Lane.

Nitrates

5.19 The land is located directly west of the edge of urban area that forms part of the designated Chichester, Langstone and Portsmouth Harbours Eutrophic NVZ (TraC) (Nitrate Vulnerable Zone). The land is currently predominantly arable farmland with a history of mixed crops such as wheat, barley, oats, rape etc. and break crops such as peas, winter oil seed rape and beans.

5.20 The above is recorded on a Nutrient plan detailing fertilizer types, tonnages and time applied for each individual field. The fertilizer applied during the period of record is a mix of pig and farm yard manures.

5.21 It is recognised that intense farming with fertilization with natural manures will lead to nitrate leaching into the surrounding surface water and ground water environment.

5.22 Through development of the land, the leeching of nitrates through farming activities will be curtailed. While there will be a new source of nitrate production and leachate associated with the new development, this is considered to be at worst a neutral impact and through further assessment a net reduction in nitrate leaching can be achievable.

Biodiversity

5.23 The Hallam land is divided into two areas by Peak Lane; the eastern area comprises largely of arable land with hedgerows and ditches forming the compartmentalisation typical of the surrounding arable tenure and has limited nature conservation value. The western compartment consists of a large area of set aside land, with areas of arable crops, which are bound by limited hedgerows and tree lines.

5.24 The most significant habitat is Oxleys Coppice which is designated as a SINC and an area of ancient and semi-ancient woodland (ASNW), which has been evaluated as county level conservation value. The Scheme can ensure that Oxleys Coppice is protected.

5.25 Hedgerows are mostly classified under the Hedgerow Evaluation Grade System (HEGS) as moderate and moderate/high value. Only two hedgerows are classified as 'important' under the

Hedgerow Regulations (REGS). Several drainage ditches are found through the Site but only have limited marginal and aquatic vegetation. These are classified as no more than local conservation value.

5.26 Surveys have identified the presence of a number of protected species, bats and breeding birds. Measures to safeguard these species and their habitats can readily be accommodated as part of the development proposed. The habitats created and the species which will benefit from the mitigation measures proposed in the Site will lead to an overall beneficial effect in the long term. Similarly, in accordance with the Solent Waders and Brent Goose Strategy, a financial contribution will be made to this, based on the classification of land's suitability for supporting such species.

5.27 The Solent & Southampton Water Ramsar/SPA, which also includes Titchfield Haven SSSI, is approximately 700m from the Site. Portsmouth Harbour Ramsar/SPA/SSSI is located approximately 1.3km to the east of the Site at its nearest point, which also support a variety of habitats and an assemblage of dark-bellied brent geese. The Solent Maritime SAC extends from the River Hamble mouth up to Botley in the west, this is approximately 4.7km west of the Site.

5.28 There is the potential for a Likely Significant Effect on the Solent SPAs from an increase in recreation from new housing development within a 5.6km zone of influence of the Solent. As a result, an Interim Solent Recreation Mitigation Strategy was published in 2014 to enable initial mitigation measures to be placed, so LAs could continue to grant permission for new homes. The strategy has been updated to form the basis for future new housing up to 2034, with the Bird Aware Solent Recreation Mitigation Strategy (2017).

5.29 As this Site falls within the established zone of likely significant effect (5.6km), a HRA/AA will be required by the LPA; however a site specific Test of Likely Significance will be provided to facilitate the LPA assessment. The mitigations measures required to facilitate the Proposed Development will see a financial contribution provided for the in-combination effects on the Solent SPA, with additional bespoke mitigation provided within the Site to mitigate for the alone effects.

5.30 The details of bespoke mitigation are to be discussed with Natural England. Current proposals will include an area of County Park/Green Infrastructure to the west of Peak Lane, measuring approximately 23ha, which will include a circular walk, car park and habitat features to provide point of interest, as well as safe areas for dogs to be exercised off the lead. Alternative areas of GI will be provided around the main residential areas to the east of Peak Lane, here approximately 32ha will be provided, which will incorporate recreational opportunities and areas of biodiversity net gain.

5.31 The mitigation measures provided within the Site will ensure that there are no likely significant effects on the Solent alone and in-combination with other schemes within Fareham.

Strategic Gap

5.32 The current Core Strategy designates land between Fareham and Stubbington as a Strategic Gap. This follows such a designation being contained within earlier Development Plans; Settlement Gap policies in Hampshire date back at least 30 years when they were included within the South and Mid Hampshire Structure Plans (1988 and 1989). They were carried forward into the Hampshire County Structure Plan 1994 and the Hampshire County Structure

Plan 1996-2011. Consequently, with each new development plan needing to make provision for current and future development needs, the role and function of gaps need to be considered having regard to up to date circumstances.

5.33 The Borough Council has now commissioned a new assessment of its Strategic Gaps. Whilst there are reasons why a Gap Policy should be retained, the assessment that relates to the Gap between Fareham and Stubbington rightly identified that not all of the land currently subject to that designation serves an integral purpose to retaining separation between the settlements to protect their identifies. As described earlier, this new assessment concludes that land south of Longfield Avenue, west of HMS Collingwood can accommodate new development without significant adverse impact on the integrity of the Gap. Such a conclusion is similar to the assessment undertaken by Hallam previously.

Summary

5.34 Hallam support the identification of the Strategic Growth Area to the South of Fareham and have identified a development scheme that achieves the high-level development principles and requirements set out in the consultation document.

5.35 Importantly, development in this location can be brought forward that provides new homes, associated community and commercial facilities within an overall scheme that provides accessible green infrastructure and open space that will enable residents and visitors to experience a high quality of life and well-being. The accessibility of this location can be capitalised upon with investment in new sustainable and active modes of travel. By locating new development here, valued landscapes and natural environments will be preserved.

5.36 The merits of this location are substantial, and carefully planned development will not result in the coalescence of Fareham and Stubbington and the separate identities of these settlements can be retained.

5.37 As such, the allocation of land at South Fareham in the Local Plan for future development is considered wholly appropriate.

6 Policy NE5 and Policies Map

6.1 The Policies Map includes designations relating to Waders and Brent Geese and are associated with Policy NE5. This designation covers four categories of land – Core and Primary Support Areas, Secondary Support Areas, Low Use Areas and Candidate Areas.

6.2 The extent to which the land concerned is used by Waders and Brent Geese, particularly beyond the Core Areas, is transitory and can differ from time to time as a consequence of changes in agricultural practices (for example, arable land with wintering cereals provides an optimal foraging resource, whereas when this is replaced / succeeded by grassland habitats its function can change, which could affect species assemblages and regularity it is used. Changes in land use also promote further recreational uses which is the case for areas west of Peak Lane) or changes to the extent of the built environment (for example newly built structures, such as the Stubbington Bypass, will change the suitability of a location in proximity to it as a receptor). Therefore, to delineate these areas in the manner shown on a Policies Map, which affords permanence to the designation, fails to take account of the potential changes in circumstance and is not sound as a matter of principle.

6.3 The practical effect of this is that Policy NE5 directs the decision-maker to consider development proposals against the criteria listed therein and the status of the land by reference to the designations shown on the proposals map, which may at that point in time no longer be up-to-date or relevant.

6.4 Through Hallam's work in respect of the land to the South of Fareham, and through discussion with Natural England, it has identified a different classification to that shown on the Policies Map for certain of those parcels of land, as shown on *Appendix 2*. This illustrates how the application of Policy NE5 could misdirect the decision maker.

6.5 On this basis, these designations should not be shown on the Policies Map in the manner they are presently.

6.6 A more generic designation such as Areas of Waders and Brent Geese Sensitivity, which does not classify individual land parcels, would be more appropriate.

6.7 It would follow that Policy NE5 would be amended to require planning applications to assess and determine the use of land subject to those development proposals and at that point, when an up to date classification has been determined, the criteria and mitigation in Policy NE5 would apply.

7 Summary

7.1 These Representations have been prepared on behalf of Hallam Land Management Limited (Hallam), who control a substantial tract of land to the South of Fareham, adjoining the existing urban area and Stubbington Bypass, the construction of which has recently commenced.

7.2 This land was identified in the Local Plan Supplement 2020 as a potential Strategic Growth Area. Whilst the Regulation 19 Plan does not propose to carry forward the South of Fareham Strategic Growth Area, as is evident from these representations the need for such an allocation has not diminished.

7.3 The consultation document rightly identifies the Borough Council's commitment to meet the Borough's housing need by the end of the plan-period. This is plainly aligned with the NPPF and the Government's objectives. What is notably absent from the Vision and Strategic Priorities, is the recognition that Fareham is important in a sub-regional context and was previously intended to provide significant development land at Welborne to meet wider needs.

7.4 Policy H1 is not founded on a sound basis. In preparing and publishing this Regulation 19 Plan, the Borough Council has afforded greater weight to a potential revision to the Government's Standard Method and has disregarded the published and established measure of local housing need which has underpinned its work to date. Unless and until the Government publish a revision to the Standard Method, this version of the Plan cannot be submitted for Examination as it is plainly unsound. The Borough Council recognise this from its Committee Papers.[8] This is nothing other than a "wait and see" Plan.

7.5 Only if the Standard Method is published in the same final form will the Plan be able to proceed – there is no indication if or when the Government intend to complete this exercise given the significant scrutiny it has attracted.

7.6 A more positive approach would have been to retain the higher level of housing as the basis of the Plan to provide surety over a long term with policy measures to manage housing supply in the event the level of local housing need was reduced. Unfortunately, the Council hasn't considered this as an option or a reasonable alternative in the Sustainability Assessment.

7.7 Even in the event the proposed revision to the Standard Method were confirmed as the Plan assumes, there is little if any evidence of a cogent understanding of the level of unmet need across neighbouring authorities. There is no apparent evidence of effective co-operation to justify the contribution the Plan proposes to unmet need.

7.8 Moreover, the Council hasn't applied its mind to the level of housing that been achieved since the Standard Method was introduced at the start of the plan making process and the date the plan is to be adopted. Viewed objectively, housing completions over that three year period were below the level of local housing need and this shortfall, which is part of a much greater shortfall when compared to the Core Strategy's housing intentions, should be accounted for.

7.9 Turning to housing supply, the assumption that Welborne will provide 4000 new homes within the plan period is not founded upon evidence previously produced by the Council and the level

[8] Executive Briefing Paper 12th October 2020, para 12

of housing output assumed is at a level the Council previously considered unrealistic.

7.10 The windfall assumption drawn simply from past trends has not justified why this is a source of future supply. Uncertainties also exist in relation to a number of the proposed allocated sites because of landownership, extent of existing uses and location.

7.11 For all of the above reasons, the Plan's approach to housing will fall short of its Vision and Strategic Priorities. Policy H1 has not be prepared in accordance with National Planning Policy, is not justified, is not effective and is not positively-prepared. Policy H1 should be amended to increase the strategic housing requirement and for this to be phrased as a minimum, and, both because of this, and necessary adjustments to housing supply, additional housing land should be allocated for development.

South of Fareham

7.12 Fareham is a sub-regional centre and is the main focus for facilities and services in the Borough. It follows that development which adjoins the existing urban area will benefit from accessibility and connectivity to these facilities and services, enhancing opportunities for active travel and supporting the vibrancy and vitality of the town. Similarly, Fareham is an important economic centre, including the Solent Enterprise Zone at Daedalus to the south of the town.

7.13 It is considered that development to the south of Fareham would be in a sustainable location, with good access to walking, cycling and public transport links, as well as local services and amenities. This location adjacent to the existing urban area creates a good opportunity for a natural and sustainable extension to the urban area. Development in south Fareham would delivery homes close to the an important source of new employment and jobs at Daedalus.

Strategic Gap

7.14 The current Core Strategy designated land between Fareham and Stubbington as a Strategic Gap.

7.15 The Borough Council has now commissioned a new assessment of its Strategic Gaps. Whilst there are reasons why a Gap Policy should be retained, the assessment that relates to the Gap between Fareham and Stubbington rightly identified that not all of the land currently subject to that designation serves an integral purpose to retaining separation between the settlements to protect their identifies. This new assessment concludes that land south of Longfield Avenue, west of HMS Collingwood can accommodate new development without significant adverse impact on the integrity of the Gap. The delineation of the Strategic Gap on the Policies Map should be amended accordingly.

Proposed Modifications

7.16 The following Modifications are considered necessary for the Local Plan to be sound:

7.16.1 The minimum housing requirement in Policy H1 to be defined by reference to the existing Standard Method;

7.16.2 The housing requirement be increased further to take account of the low level of completions from 2018 onwards compared to the level of local housing need;

7.16.3 The level of unmet need that is accommodated be based on constructive, active and on ongoing engagement with neighbourhing authorities;

7.16.4 Assumptions about the delivery of new housing at Welborne be revisited and revised down;

7.16.5 The windfall allowance be revised down;

7.16.6 Alternatively, to 6.16.4 and 6.16.5 the level of contingency be increased;

7.16.7 Additional housing allocations be provided for;

7.16.8 Land South of Fareham is allocated for housing development; and

7.16.9 Separate from the allocation of land South of Fareham, the boundary of the Strategic Gap south of Longfield Avenue and west of HMS Collingwood is amended so as not to include the land identified by the Borough Council's *Technical Assessment* that is not considered integral to the Gap function.

7.16.10 The designation associated with Waders and Brent Geese on the Policies Map should be altered with consequential changes to Policy NE5.

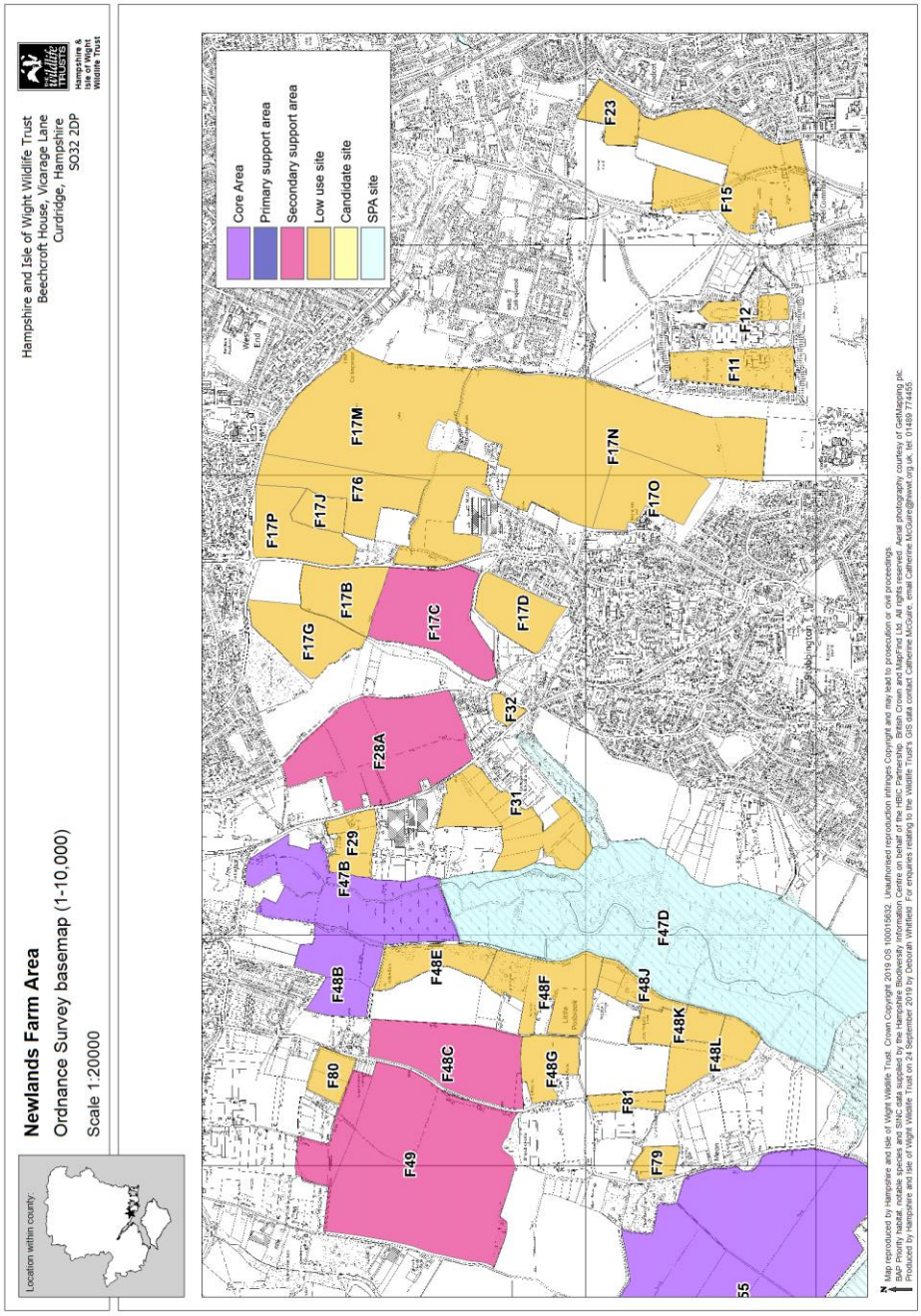
LRM Planning Limited
15th December 2020

Appendix 1: **Alternative Housing Delivery Trajectory at Welborune**

Delivery Year	Year	Dwellings Per Annum	Cumulative Completions	Further Information
1	2016/17	0		Outline Planning Application submitted
2	2016/17	0		
3	2017/18	0		
4	2018/19	0		
5	2019/20	0		Resolution to Grant October 2019
6	2020/21	0		
7	2021/22	0		Outline Planning Permission to be Granted
8	2022/23	0		Anticipated Reserved Matters Applications for Phase 1
9	2023/24	0		Anticipated commencement of Phase 1 Site Works
10	2024/25	140	140	Anticipated first housing completions
11	2025/26	200	340	
12	2026/27	250	590	
13	2027/28	250	840	
14	2028/29	250	1090	
15	2029/30	250	1340	
16	2030/31	250	1590	
17	2031/32	250	1840	
18	2032/33	250	2090	
19	3033/34	250	2340	
20	2034/35	250	2590	
21	2035/36	250	2840	
22	2036/37	250	3090	By 31st March 2037 3090 dwellings are expected to be completed

Based on assumptions in FBC Background Paper: updating the Welborne Plan (October 2017)

Appendix 2: Newlands Farm Wader and Brent Geese support habitat



Date: 18 December 2020
Our ref: 333521
Your ref: N/A

NATURAL ENGLAND

[redacted]

Planning Strategy Team
Fareham Borough Council

BY EMAIL ONLY

Dear Sir/Madam,

Regulation 19 Local Plan Consultation (6th November – 18th December 2020)

Thank you for your consultation dated 06 November 2020 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the Council's approach to achieving sustainable development through its Local Plan, particularly through its suite of Natural Environment policies that include protection of internationally, nationally and locally designated sites, the enhancement of the local ecological network and the requirement for biodiversity net gain.

Our comments on the Regulation 19 Local Plan and supporting Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA) are made below.

Strategic Policy DS1: Development in the Countryside
It is recommended this Policy also requires proposals to ensure compliance with Natural Environment policies, in particular Strategic Policy NE1 and Policy NE2, to ensure impacts on nature conservation interests are properly considered and addressed, and biodiversity net gain is achieved (for applicable development).

With regards to soils, the local plan outlines that 'the benefits of protecting the Best and Most Versatile (BMV) agricultural land are considered against the need for development'. This Policy requires development proposals to demonstrate they 'Conserve and enhance landscapes, sites of biodiversity or geological value and soils'.

The National Planning Policy Framework sets out that:

> 'Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework[1]; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.'
>
> *1 Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.*

It is recommended that this Policy is amended to give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpin our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver. The plan should safeguard the long term capability of BMV agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future.

Where site allocations are sited on BMV land, the Plan should outline a requirement for the protection of soils during construction where possible, referencing the 'Defra Code of practice for the sustainable use of soils on construction sites'.

Strategic Policy DS3: Landscape
Natural England welcomes the proposed designation of eight Areas of Special Landscape Quality within the Borough, and the requirement for development in these areas to meet stringent criteria that seek to protect and enhance landscape.

Strategic Policy CC1: Climate Change
Natural England advise all Local Plans consider climate change adaption and recognise the role of the natural environment to deliver measures to reduce the effects of climate change, for example tree planting to moderate heat island effects. In addition factors which may lead to exacerbate climate change (through more greenhouse gases) should be avoided (e.g. pollution, habitat fragmentation, loss of biodiversity) and the natural environment's resilience to change should be protected. Green Infrastructure and resilient ecological networks play an important role in aiding climate change adaptation.

Natural England welcomes Strategic Policy CC1: Climate Change that promotes mitigation and adaptation to climate change through various methods including the integration of green and blue infrastructure into the design of developments, adopting higher water efficiency standards, the integration of energy efficiency, renewable and low carbon technologies into all development, and reducing reliance on car travel.

Natural England supports the embedding of policy that will deliver measures to increase sustainability of development over the Plan period. This should also include reducing consumption of raw natural resources, sourcing more renewable or 'green' energy, and reducing waste. Consideration should be given to the collection of financial contributions from development to offset residual carbon emissions elsewhere in the Borough. Consideration can also be given to the retrofitting of existing development with technology that improves energy and water efficiency.

It is recommended that Local Plan policy also seeks measures that help natural habitats across the Borough adapt to the effects of climate change. We would encourage you to refer to the Natural England and RSPB Climate Change Adaptation Manual and look at the step by step approach to identifying the climate resilience of habitats that occur in the Borough. Consideration should be given to addressing issues on habitats and protected sites that will be exacerbated by climate change, such as flooding, drought, reduction of water resources etc.- the Manual can also help identify these.

Consideration can be given to delivering specific projects within the Borough. For example, to maximise climate change adaptation and mitigation through the establishment of a Nature Recovery Network (NRN), and the Local Nature Recovery Strategy in which the NRN would sit, to ensure climate change resilience at their core. Such projects could potentially benefit from carbon offsetting contributions from development over the local plan period.

Such an approach could link into other aspects of the Plan such as water and air quality, nutrient mitigation for Solent European designated sites, delivery of biodiversity net gain, natural flood management, and green infrastructure implementation among others. Natural England would be happy to advise further on this aspect.

Policy CC2: Managing Flood Risk and Sustainable Drainage Systems
Natural England welcome this Policy that requires development ensures flood and surface drainage are properly addressed, and that Sustainable Drainage Systems (SuDS) are designed in accordance with CIRIA C753 SuDs Manual, to be as 'natural' as possible.

It is advised that the policy makes clear that where a development drains to a protected site(s), an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection may be required to ensure water quality impacts are avoided.

Where SuDS are proposed serving as mitigation for protected sites, development should ensure that appropriate resources are put in place to ensure their long-term (in perpetuity) monitoring, maintenance/replacement, and funding.

Policy CC3: Coastal Change Management Areas (CCMAs)
Sea level rise and coastal change are inevitable and bring both challenges and opportunities for people and nature. Sustainable coastal management needs to embrace long-term change and achieve positive outcomes for both.

Policy CC3 identifies that the North Solent Shoreline Management Plan (SMP) policy for the majority of Fareham Borough's coastline is 'Hold the Line', and identifies two CCMAs between Hook spit and Meon Shore, with an identified coastal management policy of 'No Active Intervention'. The Policy will ensure that development in these areas will appropriately consider coastal change. It also will ensure replacement coastal defence schemes 'are consistent with the relevant Shoreline Management Plan and that there will be no severe adverse impact on the environment, the English Coast Path, and the rights of way network'.

We would advise that the Local Plan should also help facilitate the relocation of valued environmental assets away from areas of risk.

Strategic Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network
Natural England welcomes this policy that sets out clearly the hierarchy of nature conservation and the requirement for development to 'demonstrate clearly that the mitigation hierarchy has been followed' in terms of avoiding, mitigating or compensating (as a last resort) impacts on biodiversity. Natural England welcomes the Local Ecological Network (LEN) approach that has been included in the local plan.

It is helpful that the LEN and the Council's Green Infrastructure Strategy have been suggested as tools to provide opportunity for enhancements across the Borough. Please read our comments below in relation to Policy NE2 that regards the choosing of suitable opportunities for biodiversity enhancement.

Policy NE2: Biodiversity Net Gain
Natural England is fully supportive of the inclusion in the local plan of a Policy for biodiversity net gain. It is welcomed that the policy refers to the benefits to Borough residents from the ecosystem services that being close to nature provides, and outlines an expectation that offsite net gain must be sought as close to the development as possible. However in some instances this may be difficult, and Natural England recommends that consideration is given to developing a suite of projects across the LEN that development within the Borough can contribute to thereby ensuring the biodiversity within the Borough is protected and enhanced. For example, partners that manage Local Nature Reserves and Sites of Importance for Natural Conservation in the Borough could submit projects to the local planning authority to enhance the ecological value of these sites. These projects could be funded by development that requires offsite compensation or additional enhancements to achieve biodiversity net gain. This approach can also be used by development with limited opportunities for biodiversity net gain on-site.

The Policy outlines that the Council may prepare and adopt a Supplementary Planning Document (SPD) for Biodiversity Net Gain. Due to the need to ensure net gain is delivered in a suitably

strategic way, and having regard to the timescales of the legislative requirement for net gain and further national guidance, Natural England would support the development of such an SPD and would encourage Policy NE2 to outline this as a clear intention of the Council, in order to provide further guidance and support to aid sustainable development across the borough. Natural England will be happy to advise further to aid the development of such an SPD.

- *Calculating net gain*

Please note that Biodiversity Metric 3.0 is due to be published early 2021, which will supersede Biodiversity Metric 2.0. We advise that the Policy is updated accordingly and that this metric is used to measure gains and losses to biodiversity resulting from development, and implement development plan policies on biodiversity net gain.

Please note that although the Policy includes 'nesting and roosting features' as suggestions for achieving net gain, it is our advice that features such as bird and bat boxes, swift bricks, bee hotels etc should be classed as general biodiversity enhancements that should be included as part of a wider biodiversity enhancement and mitigation plan. Net gain specifically should derive strictly from habitat enhancement and creation, required as calculated using the metric.

- *Wider environmental gains*

The reference to seeking wider environmental gains, for example to address water/air quality, flooding, climate change etc. is welcomed. Opportunities for environmental gains, including nature based solutions to help adapt to climate chance, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g. by sowing wild flower strips, changing cutting regime of open spaces and road verges*) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g. a hedgerow or stone wall or clearing away an eyesore)
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats

*Please see this paper regarding cost-effective and low-maintenance management for species-rich grassland on road verges and the value it can contribute to biodiversity and ecosystem services.

Please note that Natural England and Defra are developing an Environmental Net Gain/metric for Natural Capital Net Gain that can be used in conjunction with the Biodiversity Metric (but not instead of). Further information will be available in 2021.

- *Monitoring of net gain*

Your plan should include requirements to monitor biodiversity net gain. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

LPAs should work with local partners, including the Local Environmental Record Centre and wildlife trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations and providing as much up front information on monitoring will help to streamline the project stage.

Policy NE3: Recreational Disturbance on the Solent Special Protection Areas (SPAs)

Natural England welcome this policy that will require new residential development to address in-combination effects on the Solent SPAs via recreational disturbance. It is recommended the Policy also outlines that other types of development (such as new hotels, student accommodation, care homes etc.) may also need to address recreational disturbance impacts, both alone and in-combination. Such development should be assessed on a case by case basis.

Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
Natural England welcome this policy that will require new development that propose a net increase in overnight accommodation to address in-combination effects on the Solent designated sites via eutrophication from nutrients in wastewater.

Policy NE5: Solent Wader and Brent Goose Sites
Natural England welcome this policy that will require development to address effects on sites identified by the Solent Wader and Brent Goose Strategy (SWBGS) which serve as functionally linked land to the Solent SPAs.

It is recommended that the following wording within the Policy "*Sites which are used by Solent Waders and/or Brent Geese (as shown on the Policies map)*" is amended to read "*Sites which are used by Solent Waders and/or Brent Geese (as identified within the most up to date version of the Solent Wader and Brent Goose Strategy)*" to take account of any changes to sites and their distribution across the Borough, as these updates can be implemented at irregular times. Any further references to the Policies map should be similarly amended to refer to the SWBGS mapping.

Core Areas – due to their essential function within the SWBG network, it is advised these sites are identified for protection by the Policy. Any development that would result in impacts to a Core Area will need to be carefully assessed on a case-by-case basis. There are limited options where the function of a Core site can be fully replicated elsewhere in terms of its suitability and appropriate locality; where such land is available, an assessment of replicability will need to be undertaken through discussions with Natural England and the Local Planning Authority.

Financial contributions – it is welcomed that the Policy outlines that financial contributions proposed as mitigation will be used for the management and enhancement of an 'agreed suitable identified site for Solent Waders and Brent Geese'. Such proposals should demonstrate how such funds will be used to enhance, manage and monitor sites within the wider Solent Waders and Brent Geese network, in perpetuity. It is suggested that the Council works with relevant partners/stakeholders, including cross-boundary partnerships, to develop a strategic project(s), such as a bird reserve, and/or list of projects to enhance, manage and monitor the wider Solent wader and brent goose ecological network, to which contributions can be directed.

Policy NE6: Trees, Woodland and Hedgerows
Natural England welcomes this Policy that seeks to protect and enhance trees, woodland and hedgerows within the Borough. It is recommended that this Policy requires development proposals that affect ancient woodland, ancient trees and veteran trees, to ensure they are in line with standing advice published by Natural England and the Forestry Commission.

Policy NE8: Air Quality
It is welcomed that the Policy recognises that 'poor levels of air quality can also lead to environmental issues'. The Policy includes a need for planning applications to consider if they will have a 'potential adverse effect on biodiversity, especially where it would affect sites designated for their biodiversity value'.

The Policy outlines that the Local Plan HRA concludes the Plan 'would not have a likely significant effect on the internationally important habitats and species present in the area'. As this issue has

been considered within the HRA appropriate assessment, the wording here should be amended to use the correct terminology under the Habitats Regulations, i.e. the HRA concludes the Plan will not result in an 'adverse effect on integrity' (the term 'likely significant effect' is used at the screening stage of the HRA). See further comments on air quality below in regards to the Local Plan HRA.

Policy NE9: Green Infrastructure
Natural England welcomes this Policy that seeks to fully integrate green infrastructure (GI) into development and maximise opportunities to connect to the wider environment. The provision of enhanced green infrastructure and sites of nature conservation value can not only help address some of the mental and physical health problems that are experienced in the Borough's population, but can also benefit society in other ways including improvements to local air and water quality, reducing the risk of flooding, alleviating noise levels and aiding climate change adaptation.

Policy NE10: Protection and Provision of Open Space
This Policy references protection of public rights of way. Natural England advises that the Policy should also seek to secure enhancement of public rights of way and National Trails, as outlined in paragraph 98 of the NPPF. Recognition should be given to the value of rights of way and access to the natural environment in relation to health and wellbeing and links to the wider green infrastructure network. It is welcomed the plan seeks new access opportunities; it should seek to link existing rights of way where possible. The plan should avoid building on open space of public value as outlined in paragraph 97 of the NPPF.

It is welcomed that the Policy makes provision for appropriate quantity and quality of green space to meet identified local needs (as outlined in paragraph 96 of the NPPF) based on Natural England's work on Accessible Natural Greenspace Standard (ANGSt) in assessing the level of accessible natural greenspace; it is also welcomed that it recognises development may be required to 'provide more open space above what is required by the standards to make the development more acceptable'.

Policy D1: High Quality Design and Place Making
Natural England welcomes this Policy that requires the design of developments to integrate existing and new habitats and biodiversity within a coherent and well managed, connected structure. It is advised that landscaping of developments and open spaces seeks to use appropriate native and locally sourced species as far as possible to cater for local wildlife.

Policy D4: Water Quality and Resources
Natural England welcome this policy that seeks to conserve water and improve its quality.

Southern Water's Water Resources Management Plan (WRMP) 2019, that covers the planning period 2020-2070, projects a significant supply demand deficit during periods of drought in the Western Area, and commits to implementing a long term water resources scheme to restore the supply demand balance whilst avoiding and/or mitigating impacts on European sites, including the River Itchen SAC.

It is Natural England's advice that in advance of any permitting of such a suitable long term scheme, uncertainty remains with regards to water resources and the impacts of abstraction on protected sites.

Although it is welcomed that Policy D4 requires a water consumption for new dwellings of no more than 110 litres per person per day, Natural England strongly recommend all new development within the Southern Water supply area adopt a higher standard of water efficiency of 100 litres/per person/day, including external water use and re-use, in line with Southern Water's Target 100 demand reduction programme which is committed to within their WRMP19. Natural England also recommends that the Policy encourages the wise use of water in conjunction with the water companies, for example by developments incorporating grey water recycling systems and efficient appliances

Please see Natural England advice above in relation to Policies NE4 and Policy CC2 with regards to nutrients and surface water treatment via SuDS.

Neighbourhood Plans
Currently there are no Neighbourhood Plans in the Borough, but the Local Plan provides a 'strategic evidence base' which will inform any future Neighbourhood Plans.

It is recommended that any future Neighbourhood Plans which allocate housing should also identify spaces for environmental enhancement, for the purpose of offsetting environmental impacts, e.g. through the designation of Local Green Spaces. Such a local approach could give communities more ownership over such green spaces and provide a more strategic route to addressing common environmental impacts from development in that area, such as air and water pollution, habitat and species loss and increased carbon emissions, and could deliver biodiversity net gain and nutrient offsetting.

Such spaces could include the development of community orchards and play areas, woodlands and nature reserves, and serve a variety of functions that benefit both nature and the local community, for example providing benefits to health and wellbeing, offsetting nutrient discharges from allocated development and providing further scope for carbon sequestration.

Specific comments on Housing Allocation Policies

- HA9 - Heath Road (70 dwellings)

It is acknowledged this allocation site has resolution to grant permission for 70 dwellings. It is recommended this Policy includes the requirement to secure an appropriate level of offsite compensation to address the loss of secondary woodland on site which may in parts qualify as lowland mixed deciduous woodland habitat.

- HA29 - Land East of Church Road (20 dwellings)

Much of this site shows as Lowland Mixed Deciduous Woodland priority habitat on the Ecological Network mapping for Hampshire. Part of the site is designated as a Site of Importance for Nature Conservation (SINC) according to the Policy map. The Policy outlines a requirement for ecological mitigation for the site-specific construction and operational impacts of a development proposal. It is advised the Policy outlines a requirement to secure an appropriate level of offsite compensation to address any loss of priority habitat on site to ensure compliance with Policy NE1.

- HA31 - Hammond Industrial Estate (64 bed care home)

The Policy should ensure the impact of nutrients in wastewater is addressed to ensure compliance with Policy NE4.

- HA37 - Former Locks Heath Filling Station (30 dwellings)

This site is adjacent to an area of Lowland Mixed Deciduous Woodland priority habitat as shown on the Ecological Network mapping. The Policy should ensure that impacts on priority habitats and protected species are taken into account and appropriately addressed.

- HA38 – 68 Titchfield Park Road (9 dwellings)

The site is adjacent to Sylvan Glade SINC, much of which is ancient semi-natural woodland. The Policy should ensure compliance with standing advice on ancient woodland, ancient trees and veteran trees and that impacts on the SINC and protected species are appropriately addressed.

- HA42 - Land South of Cams Alders (60 sheltered housing)

This allocation site is located on 'Fort Fareham Grassland' SINC that supports woodland and meadow communities. It also lies adjacent to Fort Fareham SINC known for supporting wet woodland communities.

As previously advised in our response to the Supplement to the Reg 18 Local Plan (letter dated 23rd April 2020), allocations and development proposals should ensure they engage the mitigation

hierarchy, where impacts on designated ecological sites/features should first be avoided, and where not possible, adequately mitigated. Where this is not possible, any loss of priority habitat should be appropriately compensated. All residual ecological impacts will need to be addressed before any net gain for biodiversity can be achieved.

Natural England recommends that where loss of SINC habitat cannot be avoided, the policy should make clear how requirements set out within the NPPF, NERC Act 2006 and Local Plan Natural Environment policies will be met. It is advised an appropriate level of offsite compensation should be required to address any loss of priority habitat on site to ensure compliance with Policy NE1 .

- E4: Solent 2 (Employment - 23,500 sq. metres)

This employment allocation is located on Whiteley Meadow - Plot 2184 SINC and Ashley Wood, Fareham SINC. The Hampshire Ecological Network Mapping dataset shows much of this area as Lowland Mixed Deciduous Woodland, a priority habitat listed as required under Section 41 of the Natural Environmental and Rural Communities Act 2006. The site is also situated adjacent to the Gull Coppice (South-West Remnant) SINC which comprises ancient semi-natural woodland.

It is acknowledged that this site is an existing allocation within the adopted Fareham Local Plan Part 2 (2015).The current Policy outlines a requirement for this development to protect existing woodland and avoid habitat severance, and appropriate mitigation and compensation for any loss of protected trees. However, it is our view that a significant area of habitat, including mature woodland, is likely to be lost as a result of development. The Policy should ensure that it is compliant with Strategic Policy NE1 with regards to impacts on the local ecological network in this locality. In line with existing national and local policy and legislation, it is Natural England's advice that the mitigation hierarchy of avoid, mitigate and lastly compensate is employed where considering impacts on these habitats, particularly those designated as SINC. Measures should be sought to protect and enhance the local ecological network. Where impacts cannot be avoided or adequately mitigated, a comprehensive compensation package should be required that addresses the loss of all priority habitat on site (rather than just specifying protected trees), that seeks to enhance and connect habitat in the locality.

Comments on the HRA

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the Local Plan in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

We have the following comments on the HRA:

- *Recreational disturbance – New Forest designated sites*

The Local Plan HRA screening assessment outlines that although the Borough falls within the 25km buffer of the New Forest designated sites (via a straight line), the minimum actual travel distance by car is of approximately 30km travel distance (via the M27). In comparison to the number of visits from residents closer to the New Forest, the assessment states 'visits to the New Forest SAC/SPA/Ramsar associated with increased housing development in Fareham Borough contribute a significantly lower proportion of overall visits to the designated sites and it is not considered likely that significant effects associated with recreational disturbance from Fareham housing development would arise'. The HRA screens this impact pathway out from an appropriate assessment on this basis.

It is understood Footprint Ecology are currently conducting further analysis on several aspects of their latest visitor surveys. This analysis will assist the definition of a robust catchment area for recreational impacts. It will help in the preparation of a strategic, cross-boundary approach with neighbouring competent authorities to deliver habitat mitigation for the New Forest SPA/SAC/Ramsar. This work is due to be completed shortly and will provide a useful update to the evidence base against which such impacts from new development from surrounding local authority areas can be assessed.

Therefore, whilst acknowledging that the level of additional impacts from new residents is known to significantly decrease with distance from the New Forest designated sites, Natural England consider at this time there remains some uncertainty with regard to the evidence confirming the level of additional impacts from new residents of Fareham local plan development. We therefore advise this issue is taken forward to the appropriate assessment stage where further work may be carried out to ascertain the level of impacts as accurately as possible.

Where impacts are identified, suitable and proportionate mitigation should be proposed; we recommend the Council works with the New Forest National Park Authority and the other partner authorities to develop a strategic approach to addressing recreational impacts from new development on the New Forest designated sites. Such an approach should include developer contributions towards the New Forest National Park Authority's Habitat Mitigation Scheme to enable the authority to deliver site specific mitigation measures on behalf of applicants.

Natural England will be happy to provide further advice to the Council on this aspect as the evidence base develops.

- *Air quality*

The Local Plan is supported by an Air Quality Habitats Regulations Assessment (Ricardo, Sept 2020). The conclusions drawn in the Local Plan HRA in regards to air quality impacts are based on those drawn within the Ricardo report. Natural England concurs with the conclusions drawn in the report.

The Ricardo report suggests that the Council regularly reviews the Defra airborne NOx forecast levels. This is welcomed as a way to ensure any changes in forecasting and potential consequential changes to conclusions drawn in the report for this pollutant can be appropriately reviewed and addressed during the local plan period.

- *Water quality – nutrients*

The HRA calculates a nitrogen budget for the local plan of 2536.99 kgTN/yr. Appendix III of the HRA outlines various mitigation schemes that can be utilised or progressed as a means to ensure nutrient neutrality can be delivered by new development.

The HRA states within its Summary of Findings that the sites Chichester and Langstone Harbours SPA/Ramsar, Portsmouth Harbour SPA/Ramsar and Solent and Dorset Coast SPA are screened out of an appropriate assessment in relation to water pollution impacts. Much of development within Fareham borough is served by Peel Common wastewater treatment works (WwTW), which is a coastal WwTW that discharges effluent several kilometres out into the Solent. It is our advice that long-shore outfall pipes are likely to have shifted and widened the distribution of nitrogen loading within the effluent across the Solent SAC and SPAs. It is important to recognise the loading from Peel Common WwTW contributes to a number of estuaries and catchments within the Solent (including Portsmouth Harbour, Langstone Harbour, Chichester Harbour, River Meon, Wootton Creek and the Medina Estuary catchments). It is therefore Natural England's view that, because of this wide distribution of nitrogen loading, all designated sites should be screened in.

- *Other comments on the HRA*

Section 7.7.3 – this paragraph refers to the 'SAC' although it is relating to Portsmouth Harbour SPA and Ramsar.

Comments on the SA

We are broadly satisfied that the objectives and indicators within the Sustainability Appraisal cover our key interests, and welcome the identification of the need to conserve and enhance biodiversity, landscape character, and to reduce pollution. We also welcome the need to address minimise the

effects of climate change, and to minimise impacts on best and most versatile agricultural land. Please see some more specific comments below.

- SA5: To Minimise Carbon Emissions and Promote Adaptation to Climate Change

This SA objective to address the effects of climate change is welcomed. It is suggested a further monitoring parameter(s) is included to monitor the implementation of new GI/habitat that can seek to alleviate the pressures of climate change on species and the ecological network whilst also providing other benefits as described further in our advice above; e.g. percentage of new GI/ extent of priority habitat within the ecological network.

- SA7: To Conserve and Enhance Biodiversity

We advise that this SA objective also seeks to conserve and enhance geodiversity within the Borough, in line with national planning policy.

The SA outlines the Plan 'is predicted to lead to negative impacts to ecological receptors in the short to medium term, but many of these impacts are capable of being mitigated. Long-term effects are likely to be both positive and negative, and highly site-specific'. It is acknowledged these effects can be avoided/mitigated by the implementation of several policies including NE1, NE3, NE4 and NE5. It is advised Local Plan Policy requires relevant development to carry out site-level Habitats Regulations Assessments in order to ensure impacts on European sites are suitably addressed.

It is also suggested that further monitoring parameters are incorporated to ensure impacts on internationally, nationally and locally designated sites are monitored throughout the Plan period, e.g. via the number, extent and condition of sites designated for nature conservation. We would advise the use of a green infrastructure standard as an indicator, such as Natural England's Accessible Natural Greenspace Standard (ANGSt). Parameters for measuring the implementation of net gain should be introduced, see further above for our advice on net gain monitoring.

We would be very happy to comment further as the plan process progresses. If you have any queries relating to the detail in this letter please contact me on [redacted]

Yours faithfully

Rebecca Aziz
Sustainable Development Senior Advisor
Thames Solent Area Team

December 2020 | JG | P20-3154

FAREHAM LOCAL PLAN 2037 REPRESENTATIONS

FORMER POLICY HA2 HOUSING ALLOCATION - LAND AT NEWGATE LANE SOUTH, FAREHAM

ON BEHALF OF
THE HAMMOND FAMILY, MILLER HOMES AND BARGATE HOMES

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

Prepared by: Jeremy Gardiner & Trevor Moody

Pegasus Group

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DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE

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Accompanying Supporting Specialist Representations
(referred to in these representations):

Pegasus Group – Preliminary Landscape and Visual Appraisal

i-Transport – Transport Delivery Technical Note

WYG (part of Tetra Tech) – Ecology Technical Note

1.0 Introduction

1.1 The following representations are by Pegasus Group on behalf of our clients The Hammond Family, Miller Homes and Bargate Homes. Our clients have interests in land at Newgate Lane South, Fareham which was previously proposed to be allocated for about 475 dwellings in the Regulation 18 version of this plan. For the reasons set out in these representations, our clients are strongly of the view that this allocation should be reinstated in the local plan.

1.2 Our clients are important stakeholders within Fareham and are keen to work with the Council to produce a plan which is legally compliant and meets the tests of soundness set out within the National Planning Policy Framework (NPPF). Currently the plan is neither legally compliant nor sound.

1.3 The following representations utilise the same format as the Council's response form. Each area of the Publication Local Plan (PLP) which is deemed to be either not legally compliant or unsound is clearly outlined below. Proposed changes to the plan in relation to policies, supporting text and the proposals map are provided.

	Agent	**Client**
Title	Mr	The Hammond Family, Miller Homes and Bargate Homes c/o Agent
First Name	Jeremy	
Last Name	Gardiner	
Job Title	Senior Director	
Organisation	Pegasus Group	
Address	[redacted]	
Postcode		
Telephone		
Email		

2.0 Plan Overall

B1 Which part of the Local Plan is this representation about?

2.1 The following comments relate to the overall Local Plan.

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan:

2.2 Paragraphs 1.5 - 1.6, 1.14, 1.17,1.37, 2.12, 3.19 - 3.22, 3.43, 3.46, 3.49 – 3.57, 4.1 - 4.20, Appendices B and C.

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan

2.3 Policies H1, HP4, HP5, HP7, DS1, DS2, DS3, E2, E3, NE5, D1.

B1c Which part of the Policies Map

2.4 Former Policy HA2 allocation site Newgate Lane South, Employment allocations Policies E2 and E3.

B2 Do you think the Publication Local Plan is:

Legally compliant - No

Sound - No

Complies with the duty to co-operate - No

2.5 The Fareham Local Plan is not legally compliant and is unsound as it is not consistent with national policy, effective or justified.

B3 Please provide details you have to support your answers above.

B3.1 The Publication Local Plan is not Legally Compliant

2.6 The Publication Local Plan (PLP) has based its housing proposals on the annual housing target derived from the Government's draft Revised Standard Methodology published in August 2020 in its consultation "Planning for the Future". The Government's response to this consultation was published on 16th December 2020.

The Government does not propose to proceed with the changes to assessing local housing need consulted on earlier this year in "Changes to the Current Planning System"; but instead has published a revised approach to the Standard Method, which retains the method in its previous and current form except for London and 19 of the most populated cites and urban centres.

2.7 The key change is to apply a 35% uplift to the Standard Method for Greater London and the 19 most populated cities and urban areas in England – Birmingham, Liverpool, Bristol, Manchester, Sheffield, Leeds, Leicester, Coventry, Bradford, Nottingham, Kingston upon Hull, Newcastle upon Tyne, Stoke on Trent, Southampton, Plymouth, Derby, Reading, Wolverhampton and Brighton and Hove. The minimum housing requirement for Fareham calculated using the amended standard method therefore remains 514hpa.

2.8 The Government's White Paper, "Changes to the Current Planning System" (published in August 2020 alongside the "Planning for the Future" consultation) provided guidance to local planning authorities which were at or close to the Regulation 19 stage of plan-making at paragraph 43:

2.9 *"Transition*

43.The Government is aware that any change in the standard method will have an impact for plans that are currently under development, as authorities expend considerable resources in developing new plans. To enable an orderly transition to the revised standard method, and achieve as much short-term supply as possible while setting the right expectations for early stage plan-making, we propose that from the publication date of the revised guidance, authorities which are already at the second stage of the strategic plan consultation process (Regulation 19) are given 6 months to submit their plan to the Planning Inspectorate for examination. Authorities close to publishing their second stage consultation (Regulation 19), should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan and a further 6 months to submit their plan to the Planning Inspectorate. This is to strike a balance between allowing an appropriate transition period for plans that are nearly through the process, but without causing a significant delay in planning for a higher level of need." (our underlining)

2.10 This transitional arrangement applied to Fareham at the time, such that the previous Standard Method (514hpa) continued to apply for plan-making purposes

in the borough in any event, but the Council chose not to follow this national guidance.

2.11 The National Planning Policy Framework (NPPF) states (paragraph 16 a)) that Plans should "be prepared with the objective of contributing to the achievement of sustainable development". Footnote 10 confirms that this is a legal requirement of local planning authorities in exercising their plan-making functions. Meeting the objectives of sustainable development includes "…meeting the needs of the present…". By preparing a Plan based on the Consultation draft Standard Methodology target of 403 dwellings per annum, the local planning authority is failing to meet its local objectively assessed need for housing, thereby failing to plan to deliver sustainable development.

2.12 The PPG (ID 2a-003-20190220) is clear that the standard method should be used and any other method should only be used in exceptional circumstances. It further explains that:

2.13 *"…Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination."* (PPG ID 2a-015-20190220).

2.14 As discussed above the extant standard method identifies a requirement of 514hpa. The NPPF (paragraph 60) identifies that the current Standard Method provides a minimum requirement. To depart and provide a figure lower than the current Standard Method requires exceptional circumstances and must be justified by clear and robust evidence. This is absent from the Council's evidence base and as such is an unsound approach.

2.15 The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa) – a requirement confirmed by the Government's announcement of 16th December, 2020. As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the Consultation revised Standard Methodology figure of 403 hpa was procedurally flawed, lacking in evidential basis, premature and misleading.

2.16 The NPPF (paragraph 33) also states that plans should be reviewed every 5 years and updated as necessary. The Inspector's Report on the Examination into the Fareham Local Plan Part 2 (dated 12th May 2015) included modifications which were all proposed by the Council. Its first Main Modification was "a commitment to an early review of the local plan (ie. LP1, LP2 and LP3)". This included a timetable for the local plan review between 2016 and 2018 which the Council has failed to adhere to, having previously expressed its commitment to the Inspector.

2.17 The Local Plan Part 3 is the Welborne Plan which was adopted in 2015.The total quantum of housing to be delivered at Welborne has reduced over the years, and the date for its commencement has repeatedly slipped back. The development is currently running about 5 years late. Recently, serious doubts have been expressed over whether it is deliverable at all given the reported funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10. The development is certainly not currently "deliverable" in NPPF terms. Nonetheless, the PLP relies heavily on the delivery of homes at Welborne as by far the most important source of its housing supply - 4,020 homes (just over 48%) out of a total suggested supply of 8,389 homes are timetabled to be completed at Welborne by 2037, and completions are included in the Council's trajectory for the first five years of the plan. Given the heavy reliance placed on a development which, at best, appears to be at serious risk of continuing to be significantly delayed, the Welborne Plan should be reviewed as a matter of urgency.

2.18 Given the importance of the Welborne Plan to housing delivery this is considered an issue of both soundness and legal non-compliance.

B3.2 The Publication Local Plan is not Sound

2.19 Paragraphs 1.5 – 1.6 of the PLP set out the "Tests of Soundness" which require that the Plan has been "positively prepared, justified, effective and consistent with national policy". The PLB fails to meet the Tests of Soundness for the following reasons:

1. It has not been "positively prepared":

2.20 The Plan does not seek to, as a minimum, meet the area's objectively assessed need. Given that the Core Strategy was adopted on 4th August, 2011, it is significantly out of date such that (as advised by paragraph 73 and footnote 32 of

the NPPF) local housing need should be calculated using the current Standard Methodology. On this basis the local housing need target is 514 homes per annum (hpa) plus the appropriate buffer (5% or 20%). Instead, the PLP plans for 403 hpa, thereby failing to plan for the area's objectively assessed need, and failing to contribute to the achievement of sustainable development.

2.21 The lower housing requirement has also not been the subject of sustainability appraisal (SA). Whilst the SA re-assesses sites based upon a lower housing requirement it fails to consider the implications of a lower housing requirement, compared to the current standard method, upon the delivery of the SA objectives. Even if the lower requirement were justified by national policy, which it is not, the retention of the housing requirement at the level previously consulted upon would be a reasonable alternative.

2.22 The Council published an Affordable Housing Strategy in 2019. On page 14 of the Affordable Housing Strategy, it is suggested that there is a need for 3,500 affordable homes to 2036, or circa 220 per annum. This is based on the existing need for 3,000 affordable homes and an allowance of 500 homes to provide for new households and those falling into need. Given that an average of only 76 affordable homes have been built per annum in Fareham Borough since 2011, there is a significant need to boost the supply of additional affordable housing to address needs. Indeed, the delivery of affordable housing needs to almost treble. The provision of affordable housing to address this need is a significant matter.

2.23 It is also unclear whether the PLP has planned to adequately accommodate unmet need from other authorities. The PPG (ID 2a-010-20190220) identifies that meeting unmet needs from neighbouring authorities as set out in a Statement of Common Ground is one reason why local housing need calculated using the current standard should be exceeded. Contrary to the advice within the PPG (ID 2a-010-20190220) there are currently no Statements of Common Ground identifying if the figure of 847 dwellings is adequate or accepted by other authorities. Rather the Council speculates that this contribution would be "ratified" by a subsequent Partnership for South Hampshire Statement of Common Ground (Duty to Co-operate Statement of Compliance, paragraph 4.5). There is, however, no evidence to support this speculation. Indeed, the only evidence presented confirms a request for Fareham to accommodate 1,000 dwellings from a single neighbouring authority. The PLP has been prepared in advance of the publication of Statements of Common Ground –

as such it's preparation is premature.

2.24 At paragraph 4.4 of the PLP it is stated that unmet need in the sub-region over the plan period could be "circa 10,750 dwellings". At paragraph 4.5, Fareham's "immediate neighbours" are considered, and it is confirmed that Portsmouth City Council has requested that Fareham contributes 1,000 dwellings towards its unmet need, and that Gosport is "likely to have an unmet need issue, currently estimated to be in the region of 2,500 dwellings…". The Council's 'Duty to Co-operate Statement of Compliance' identifies at paragraph 4.6 that instead of responding to the request from Portsmouth the Council is proposing to: "…take the approach that the issue of unmet need is not dealt with as specific to any authority, but as a general contribution." It is not clear how this "general contribution" has been calculated but it appears inadequate. Gosport Borough lies between Portsmouth and Fareham. It is clear that Portsmouth cannot accommodate any of Gosport's unmet need so the obvious place to accommodate it is in Fareham Borough, and Fareham East forms part of the Portsmouth Housing Market Area. Therefore, if Fareham plans to deliver the unmet needs of Portsmouth and Gosport, its contribution would be 3,500 homes. However, the PLP (Table 4.1) proposes a contribution of just 847 dwellings to wider unmet need. This figure should be reviewed.

2.25 In relation to unmet need, it should also be remembered that Welborne (previously known as the North of Fareham SDA) was originally conceived by PUSH (now PfSH) as one of two SDAs which were promoted to meet the sub-regional needs of south Hampshire and brought forward in the "South East Plan". The Inspector's Report on the Examination into the Fareham LDF Core Strategy (dated 20th July, 2011) identified five Main Issues, Main Issue 1 being:

"*7. The North of Fareham SDA represents the most significant and controversial element of the Core Strategy. ….While the principle of the SDA"s development is contained in the regional strategy – policy SH2 of the South East Plan (SEP) – the justification for the proposal derives from evidence prepared by South Hampshire local authorities (the Partnership for Urban South Hampshire [PUSH]) during the SEP"s preparation….The advantages of SDAs are seen as threefold: safeguarding existing towns and villages by reducing coalescence; providing more opportunities for planning gain; and achieving a critical mass to deliver sustainability benefits.*

The development now proposed is one of two SDAs proposed by PUSH and brought forward into the SEP. Both are aimed at meeting sub-regional housing needs and, as such, their housing totals are separated from the housing requirement for the remainder of the Boroughs concerned in the sub-regional strategy and SEP." (our underlining)

2.26 However, the Council is now treating Welborne as a source of housing supply for Fareham Borough only, disregarding its planned sub-regional role. This compounds the lack of positive preparation of the PLP and starkly contrasts the Council's current approach to the delivery of housing to meet sub-regional needs with its approach of a decade ago.

2. It is not Justified:

2.27 The PLP's strategy for housing delivery is not appropriate, because it is based on a need figure derived from the draft revised Standard Methodology which was still the subject of public consultation at the time that the Plan was prepared. The Government's response to the consultation is awaited. The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa). As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa is procedurally flawed, lacking in evidential basis, premature and potentially misleading.

3. It is not Effective:

2.28 Fareham has decided to deliberately plan to not meet its local objectively assessed housing need, so fundamentally the plan will not be effective. This, coupled with its apparent failure to plan to contribute appropriately to the unmet housing need of the sub-region, indicates a failure to work effectively with its neighbouring authorities on cross-boundary strategic planning for housing delivery and a failure "to support the Government's objective of significantly boosting the supply of homes" (NPPF, paragraph 59). Rather, the PLP proposes to restrict the supply of homes in the plan period in a way which will exacerbate the local housing crisis.

4. It is not Consistent with National Policy:

2.29 The PLP is not consistent with the NPPF because:

- It will not contribute to the achievement of sustainable development by not, as a minimum, planning to meet its local objectively assessed housing need;
- It is not planning to adequately meet the unmet housing needs of neighbouring authorities in the sub-region;
- It has not based its housing proposals on the current Standard Methodology annual housing need figure of 514 hpa;
- Its strategy lacks a robust evidential justification;
- It's proposed housing land supply includes a majority of housing from sites which are not "deliverable" as defined by the NPPF

B3.3 The Publication Local Plan does not Comply with the Duty to Co-operate

2.30 As stated at B3.1 above, it is unclear whether the PLP has planned to adequately accommodate unmet need from other authorities.

2.31 Against a sub-regional unmet need figure of "circa 10,750 dwellings", and in the context of both neighbouring authorities of Portsmouth City Council and Gosport Borough Council having "unmet need issue(s)", and Havant Borough Council being expressly unable to accommodate any unmet need, the PLP (Table 4.1) proposes a contribution of 847 dwellings to wider unmet need. It is not clear how this has been calculated and it appears inadequate.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

1. Plan to meet, as a minimum, the area's objectively assessed housing need. The current Standard Methodology annual housing need figure is currently 514 hpa.
2. Provide Statements of Common Ground in relation to unmet need from neighbouring and PfSH authorities. Any agreements will need to be included as additional housing to the minimum 514hpa.
3. In any event, plan for a level of housing which contributes to the

achievement of sustainable development.

4. Treat this plan as an interim plan and reaffirm the Council's commitment to undertake an urgent a review of the Welborne Plan for incorporation into a consolidated early review of this plan.

5. The Council has not undertaken SA of all reasonable alternative housing requirements;

6. The Council has not planned to meet current housing needs, opting instead to phase its housing supply in a way which will exacerbate the current significant under-supply problems;

2.32 Consequential to the above, the Council must allocate additional sites for housing in this interim plan (ahead of the urgent review of the Welborne Plan) to meet its confirmed housing target of 514 hpa, including reinstating the allocation of the former Policy HA2 site, Newgate Lane South.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

2.33 The role of plan-making in contributing to the achievement of sustainable development is a legal requirement (Section 39(2) of the Planning and Compulsory Purchase Act 2004).

2.34 Revisions to the plan so that it plans, as a minimum, to meet the local objectively assessed need for housing, meet affordable housing need and adequately contribute to meeting unmet need would assist the PLP to meet the Tests of Soundness.

3.0 Specific Proposed Changes

B4c Suggested revised wording of any policy or text:

Policy H1: Housing provision

3.1 Completely revise the proposed housing target on the basis of the confirmed Standard Methodology figure for the Borough of a minimum of 514 hpa plus an appropriate contribution to meeting sub-regional unmet needs.

3.2 Ensure that the revised housing target includes the delivery of a minimum of 220 affordable homes per annum.

3.3 Plan to deliver the revised housing target including a five year supply of deliverable sites. In this regard, Welborne (the supply of housing from which is relied on heavily by the PLP) cannot currently be regarded as "deliverable" as defined in the NPPF.

3.4 Consequential updates to paragraphs 4.1 – 4.20 including Tables 4.1, 4.2, 4.3.

3.5 Consequential revisions to the list of Housing Allocation Policies under paragraph 4.20 to include allocations sufficient to deliver the revised housing and affordable housing targets, including the re-instatement of HA2 Newgate Lane South for about 500 dwellings.

3.6 Policy H1 also seeks to identify a 'phased' requirement. The overall supply is described as at least 8,389 dwellings - this is just 165 dwellings greater than the requirement when the correct local housing need standard method is applied. Given the need to provide for unmet needs from neighbouring authorities this is clearly insufficient and as such further allocations are required.

3.7 Policy H1 seeks to 'phase' this supply identifying the following:

- Approximately 2,250 dwellings (averaging 450 dwellings per annum) between 2021/22 and 2025/2613,
- Approximately 2,400 dwellings (averaging 480 dwellings per annum) between 2026/27 and 2030/31,

- Approximately 3,750 dwellings (averaging 625 dwellings per annum) between 2031/32 and 2036/2037.

3.8 This phasing clearly will not meet the overall plan requirement. The rationale for this phasing is due to an anticipation that many of the housing allocations will begin to deliver later in the plan period. This is simply a factor of the sites chosen rather than an evidence-based approach to need. The net effect is that in the early part of the plan period the full need will not be met, exacerbating the current significant housing land supply shortfall in the Borough. This will mean households will either be unable to form or will be forced to move elsewhere to find appropriate accommodation. This not only has an impact upon affordability through increased demand but also has implications for social mobility and health for young and old alike.

3.9 The lack of housing to meet needs in the short-term is exacerbated by recent under-delivery of both market and affordable housing. The Council recognises it has under-delivered in recent years due to the reference to the need for a 20% buffer in accordance with NPPF, paragraph 73 (paragraph 4.16, PLP).

3.10 The housing requirement in the PLP should not be phased to manufacture a five-year housing land supply in the short-term. The plan should seek to address housing need now - to do otherwise is not justified or effective.

3.11 The second part of Policy H1 identifies the sources of supply. Whilst our clients do not wish to comment upon individual sites, we do have significant concerns that the sources of supply will not deliver the plan period housing requirement in full. The PLP, paragraph 4.16, acknowledges that many of the chosen sites will not deliver until later in the plan period therefore any slippage in timescale could well push delivery beyond the plan period. Furthermore, the Council is heavily reliant upon delivery at Welborne. Within our comments upon the Plan overall we identify the need for delivery from this site to be reviewed and indeed question whether it is deliverable at all given the funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10.

3.12 Furthermore, the Council cannot currently demonstrate a five-year housing land supply. The Council's most recent assessment of its five-year housing land supply suggests a 4.03-year supply. This assessment appears optimistic given recent

appeal decisions which identify it is closer 2.4 years. Given these shortcomings it is essential that the PLP seeks to address this under-supply in the short-term.

Development Strategy

3.13 This section is substantially focussed on restricting development outside the existing settlement policy boundaries of urban areas. This marks a significant change in approach since the Regulation 18 version of this plan when the emphasis was on a strategy for locating development sustainably. This is in conflict with the NPPF, paragraph 11, which advises that "Plans and decisions should apply a presumption in favour of sustainable development" and that "For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their areas, and be sufficiently flexible to adapt to rapid change".

3.14 The highly restrictive strategic policy approach introduced into the PLP does not accord with this national guidance.

Policy DS1: Development in the Countryside

3.15 For housing development which is brought forward in the absence of a 5 year housing land supply, Policy HP4 applies. This will necessarily introduce new built form onto greenfield sites adjacent or well related to existing urban area boundaries. This will inevitably cause a change to the landscape character of the site and immediately adjacent land. Criteria ii) and iii) require proposals to "conserve and enhance landscapes" and "recognise the intrinsic character and beauty of the countryside". It is not clear which "landscapes" are being referred to – presumably this should be restricted to formally designated landscapes or defined "valued" landscapes because otherwise it could be applied to every area of countryside. It is also not clear how, for example, a housing development can "conserve and enhance" a landscape – relevant measures should be defined. Moreover, it is not clear how the extent to which a proposal has recognised "the intrinsic character of the beauty of the countryside" can be measured. After all, those attributes can be "recognised" but then disregarded. It is true that every area of countryside has a "character" but not that every area of countryside has "beauty".

3.16 Criterion v) should include an exception for development which is brought forward under Policy HP4, where the application of the "tilted balance" would allow the loss of BMVAL.

3.17 Paragraph 3.39 fails to explain how this policy works in relation to housing policies.

Policy DS2: Development in Strategic Gaps

3.18 Strategic Gap 2 "Fareham / Bridgemary and Stubbington / Lee-on-the-Solent" should be redefined to exclude all land to the east of Newgate Lane, between Newgate Lane and the urban settlement boundary of Bridgemary.

3.19 Paragraph 3.46 states:

".Further to the east, retaining the gap will help maintain the separation of Stubbington and Lee-on-the-Solent from Fareham and Bridgemary along with maintaining the separate identity of Peel Common." (our underlining)

3.20 Peel Common is not an urban settlement with a separate identity which merits protection. It has resulted from an evolution of wayside development into ribbon development and even now is, in landscape terms, non-descript as a settlement. The purpose of the gap should be to maintain the separation of Stubbington from Fareham and Lee-on-the-Solent; and the separation of Lee-on-the-Solent from Rowner.

3.21 Paragraph 3.43 refers to "The need to respect settlement boundaries and protect the identity of our key settlements". Peel Common is not a key settlement and it does not have a settlement boundary. The deletion of housing allocation Policy HA2 Newgate Lane South from this version of the local plan has been accompanied by the extension of the Strategic Gap designation across the HA2 site to the settlement boundary of Bridgemary on the Proposals Map. It is suspected that the reference to Peel Common having a "separate identity" in the supporting text has been inserted to attempt to justify the extension of the gap designation over land which has previously been assessed as being suitable for development.

3.22 Paragraph 3.46 states that *"Although no boundary changes are proposed at this time, evidence has shown (that the) boundary of this strategic gap could be redrawn whilst retaining its important function of preventing settlement coalescence.".* This is a key failure of the process at this stage. The Council has a quite recent landscape character assessment as part of the evidence base (2017) and a very recent gap study. There are also two strategic road schemes (one complete, one in construction) that affect the landscape character of this gap. This is surely the time for the Council to redraw the boundaries of this strategic gap and strategically plan for growth.

3.23 In this regard, these representations are accompanied by a Preliminary Landscape and Visual Appraisal prepared by Pegasus Group of the former Policy HA2 site, Newgate Lane South. The Summary and Conclusions of this Appraisal include the following:

"7.7. In summary the site sits within a variable pocket of landscape. In isolation the site comprises remnant agricultural enclosures however it cannot be separated from the extensive urbanising influences which surround and frame it, particularly in the context of the more recent severance of the agricultural land that has arisen from the route of the bypass (Newgate Lane East East)….

7.16. In terms of the Fareham and Stubbington strategic gap, the site (along with its local landscape context), is well placed to accommodate some form of development without undue consequences or impacts on the role and function of the Strategic Gap as a whole. This is on the basis that:

- *A substantial distance will be retained across the wider gap, between the site and Stubbington;*
- *In terms of visibility, the site is physically and visually well contained, placed as the area is within a strong framework of green infrastructure and the settlement edge – furthermore, the site (and potential development) will not be visible across the gap from Stubbington;*
- *The surrounding context and urbanising influences, including the residential areas of Peel Common, Bridgemary and Woodcot which reduce the degree of change as they provide a relevant settlement edge context;*

- *The opportunity to contribute to, and maintain, a strong green infrastructure network and facilitate a strategic green infrastructure connection through the area that will reinforce and connect the linear routes which cross broadly north to south through this area; and*

- *In connection with the green infrastructure provision, the ability to incorporate substantial mitigation that will successfully avoid or minimise landscape and visual effects.*

3.24 These conclusions are consistent with the evidence base in relation to the Strategic Gap which acknowledges that the gap designation does not relate to landscape quality, value or condition; that development can be accommodated within gaps without undermining their function; and that urban influences can detract from the functioning of the gap, to the extent that they present a clear justification for amending the boundaries of the gap. The study concludes that the part of the gap between Peel Common and Bridgemary is weak and under development pressure, particularly with the recently constructed Newgate Lane East now forming such a strong urbanising feature in the local landscape context. The Policy HA2 site is not considered to form part of a priority area which is required to maintain the integrity and function of the Fareham / Stubbington Strategic Gap and it is concluded that the site is well placed to accommodate development that could come forward as a well-connected urban extension without significantly affecting the integrity of the gap and the physical and visual separation of settlements. Indeed, this was the Council's previous conclusion when it proposed to allocate the Policy HA2 site. Its December 2019 SHELAA included commentary on the three land parcels (SHELAA sites 3002, 3028 and 3057) which together make up the Policy HA2 site. The Suitability Comment for sites 3002 and 3028 (the smaller northern and southern parcels) were:

"The site is considered suitable for development as part of the proposed housing allocation. Development could be accommodated without significant effects on the landscape character of the wider area."

3.25 For site 3057 (the larger central parcel) the Suitability Comment was:

> *"Development could be accommodated without significant effects on the landscape character of the wider area (following construction of Newgate Lane South) or the integrity of the Strategic Gap…."*

3.26 All three component parcels of the HA2 site were described as Suitable, Available and Achievable. Nothing has changed in this regard.

Policy DS3: Landscape

3.27 This draft policy designates about a quarter of the land area of the Borough as "Areas of Special Landscape Quality" (as shown on Figure 3.3).

3.28 From the commentary provided in paragraph 3.49, it appears that the Council is equating its 'Areas of Special Landscape Quality' (ASLQ) with 'valued landscapes'. This is questionable. All landscapes are valued at some level by different people. NPPF paragraph 170 triggers a need to consider when landscape value is just a local consideration, or when landscapes are more 'out of the ordinary'. Fundamentally, for a landscape to be a valued landscape, it does not have to be designated - so by designating the ASLQ (or by creating a valued landscape designation) the Council is at risk of creating a policy that is irrelevant, because guidance says that non designated landscapes can be valued, so site-by-site assessments will be required in any event.

3.29 Paragraph 3.55 states that "…all parts of the Borough have some landscape quality and may be sensitive to landscape change". This is ambiguous. All landscape will be of 'a quality' but quality (in GLVIA3 aligned with condition) is only one consideration of landscape sensitivity.

3.30 With regard to "How the policy works", paragraph 3.56 states that *"The criteria within the policy (points a-g) are derived from the Guidelines for Landscape and Visual Impact Assessment (GLVIA 3) published by the Landscape Institute.".* The GLVIA is an extensive and diverse document and, if it is to be used as basis for this policy then a specific reference or explanation should be provided as to how points a-g have been derived.

3.31 Paragraph 3.57 refers to the submission of "…a proportionate Landscape Assessment". This should be amended to require the submission of a 'Landscape and Visual Impact Assessment'. There are many applications of LVIA and several forms of reporting. Reference to LVIA would be specific and clear as to what is required (and incidentally relates better to the approaches set out in GLVIA3).

Policy HP1: New Residential Development

3.32 This policy relates to all new housing proposals. However, it only envisages housing coming forward outside Urban Area boundaries through either the conversion of a non-residential building or as a replacement dwelling. It should also cross-refer to Policy HP4 which allows housing to come forward on land outside Urban Area boundaries if the Council cannot demonstrate a Five Year Housing Land Supply.

3.33 Therefore add:

> **"c) It is for additional housing in circumstances where the Council cannot demonstrate a Five Year Housing Land Supply and Policy HP4 applies."**

Policy HP4: Five-Year Housing Land Supply

3.34 The housing requirement set out in Policy H1 must be re-calculated using the current Standard methodology as described in our comments on draft Policy H1 above.

3.35 Paragraph 5.24 infers that Policy HP4 reproduces Local Plan Part 2 Policy DSP40. However, the third criterion in Policy DSP40 was as follows:

> *"iii) The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;"*

3.36 This has been replaced in Policy HP4 by:

> *"c) The proposal is sensitively designed to reflect the landscape character and setting of the settlement, is of a scale proportionate to its setting and recognises the intrinsic character and beauty of the countryside and, if relevant, does not significantly affect the integrity of a Strategic Gap;"*

3.37 If a five year housing land supply cannot be demonstrated, then in accordance with the NPPF, paragraph 11d, the most relevant policies in the plan would be out of date and the presumption in favour of sustainable development would apply. This policy may therefore be judged to be inappropriate because it adds restrictions which may prevent sustainable sites from coming forward. However,

if such a policy is held to be necessary, then a faithful reproduction of Policy DSP40 iii) is strongly preferred. See our comments on Policy DS1 in this regard.

Policy HP5: Provision of Affordable Housing

3.38 This draft policy states that "affordable housing must be provided" (our underlining) in the following proportions:

i. At least 10% as Social Rent; and

ii. At least 55% as Affordable Rent or Social Rent; and

iii. The remainder, but no less than 10% as Affordable Home Ownership.

iv. The mix of property size and type should reflect the local need and the site characteristics.

3.39 As drafted this policy is not sufficiently flexible. As acknowledged at paragraph 5.36, development viability will be an issue on some sites. As acknowledged at paragraph 5.39, occasionally the tenure mix prescribed by the policy will not be appropriate; and as acknowledged at paragraph 5.34, other exceptional circumstances may arise (such as abnormal costs) which dictate that a non-standard provision of affordable housing is demonstrated to be appropriate.

3.40 Therefore, amend the first part of the policy to read:

"Sites that can accommodate 10 or more dwellings or sites with an area of 0.5 hectares or more shall normally provide: …"

3.41 And amend the second part of the policy to read:

"The affordable housing shall normally be provided in accordance with the following proportions: …"

Policy HP7: Adaptable and Accessible Dwellings

3.42 This draft policy states:

"Development proposals for all new dwellings shall provide:

a) At least 15% of all new dwellings at Category 2 standard; and

b) On schemes of over 100 dwellings (gross), at least 2% of private housing and 5% of affordable housing shall be provided as wheelchair accessible Category 3 properties."

3.43 Similar to Policy HP5 above, as drafted this policy is not sufficiently flexible. It is acknowledged that this policy is based on the requirements of Part M of the Building Regulations but it must allow for circumstances arising which mean that these requirements cannot be delivered (fully or otherwise).

3.44 Therefore, amend the first line of the policy to read:

"Development proposals for all new dwellings shall normally provide: …"

3.45 Paragraph 5.57 of the supporting text states:

"The cost to development for providing Category 2 and 3 is relatively minimal. Flexibility for additional costs have been factored into the viability evidence base and this indicates that the requirements for Category 2 and 3 should have no detrimental impact on the viability of schemes in the Borough..."

3.46 This statement is strongly disputed. In reality, these costs will not be factored into a developer's viability calculations (particularly in relation to Category 3 requirements) because option agreements / conditional contracts will have already been agreed on the sites that the Council want to see come forward, so these costs will not have been anticipated. The Category 3 requirements must be substantiated by quantified evidence of the need for such units in the Borough.

Policy HP9: Self and Custom Build Homes

3.47 This policy requires 10% of dwellings on sites of 40 dwellings or more to be provided for Self and Custom Build Homes. The practical implications of managing self or custom build developments on sites otherwise being constructed by housing developers or housing associations must be carefully considered. There is concern that 40 dwellings is too small a threshold at which to introduce this requirement due to the potentially onerous construction management implications which will arise. It would be preferable for the Council to allocate specific sites for self and custom build developments instead of requiring this element on all housing developments of 40 dwellings or more.

3.48 It is noted that, as stated at paragraph 5.70, only 1% of housing plots at Welborne are required to be provided for self or custom build under the Welborne Plan (2015). Strategic allocations such as Welborne provide the ideal opportunity for parcels of land to be allocated for self or custom build, so that opportunity should not be missed. This should be addressed in the review of the Welborne Plan which is overdue and necessary.

Policy E2: Faraday Business Park

3.49 This draft policy proposes the allocation of land for 65,000 sq. metres of employment development (in addition to the 22,000 sq. metres already consented). The site is designated as a Low Use site for Brent Geese and Waders.

3.50 Criterion e) of the policy states:

> "e) Proposals shall meet the requirements of Policy NE5 given the site's Low Use status for Solent Waders and Brent Geese…"

3.51 The two site-specific reasons for the deletion of housing allocation HA2 Newgate Lane South given in the Fareham SHLAA (in the context of the Council planning for a reduced housing requirement in the PLP) are that the site lies within a Strategic Gap and that the site is designated as a Low Use site for Brent Geese and Waders. Given the proposed allocation at the Faraday Business Park, a site's designation as of Low Use status for Solent Waders and Brent Geese clearly does not prevent a site from being allocated for development.

Policy E3: Swordfish Business Park

3.52 This draft policy proposes the allocation of land for 12,100 sq. metres of employment development (in addition to the 28,000 sq. metres already consented). The site is designated as a Low Use site for Brent Geese and Waders.

3.53 Criterion f) of the policy states:

> "f) Proposals shall meet the requirements of Policy NE5 given the site's Low Use status for Solent Waders and Brent Geese…"

3.54 The two site-specific reasons for the deletion of housing allocation HA2 Newgate Lane South given in the Fareham SHLAA (in the context of the Council planning for a reduced housing requirement in the PLP) are that the site lies within a

Strategic Gap and that the site is designated as a Low Use site for Brent Geese and Waders. Given the proposed allocation at the Swordfish Business Park, a site's designation as of Low Use status for Solent Waders and Brent Geese clearly does not prevent a site from being allocated for development.

Policy NE5: Solent Wader and Brent Goose Sites

3.55 Accompanying these representations is a WYG Technical Note in relation to Ecology and the former Policy HA2 Newgate Lane South housing allocation. This addresses the two proposed options for mitigating the impact of development of Low Use SWBG sites. Policy NE5 limits mitigation solutions to either on-site provision or a financial contribution towards mitigation on a suitable identified site. However, as reported in the Technical Note, an off-site solution has been proposed as part of outline application P/19/1260/OA Land East of Newgate Lane East (that application site being the southern part of the former HA2 allocation), and that solution has been reviewed by the Council's Ecologist and found to be acceptable. This therefore represents a compliant solution which can be replicated for other developments in similar circumstances. Policy NE5 should be amended to include this additional option.

Policy D1: High Quality Design and Place Making

3.56 This is a highly aspirational policy which sets out ten criteria ("key characteristics of high quality design") against which all development proposals will be judged "to ensure the creation of quality places." It is not clear what a "quality place" is – this should be defined. The ten criteria push the "bar" too high – all proposals cannot be expected to "create places that are attractive, memorable, distinctive and of strong character", for example, laudable though those aspirations are. In practice, very few proposals would receive planning permission if assessed against this requirement.

Appendix B: Housing Trajectory

3.57 This appendix must be updated as it does not reflect the quantum of housing required to meet the local needs. It also projects completions of 975 homes in 2023/24 and 961 homes in 2024/5, which are at risk due to the delays to Welborne which continue. Completions from Welborne should be shown separately as previously.

Appendix C:

3.58 The purpose of the inclusion of the Local Ecological Network Map at Appendix C is not understood. It includes the identification of land as "Network Opportunities". This does not appear to have a basis in the policies of the PLP. The former Policy HA2 Newgate Lane South site is identified as a Network Opportunity on this plan. This is not explained. This appendix should be deleted, as happened to a similar plan appended to the Regulation 19 Chichester District Local Plan.

Reinstatement of the Policy HA2: Newgate Lane South housing allocation

3.59 The Council omitted a number of previous housing allocation sites for the Regulation 19 PLP on the basis that the PLP plans for the reduced housing requirement of 403 hpa. We have asserted that this approach fails to comply with legal requirements and is unsound. It is foreseeable that the Council's housing requirement may increase and in such circumstances Policy HA2 should be reintroduced and updated to allocate the site for about 500 dwellings.

3.60 The Policy HA2 site is comprised of three SHELAA sites:

- Copps Field, Newgate Lane, Peel Common (3028);
- Land East of Newgate Lane, Peel Common (3057); and
- Land East of Newgate Lane East, Peel Common (3002).

3.61 In the Council's SHELAA of December 2019, the commentary on each of these sites concluded with a "Suitability" (for allocation for development) Comment. For sites 3002 and 3028 (the smaller northern and southern parcels) the Suitability Comments were:

"The site is considered suitable for development as part of the proposed housing allocation. Development could be accommodated without significant effects on the landscape character of the wider area."

3.62 For site 3057 (the larger central parcel) the Suitability Comment was:

"Development could be accommodated without significant effects on the landscape character of the wider area (following construction of Newgate Lane South) or the integrity of the Strategic Gap…."

3.63 All three component parcels of the HA2 site were described as Suitable, Available and Achievable. Nothing has changed in this regard.

3.64 In omitting Policy HA2 form the PLP, the Council also updated its SHELAA for consistency with the PLP and justified the omission of the HA2 allocation due to the impact of development on the strategic gap, and the fact that the site is a low use SWBG site. Gosport Borough Council also previously objected to the HA2 allocation due to its alleged traffic impact on Newgate Lane East. Taking each of these matters in turn:

Strategic Gap:

3.65 These representations are accompanied by a Preliminary Landscape and Visual Appraisal prepared by Pegasus Group of the former Policy HA2 site, Newgate Lane South. This study concludes that the part of the gap between Peel Common and Bridgemary is weak and under development pressure, particularly with the recently constructed Newgate Lane East now forming such a strong urbanising feature in the local landscape context. The Policy HA2 site is not considered to form part of a priority area which is required to maintain the integrity and function of the Fareham / Stubbington Strategic Gap and it is concluded that the site is well placed to accommodate development that could come forward without significantly affecting the integrity of the gap and the physical and visual separation of settlements. This was the Council's previous conclusion when it proposed to allocate the Policy HA2 site, as evidenced by the quotations from the December 2019 SHELAA above.

Low Use SWBG site:

3.66 It is noted that Employment allocations E2 and E3 are similarly designated. These representations are accompanied by an Ecology Technical Note prepared by WYG which describes the off-site mitigation solution already advanced and agreed by the Council's ecologist in relation to a planning application for housing on the southern part of the HA2 site. Demonstrably, this is not an issue which would prevent development coming forward in principle on this site.

Transport impact:

3.67 These representations are accompanied by a Transport Technical Note prepared by i-Transport. This reports that the Council's transport evidence base was substantially prepared before the Council amended its spatial strategy in response to the draft revised Standard Methodology housing target so it included assessments of the Policy HA2 site, together with other housing allocations since omitted including the two Strategic Growth Areas (SGAs). On this basis the Council's Strategic Transport Assessment concludes that the plan is deliverable and sound from a transport perspective.

3.68 The Transport TN reviews the sustainable transport credentials of the HA2 site. The site is very well served by public transport – it is within a 5-10 minute walk of the South East Hampshire Rapid Transit system, and is close to local bus routes. HCC and its partners have recently submitted funding bids to Government for later stages of the SEHRT which includes a potential extension of the SEHRT to the site and the Solent Enterprise Zone. This will further improve the accessibility of the site to public transport services.

3.69 The site lies in close proximity (comfortable walk or short cycle trip) to major employment areas (Fareham Business Park, Newgate Lane Industrial Estate, Solent EZ) and supermarkets (such as Asda next to the site) for convenience shopping.

3.70 The primary vehicular access to the site will be from a new roundabout on Newgate Lane South. This has been designed to minimise interruptions to traffic flows on Newgate Lane South. The operation of this junction has been modelled, and this confirmed that the greatest queueing delay on any arm during peak periods is about 8 seconds. Thus the roundabout will operate wholly within capacity with a "Level of Service" rating of "A", classified as "Free Flow", such that it will not prejudice the benefits of the recent road project.

3.71 Hampshire County Council has not raised any in principle design or safety concerns with the junction and following substantial dialogue has accepted the junction modelling as a basis to consider the operation of the junction but required consideration of the corridor effects of the junction within the Local Plan evidence base.

3.72 This wider corridor assessment has now been completed with the release of the FBC SRTM Assessment, summarised in Section 4 of the accompanying Transport

TN. In summary this demonstrates that there are no material impacts on the wider Newgate Lane corridor that result from the delivery of an access to the HA2 site from Newgate Lane. Any objection to the allocation of the HA2 site on this basis is therefore not sustainable.

3.73 For all of these reasons, the Council is encouraged to reinstate the Policy HA2 housing allocation for about 500 dwellings. The site is controlled by two highly reputable housing developers – Miller Homes and Bargate Homes – who have a strong local track record of delivery and who are keen to bring it forward for development immediately, such that the site can make a significant contribution to the Council's five year housing land supply.

4.0 Participation at the examination hearing sessions

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session.

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To contribute to testing the legal compliance and soundness of the PLP for the reasons set out in these representations.

Representations towards the Fareham Borough Draft Local Plan 2036 Publication Draft (Regulation 19) Consultation on Behalf of Persimmon Homes (South Coast)

December 2020

PERSIMMON
Together we make a home

1. Introduction

Persimmon welcomes the opportunity to comment on the Fareham Draft Local Plan 2036 (DLP) Publication (Regulation 19) consultation.

This letter is set out in sections as summarised below:

- Section 2 sets out our response to Duty to Cooperate issues
- Section 3 sets out our policy specific responses
- Section 4 sets out our response in relation to Omission Sites

2. Duty to Cooperate

The Duty to Cooperate places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters, including housing.

Planning Practice Guidance recommends that authorities should produce, maintain, and update one or more Statement(s) of Common Ground, throughout the plan-making process. The Council has unilaterally produced a 'Statement of Compliance with the Duty to Co-operate' which sets out how the Council claims to have addressed the duty to cooperate, including in relation to addressing the unmet housing need of its neighbouring authorities. This is not an agreed Statement. It is noted that there is little to no explanation within the Statement as to what cross boundary discussions have taken place since the Council has significantly altered its approach with regards to housing need (as detailed below). In Persimmon's view, this information is absent because neighbouring authorities, in particular Portsmouth and Gosport, will not be supportive of Fareham's approach.

As mentioned above, the Council's Regulation 19 consultation document is significantly different from the Regulation 18 draft in terms of its approach to housing. This is largely as a result of it applying the lower Local Housing Need (LHN) as derived from the Government's proposed new Standard Methodology, which has not been approved. The Regulation 18 version of the Plan included a number of Strategic Growth Areas that were identified, in part, to meet the housing needs of neighbouring authorities of Gosport and Portsmouth. These Areas have now been deleted, and do not feature in the Publication Plan.

The Council's decision to use the new Standard Methodology LHN in order to take advantage of lower housing numbers is premature, and is at odds with the approach being taken by nearly all other Local Planning Authorities developing Local Plans in the sub-region, including Gosport and Portsmouth.

It is understood that the SGAs would met at least 1,000 dwellings from Portsmouth's unmet needs, alongside a proportion of Gosport's (quantum not published). However, the Publication Plan suggests that unmet need accommodated by the Plan will only equate to 847 dwellings. By Fareham choosing to use the draft new Standard Methodology and reducing its housing site allocations as well, the scope for the Plan to pick up the housing needs of these neighbouring council areas has been significantly curtailed.

It is Persimmon's view therefore that, given the significant change in approach by Fareham Council, the joint working that it has undertaken on housing issues to date has been fundamentally undermined to a point where it can only be concluded that Council has failed the duty to cooperate.

2. Policy Specific Comments

DEVELOPMENT STRATEGY

Strategic Policy DS1 Development in the Countryside

Policy DS1 provides the policy basis for the delineation of settlement boundaries. In the context of our comments below, notably in relation to not meeting housing need, omission sites and the delineation of Strategic Gaps, the Council should amend the settlement boundaries to allow additional development to come forward.

With regards to the criterion d) of Policy DS1, an allowance for new or replacement building, conversion and/or extension of a school is welcomed. However, the Policy appears to limit re-provision to existing sites shown on the Policies Map. As set out in greater detail in the our response to Policy DS2 and the Omission Site section, discussions are on-going with the Meoncross school to facilitate expansion of the car park and/or playing fields in the short term. The potential relocation of the school to other land within Persimmon's interest at Cuckoo Lane over the longer-term is also being explored. As currently drafted, by strictly limiting development to within an existing educational facility, the Policy would prevent such future improvements and the possible relocation of Meoncross School.

Strategic Policy DS2 Development in Gaps

The Council has commissioned Hampshire County Council to review its Strategic Gaps. The County's methodology for this review is set out in the Technical Review of Areas of Special Landscape Quality and Strategic Gaps (September 2020). This applies 'Primary Measures' (i.e. physical and visual separation) and 'Secondary Measures' (i.e. Green Infrastructure Provision) to define the gaps. We support the inclusion of physical and visual separation as a means of determining the gap boundary, but we see no justification for including the secondary measures as this is outside of the scope of the role of a gap. In any case, Green Infrastructure is an issue that is dealt with separately under Policy NE9 of the draft Plan.

The following commentary on this policy considers each of the Strategic Gaps before comments are made on the content of Policy DS2 itself.

<u>The Fareham-Stubbington Gap</u>

As set out in the recommendations of the Gap Review paper (Chapter 4: Conclusions and Recommendations, Paragraph 10): *'there exists some opportunities for development to be absorbed within the Stubbington-Fareham Strategic Gap, subject to scale and future detailed design, without compromising its Gap function…'* It is surprising then that the Council has not examined this potential in greater details as part of its Publication draft Local Plan, particularly given that the most recent Regulation 18 Local Plan consultation proposed a Strategic Growth Area (SGA) within this gap as a means of accommodating growth.

It is also surprising that the Gap Review Paper does not adequately consider the influence of the Stubbington by-pass on the Fareham-Stubbington Gap. Paragraph 3 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap states that*: 'As the Bypass is currently under construction and its alignment marked out, it is possible to see how it might affect the sense of separation between Fareham and Stubbington.'* The report also states that it is too early to understand the full impact that Stubbington Bypass will have on the landscape character and development pressures of the Gap. This second assertion is contested. Given that the by-pass construction has progressed significantly, and that by-pass proposal has been subject to landscape assessment (including through the ES associated with the application), there is sufficient information available to allow for a robust assessment of the impact of the by-pass on the gap and the landscape to be carried out. A review of the landscape and gap evidence should be carried out prior to submission of the Plan for examination.

There can be no doubt that the by-pass will have a considerable influence on the Fareham-Stubbington Strategic Gap - effectively splitting it two. Once the by-pass is complete, it will form a strong defensible boundary, which will make the difference in the character between areas north and south even more apparent than it is already. This difference in the character requires considered in the Local Plan and its evidence base.

Land to the north of the bypass route is considerably more open in character, with large open fields with limited boundary planting providing prominent views north from the bypass toward the southern urban edge of Fareham, which is well defined by Rowan Way. This area is characterised by a strong sense of tranquillity, and is a much more sensitive landscape that is more befitting of Gap designation in accordance with the Council's own methodology. Land to the south of the bypass, however, comprises considerably more urban influences as demonstrated by existing development along Ranvilles Lane / Titchfield Road, the cemetery south of Oakcroft Land and development around May's Lane / Peak land (including where the urban area of Stubbington protrudes into the gap). This observation is supported by the detailed analysis of gap study area 7a (see Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap, para 8) which states that:

'There exists the potential to ***make modifications to the settlement boundary of North Stubbington: to extend the boundary to run along Oakcroft Lane****, as the isolated field that sits aside Crofton Cemetery, does not protrude into the landscape beyond the current Northern and Western edges of Stubbington. Largely sitting behind a mature line of Poplars also helps this isolated field absorb some development (subject to detail design),* ***without risking the integrity of the Gap, as a whole****.'*
(Persimmon's emphasis)

Paragraph 11, Bullet 2 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review evidence reconfirms the limited role that the area to the north west of Stubbington, south of Oakcroft Lane and east of Ranvilles Lane plays as a gap. The Gap study states that this area has *'the ability to absorb development into the landscape exists, without compromising the integrity of the Gap function'.* The Council will be aware of the planning application within this part of the gap (LPA Application Reference: P/20/0522/FP). This application comprises 209 new homes a considerable area of land to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1. The application is a resubmission of a planning application that addresses technical and design issues raised by the Council previously. It is understood that the application is due to be considered by planning committee in January 2021.

One key consideration when reviewing the boundary of a gap is the consideration that no more land should be included in the gap than is necessary (see adopted Core Strategy Policy CS22, Fareham Borough Council Gap Review 2012 and South Hampshire Strategy 2012). This concept is reiterated in the Gap Review Paper as 'minimum land take'. In light of the above, it is Persimmon's view that the gap evidence should be reconsidered with areas north and south of the by-pass assessed separately to take account of the by-pass. For reasons set out above, and in accordance with the Gap Review methodology, it is considered that a review of the evidence would indicate that the land north of the by-pass should be retained as gap and land to the south should be deleted from the gap designation. Retaining a gap to the north would preserve a c. 800m gap between the by-pass and the southern urban edge of Fareham, which is described in the Gap Review Paper as being *'moderate-large gap'* of a 'good distance' that *'gives the traveller time to experience the countryside after leaving one settlement before joining another.'* Retaining a gap of adequate width in this location is particularly important given the role Peak Lane plays in providing a well utilised north-south link between Stubbington and Fareham.

With regards to land to the east of Stubbington, Paragraph 11, of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review indicates that there is very little opportunity to absorb development in this corridor but that advanced planting along the eastern edge of the settlement would be beneficial. Persimmon Homes have interests in this area (as discussed in detail later in these representations). In summary, the proposals include new residential development, significant new strategic planting and open space along the eastern edge of the site. Discussion are on-going with the

Meoncross School to facilitate expansion of the car park and playing fields in the short term and the potential relocation of the school to other land within Persimmon's interests over the longer-term.

In light of the our comments set out above It is considered that the Fareham-Stubbington Strategic Gap should be redrawn so that land to the south and west of the by-pass is removed from the gap.

Whilst not a gap issue per se, the emerging and previous Local Plans, have tended to avoid allocating any significant growth on the periphery of Stubbington. Sensitively redrawing the gap boundary as suggested above will allow for much needed sustainable development housing to come forward to support the housing aspirations of those wish to live in or remain living in Stubbington.

The Meon Strategic Gap

As touched upon above, the function of a Strategic Gap is to prevent the coalescence of separate settlements. Land to the west of Stubbington is identified as a gap but there is no settlement to the west of the Stubbington that requires protection from coalescence. With regards to Strategic Gap Study Area 6, it is noted that the Gap Review study states that this gap is provided to ensure there is no coalescence between Stubbington and Titchfield along Titchfield Road. Whilst this northern most extent of this study area may serve this purpose, the central and southern parts of the Study Area 6 play no role whatsoever in preventing coalescence. This is recognised in Paragraph 13 of Chapter 4: Strategic Gaps SG 1: The Meon Gap of the Gap Review Study. Nonetheless, the Study recommends that the Gap is retained in this area due to: high levels of tranquillity, its role in providing separation of Portsmouth and Southampton, and to recognise the potential longer-term settlement expansion southwards from Titchfield and South Westwards from Hook. Based on the Council's Gap Review methodology, these are not adequate reasons to include this land within the gap.

A more logical delineation of the gap, which would ensure that no more land than necessary is included within it, could be to end its southernmost extent at Crofton Manor Equestrian Centre where the transition from countryside to urban (as part of Stubbington) becomes apparent. As recognised in the Gap review study, much of the land to the south of the Equestrian Centre is subject to protection under draft Policy DS3 (as discussed below), and ecological constraints which provide adequate protection against inappropriate development in this area. A gap is therefore not necessary.

General Comments on Policy DS2

Notwithstanding our comments above, in our considered view, Policy DS2 is too restrictive. There may be a point within the plan period, for example where the Council is unable to demonstrate a sufficient five year housing land supply, where additional housing may be required over and above those sites identified in the Plan. The Council has persistently struggled to demonstrate a sufficient five year housing land supply in recent years so flexibility in the Policy is required.

As demonstrated through the Council's Regulation 18 draft Plan, a sustainable location for such development may be in the Strategic Gap between Stubbington and Fareham. As such, the Policy should include additional wording to allow for appropriate and sustainable development in the Strategic Gap in such circumstances where housing supply needs to be increased.

The Policy also seeks to prevent development in Strategic Gaps that may significantly affect its 'integrity' and the 'distinctive nature of settlement characters'. This is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. The reference to 'integrity' and the 'distinctive nature of settlement characters' should be deleted from the Policy. The function of a Strategic Gap is to prevent the coalescence of separate settlements, which can be achieved through assessment of the impact of a proposed development on the physical and visual separation of settlements. The other policy criteria are superfluous.

In light of the above, it is considered that the Strategic Policy DS2 - Development in gaps and delineation of the Gap as shown on the draft Policies Map, should be redrawn as set out above. If this is not the case the Policy cannot be said to either justified or effective and is therefore unsound.

Strategic Policy DS3: Landscape

Policy DS3: Landscape identifies a number of Areas of Special Landscape Quality (ASLQ), including the Meon Valley. This is new Policy that does not form part of the adopted Local Plan. The first part of this Policy seeks to significantly restrict development in the Meon valley area. However, considering that the Council has successfully defended the Meon Valley area from a number of hostile planning applications in the recent past without this Policy in place, the justification for it is questionable. Given the prohibitive nature of Policy DS3, the development potential of Site 5 (Cuckoo Lane) for housing and new school provision, will unlikely be realised unless the site is allocated for development in the Local Plan and/or the site is excluded from the Meon Valley ASLQ designation.

HOUSING POLICIES

Strategic Policy H1 Housing Provision

As mentioned in the Duty to Co-operate section above, the Council is applying the Government's former draft Standard Methodology to arrive at its LHN (403 dpa) as opposed to the current Standard Methodology (514 dpa). The draft Standard Methodology is not Government Policy, it is only a consultation draft. The Government has recently (16th December 2020) released revised LHN figures that indicate that the Council's baseline LHN will increase to 514dpa. This increase LHN to exactly the same figure as per the current Standard Methodology. This newly published data clearly undermines the Councils premature decision to use the lower LHN figure. It is also noted that when the current and new LHN figures for Gosport and Southampton are considered both Councils are facing an increase in LHN of 106 dpa and 315 dpa, respectively. This is significant as both of these Authorities may need to look to Fareham to accommodate unmet housing needs. This will place even greater pressure on Fareham Borough Council to increase its housing requirement set out in Policy H1. For completeness, Portsmouth's LHN remains unchanged between the two data sets.

Notwithstanding, our concerns that the Council has failed the legal test with regards to the duty to cooperate, Policy H1 cannot be assumed to be sound as undershoots current and emerging LHN. The Plan cannot therefore be considered consistent with national policy and it is not positively prepared. Should the Council seek to amend its housing requirement (for example using the current Standard Methodology) and make consequential changes to its supply sites, re-consultation on a revised Regulation 19 Plan will be necessary.

Policy H1 includes an estimated 1,224 windfall dwellings. The Council's Housing Windfall Projections Background Paper (June 2020) does not provide a detailed breakdown of which sites are being considered as windfall. The Council's figures cannot therefore be scrutinised. Until such time as the Council publishes this detail underpinning the windfall allowance, this element of the supply should not be counted towards the Council's housing requirement.

The Policy also looks to implement a stepped housing requirement, which backloads housing delivery towards the latter part of the Plan period. This approach is at odds with the NPPF's objective to boost the supply of housing and appears not be justified by the expected rate of delivery of sites as site out in the summary housing trajectory in Appendix B of the Plan. For example, in the first period (2021/22 and 2025/26) the Council proposes a requirement of 2,250 dwellings (averaging 450 dwellings per annum). However its housing trajectory suggests that 3,085 dwellings will be delivered, which is equivalent to 617dpa. As such, Policy H1 should be expressed as an average requirement; it should not be stepped.

The Policy also sets out that approximately 428 homes will be delivered on specified brownfield sites and/or regeneration opportunities in Fareham Town Centre. In some cases deliverability, viability availability (i.e. in existing use) is not assured (notably sites FTC2-5). Whilst Local Plans should be aspiration, they should also be deliverable. Allied to above, a further 1,327 homes are identified on Housing Allocation sites (i.e. allocation prefixed with a HA reference). However, a number of these sites are rolled forward allocations from the current adopted Local Plan, and in some cases (i.e. HA29 and HA30) are site that formed part of the Western Wards growth are that were originally identified

in the 1970's, but have failed to be delivered. As such, it is questionable whether the Council has properly assessed deliverability / developability of some of the sites comprising its supply. It is advisable therefore that the quantum of housing expected from some of the questionable supply sites should not be counted against the housing requirement in the Plan, and alternative sites (such as those set out in the Omission Sites section) should be identified to ensure the Council's housing requirements are met. In additional to the above, the deliverability issues associated with Welborne are well documented. Recently it is understood that due to delays in the site coming forward, the Council has lost external funding to deliver critical highway improvement works. This further underscores the challenges associated with this site. The Council would be well advised to take a highly cautious approach when seeking to include housing supply from Welborne. The draft Plan currently includes 4,020 dwellings as part of the housing supply. In light of the above, this figure is considered to be highly optimistic and should be revised downwards.

Notwithstanding, our concerns regarding the Council's choice of LHN, this figure should be regarded as the starting point for developing the Plan's housing requirement. Councils are advised through national planning policy/ guidance to consider whether any adjustments should be made to the LHN figure to account for other factors such as economic growth (which appears to be absent from the Plan) and unmet need from neighbouring authorities (as discussed above). With regards to affordable housing, the Council commissioned a Housing Needs Survey as part of its previous Regulation 18consultation draft Plan in 2017. At the time, the Survey suggested that there is a net affordable housing need of 302 dpa (i.e. nearly ¾ of the overall annual requirement). Whilst the Standard Methodology accounts for affordability (or lack thereof in Fareham's case), actual affordable housing need indicates that a further uplift to its LHN may be necessary.

Policy HP4 Five-Year Housing Land Supply

Policy HP4 states that development 'may be' permitted where a development meet all the criteria in policy HP4. The Policy should be reworded to positively state that a development *'will be'* permitted if it meets the policy criteria. When determining planning applications, the decision maker is required to read the Local Plan as a whole; there is no reason for the Policy to be equivocal on this matter.

With regards to criterion (b) the policy states that a development should be '…integrated with the neighbouring settlement'. Does this mean a physical link between the development and the adjoining settlement or that a development should be integrated in design terms? This needs to be clarified.

Criterion c) seeks to prevent development in strategic gaps that may significantly affect its integrity. As per our comments in respect of Policy DS2, this is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. It is also noted that Policy DS2 sets out different policy requirement with regards to the protection of Strategic Gap (i.e. proposals should not affect the physical and visual separation of settlements). This has the potential to create an internal conflict within the Plan as it is unclear which policy requirements (either HP4 or DS2) would take precedent where the Council unable to demonstrate adequate five year supply. It is suggested therefore that the wording for Criterion c) is deleted or replaced with a cross reference to Policy DS2 (including Permission's suggested amendment to this DS2).

Policy HP5 Provision of Affordable Housing

With respect to the percentages of affordable housing sought at sites, Policy HP5 should include a viability review mechanism to provide flexibility. This will assist with the viability of schemes should there be a fall in market over the lifetime of the Plan and/or in circumstance where unknown development costs are introduced (nitrate mitigation costs associated with the HRA requirements are a case in point having seriously affected the viability of schemes over the past year or so).

As set out in the supporting text to this Policy (paragraph 5.32), the Council publishes on its website the identified affordable housing need by area of the Borough. The Council's website shows considerably different housing need for each area. The affordable tenure mix is therefore too prescriptive and does not reflect the Council's own evidence base. It is advisable therefore that the

Council replaces criteria i-ii with a statement confirming that affordable housing mix and tenure will be negotiated with the Council evidence base set out its webpage used as the starting point.

Further underscoring our concerns with the nature of the tenure mix, the Council should be aware of the potential practical challenges associated such a small percentage of Affordable Home Ownership. The Policy could be interpreted by officer so that Affordable Home Ownership is provided at 10%, which would be a challenge for reasons set out below. Registered Providers are becoming ever specialised with some only dealing with the shared ownership side and others the rented side. Requiring such a small percentage of Affordable Home Ownership products through this Policy may create challenges in terms the viability of tender bids for this type of unit. In addition, Affordable Home Ownership, including shared ownership schemes, have been shown to be an effective means of getting people on the property ladder. As the Council's own evidence shows 10% is considerably below what is actually needed.

The final element of Policy HP5 addresses the market rent of Affordable Rented units, which will be judged as 80% of market rent or the relevant Local Housing Allowance (LHA), whichever is lower. The NPPF only make provision for rent to be set at 80% of market. It does not state that market rents should be benchmarked against LHA. The reference to LHA should be deleted to ensure that HP5 is in conformity with national policy.

It is also noted in Paragraph 5.42 of the supporting text to HP5 that the Council may need review the Affordable Housing Supplementary Planning Document (SPD) to address changes to the affordable housing and mix. SPDs should not be used to review issues that have a direct impact on viability. This should be tested through the Local Plan review process.

Policy HP7 Adaptable and Accessible Dwellings

The PPG sets out a number of tests against which Councils should consider when seeking to introduce M4(2) and M4(3) policies into its Local Plans. The Council's Specialist Housing Background Paper (September 2020) has been produced which shows how the Council claims to have met these tests.

In terms of need, the Background Paper sets out the population with Long Term Health Problem or Disability based on census data. However, this measures population, not households, so should not be assumed to an accurate proxy for need. It should also be noted that some people who state that they may have a Long Term Health Problem or Disability as part of a Census response may not have an illness that would affect mobility and would not therefore not necessarily require M4(2) or M4(3) dwellings. The evidence base should be updated to reflect the above.

With regards to the provision of Category 3 specifically, the Council's evidence of need is weak being based on a national wheelchair usage that may not reflect the level of need in Fareham Borough. Furthermore, with regards to Category 3 affordable housing, from a practical point of view, Registered Providers are less willing to take on wheelchair dwellings as they can be difficult to occupy. If there is no suitable occupier then the unit could be sat empty for a significant period while a suitable occupier is found. During this time the unit is not generating any income, and could have been used to house a family that is in need at the time.

As the Council correctly identifies, a large proportion of older homeowners will seek to remain within their own homes with care provided in situ. Should these owner occupiers need to downsize or relocate they will be able to utilise the equity built up within their dwellings to access products which meet their specific. This may be sheltered or extra care accommodation. Within recent years, as this market has developed, the industry has responded with a number of private sheltered accommodation schemes approved within Fareham. In this context, the Local Plan also looks to facilitate the delivery of specialist housing through Policy HP8 and through specific housing allocations made in the Plan (HA42 – HA43). The Background Paper does not appear to have factored in the supply of specialist homes that may come forward be on allocated sites and windfall sites permissible under Policy HP8.

With regards to the second test relating to location of specialist housing, as set out HP8, this type of accommodation is best located in accessible locations. Given the mobility challenges which some older people face, town and district centres, with their conveniently located services such as shops and health facilities, are ideal locations for older persons housing. Fareham town centre is a highly accessible location where a significant quantum of flatted housing is proposed with the benefit of a reduced affordable housing policy requirement. District Centres are also highly accessible locations where there is a potential for older persons housing could be delivered. The Council should therefore consider restricting this Policy requirement to areas of high accessibility.

Policy HP9 Self Build and Custom Homes

Policy HP9 sets out a policy requirement for 10% of all units on sites over 40 dwellings to provide plots for sale to address local self or custom build need. It is noted, however, that at Paragraph 5.8 of the Council's Self and Custom Build Housing Background Paper (September 2020) it is stated that that the Council has met its past and future self-build requirements – this has been achieved without the need for a specific policy. It is also noted that the adopted Welborne Plan requires some 1% of its housing to be for self / custom build. Set against the current identified need of 35 net plots it would seem excessive to require a policy to further increase self / custom build supply. This could result in significant over provision of a product for which there is no clear market demand. In light of the above, the justification for Policy HP9 is therefore questionable. The policy does include provision for plot to be developed for non-self-build ,should they not be taken up, however, this Local Plan has made no assessment about the extent to which this would affect cash flow and the viability of developments. It is Persimmon's view therefore that this Policy should be deleted.

Notwithstanding our overarching concerns regarding the justification for this policy, there are a number of practical considerations that the Plan fails to adequately acknowledge. Criterion a) for example, sets out that self or custom build plots should be serviced. The Policy needs to clarify what is meant by 'serviced'. Does serviced this relate highway access, gas, water, electricity and/or broadband, and to which point should the plots be serviced? Turning to criterion c) it is not clear who would be responsible for setting out the design parameters. Placing a requirement to conform to set parameters could put off some prospective self / custom builders. The requirement to provide self and custom build plots may also have a number of practical and management issue, such as:

- Phasing and completion of the wider site.
- Section 106 contributions due to the exemption that applies to self-build housing.
- Delivery of housing in accordance with paragraph 59 of the NPPF to boost significantly housing supply, where supply on an ad hoc basic by self-builders is likely to be slow compared with the remainder of the site or even not take place at all.
- The reserve matters period running out and needing to be extended.
- Ad-hoc builders turning up outside specified hours of work.
- Storage of materials as there is limited room on plot and storage spills onto the market housing part of the site.
- Purchasers having to stop building due to unemployment/lack of funds.
- Purchaser dissatisfaction where building continues on a site which was expected to finish when they moved in.

<u>CLIMATE CHANGE</u>

Strategic Policy CC1 Climate Change

This Policy states that the 'Council will promote mitigation and adaptation to climate change through…' It is unclear whether the criteria will be sought as part of development proposals, or whether the criteria relate to development delivered by the Council. This requires clarification. If it is the former, the Policy should make clear that the criteria are not requirements but should only be met where it is possible to do so.

Policy CC2 Managing Flood Risk and Sustainable Drainage Systems

Policy CC2 requires all developments to be designed in accordance with the CIRIA C753 SuDs Manual or equivalent national or local guidance. The SuDS manual is, however, only guidance. In Persimmon's experience, strict adherence to the guidance can be problematic as the design of a SUDS system also need to consider design, aesthetics, engineering etc. It is recommended therefore that the wording for this bullet point is prefixed with 'Where possible,' to provide the necessary flexibility.

NATURAL ENVIRONMENT

Policy NE2 Biodiversity Net Gain

Policy NE2 sets out a requirement for site to deliver 10% net gain for biodiversity. The Local Plan viability assessment assumes a cost of £500 per dwelling. This development cost is based on limited evidence and seems low, particularly for greenfield sites (as opposed to brownfield equivalents) which are likely to require significant more extensive measures to achieve a 10% net gain. In many cases, the requirement to achieve BNG is likely to negatively impact on the developable area, resulting in a loss of revenue that negatively impacts on viability, rather than be a cost associated with each individual units per se. In Persimmon's view, the viability evidence to support the introduction of this Policy is inadequate. As mentioned above, meeting BNG at 10% can require considerable land take; on some sites Persimmon has been involved in, BNG has required around 50% of the gross site area. It is not clear whether or to what extend the Council has factored in this 'land hungry' BNG requirement as part of its housing allocations capacity estimates. It is also noted that BNG should be achieved across a site, it is not a requirement to be met at the individual plot level (although this might form part of the BNG solution). As such, supporting text Paragraph 32 is misleading and should be deleted.

Policy NE4 Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent

This is new Policy which sets out Fareham's policy approach to dealing with excessive nutrient (nitrate) loading on protected European sites of ecological importance. However, the Policy is light on detail with insufficient guidance as to how applicants will be able to demonstrate conformity. Given Persimmon's significant experience in dealing with such matters, the Company is aware of how this Policy can be implemented in practice, but for less informed developers/applicants this may be more challenging.

Notwithstanding the above, the Company is aware that the primary means of determining whether a development proposal will be able to demonstrate nutrient neutrality is by producing a nutrient budget using the Natural England Methodology. Given that the Natural England Methodology provides a key evidence base and is fundamental to the implementation of Policy NE4, it is critical that this document is examined in detailed alongside the Local Plan. Of particularly concern is that Natural England's Methodology includes a number of onerous stages that result in significantly more mitigation being required than is actually necessary. These provisions include, but are not limited to, housing occupancy rates, internal migration (particularly those households that are occupying new affordable housing) and default permit levels. Furthermore, despite many of steps set out Natural England Methodology taking a precautionary approach to nitrate assessment, an arbitrary buffer of 20% increase in nitrate loading is added at the end of the calculator. This buffer is not required and will further exacerbate the issue of overproviding mitigation land that is not necessary. Lastly, it is noted that the Partnership for South Hampshire has updated the Integrated Water Management Study (IWMS). The IWMS provides a key evidence base underpinning the nitrate assessment work, but the Natural England Methodology does not take into account this new evidence.

Policy NE5 Solent Wader and Goose Sites

Policy NE5 sets out the Council approach to protecting area which are used by Solent Waders and/or Brent Geese. The Policy makes reference to such area as shown on the Policies Map. These

designations are, however, informed by an interactive GIS map provided on the Solent Bird Aware website, which forms a critical evidence base to the development of Policy NE5. It is therefore concerning that, on the same webpage as the bird habitat GIS mapping, members of the public can download a form to report bird sightings. It is not clear whether or to what extent these reported sighting are authenticated / scrutinised by a qualified ecologist. There appears to be wide scope for land to be incorrectly identified as a bird site leading to unnecessary cost being expended to mitigate site, and in the worst cases complete sterilisation of that land. This is certainly the case with a number of sites that are with Persimmon Homes' interests (as detailed later in these representations). There is a concern therefore that the mapping evidence base underpinning Policy NE5 is flawed.

The Policy also does not set provision with regards to bird surveys. The methodology for bird sites allows sites to be identified as habitat even if they are not actually being used by birds. It would seem logical that the policy makes provision for applicant to undertake ecology survey and assessment of bird sites in order to demonstrate the absence or presence of a species. We would recommend that one year's survey data should be sufficient, with further surveys only required if the some activity has been identified at a site.

The Council will also be aware that it is the Solent Bird Aware mapping (not the Policies Map) that is used by consultees (Natural England and the Council's own in-house ecologist), to determine whether a development will impact on any protected bird habitat areas, to avoid any confusion in the future, and to ensure the Policies Map remains in date, it is suggested the Policy Map deletes these designations.

With regards to the criterion a) 'Core and Primary Support Areas' the Policy requires that development on such sites should result in an overall net gain to the Solent Wader and Brent Geese Network. BNG is a requirement of Policy NE2; the concept for which is established in the NPPF. However, Persimmon are unaware of any such requirement in national policy or the evidence base underpinning this policy, for a net gain for specific species, including protected birds.

Policy NE6 Trees, Woodland and Hedgerows

Point a) of this Policy advises that the 'unnecessary loss' of non-protected trees, hedgerow and woodland should be avoided. It is unclear what 'unnecessary loss' means in practice.

Point b) of the Policy should be a new sentence, and what is meant by the term 'unavoidable' in this context should be clarified.

Policy NE8 Air Quality

Criteria a) of this policy requires electricity charging infrastructure to be provided as part of new development (excluding Welborne). It is unclear why this Policy is not to be applied to Welborne. Presumably this is because of the impact of such provision on viability. Viability issues associated with EV charging provision are, however, not limited to Welborne.

The Local Plan Viability study incudes development cost associated with EV charging as part of £10,000 per plot contingency. Paragraph 5.3.8 of the Study states that, *'it is unclear at stage of writing if or when any of these measures will be required, so [the study takes] a very cautious and conservative approach….'* With regards to the EV charging, Policy NE8 requires such provision; there is no uncertainly as to what is expected of a development proposal. As such, the Viability Study should consider this issue in greater detail and not combine this policy requirement with other unknown cost demands on development. Combining these 'unknowns' a single contingency means that is not possible to scrutinise in detail whether the assumptions made with respect to EV is reliable.

We would highlight that the cost for providing EV charging points is around £500-£600 but this does not include additional costs associated with providing additional sub-stations on lager development sites so that all charging points are capable of being used concurrently (alongside all other energy

demands on a development), and the potential to provide enhanced electricity supply (i.e. off-site upgrades) over and above that required for the units that could challenge a scheme's viability.

As current drafted, this element of the Policy is not justified.

TRANSPORT AND OTHER INFRASTUCTURE

Strategic Policy TIN1 Transport Infrastructure, Policy TIN2 Highway Safety and Road Network and Strategic Policy TIN4: Infrastructure Delivery

These policies concern development contributions to the delivery of new infrastructure. However, it is considered the funding for such infrastructure may, in many instances, be a matter for CIL.

Notwithstanding, the above, if such Infrastructure is a requirement to make the development acceptable in planning terms, then such contribution need to meet the relevant tests set out in the CIL Regulations. It is no longer appropriate for blanket contribution to be sought by planning authorities. The Policy should be clear on this matter.

With specific reference to TIN2 it is unclear why the Council has chosen not to show the alignment of the Stubbington by-pass on the Policies Map given its strategic importance. This Policies map should be updated to show this route.

DESIGN

Policy D1 High Quality Design and Place Making

Policy D1 makes reference to a number of principles of policy and urban design, but also makes reference to guidance contained in the supporting text. For clarity and avoid any confusion over what is policy and what is supporting, text, it is suggested that this cross reference to the supporting text contained in the policy wording is deleted.

The Council should also review the policy to remove any duplication with other policies in the Plan, for example the section relating nature.

Consideration should also be given as whether the policy needs to be so detailed given that the Council has comprehensive guidance on design set out in its adopted Design SPD.

Policy D3: Coordination of Development and Piecemeal Proposal

This Policy seeks to avoid ransom situations. However, The Council will be aware of case law that prevents it from interfering on private property rights with regard to depressing or prevent returns to a landowners.

Policy D4: Water Quality and Resource
The second part of this policy requires developers to meet the Optional Technical Housing Standard for Water Efficiently (i.e. 110L/person/day). Meeting these Standards should be optional, not required. Whilst the Natural England Nutrient Methodology for the Solent area requires development to meet these standards as a means of addressing nitrate loading, there may be instances where nutrient neutrality can be achieved without doing so. The justification for requiring proposals to meet this standard are inadequate.

D5 Space Standards

The housing standards review introduced the optional space standards which local authorities could adopt by way of reference in their local plans. However, a prerequisite to the adoption of the space standards are the following tests set out in the planning practice guidance (Paragraph: 020 Reference ID: 56-020-20150327).

"Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- ***need** – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- ***viability** – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- ***timing** – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.'*

In order to meet the policy test for the inclusion of the space standards there is a requirement for the council to establish the need for the adoption of the national space standard. To this end, the Council has published a Specialist Housing Background Paper (September 2020). Para 6.7 of Background Paper states most dwellings that have been consented or are awaiting determination are consistent with the 2015'Technical housing standards –nationally described space standard. The Background paper, makes references to the larger plots not meeting this standard, with an example being made of site ref 14/19. However, on the whole most dwellings considered in the Council's Background Paper, including large units, are meeting the Optional standards. From a need perceptive, it would seem as though there is little justification for the introduction of this Policy.

In terms of first part of the viability test, the Council's Local Plan Viability Study indicates that development viability would not be negatively impacted by the introduction of the standards. This Study, however, is completed at a relatively high level, which makes it difficult to conclude whether this part of the test has been complied with. With regards to the second part of the test, no assessment has been carried out by the Council to demonstrate that the requirement for new development will not negatively impact affordability within the market.

As set out in paragraph 6.10 of the Background Paper, the Council has decided not to set a transition period for the adoption of the national space standards as it is of the view its introduction would not affect viability. For reasons set out above, we do not concur with this assessment, and suggest that a three year grace period is introduced to allow sites that are under a fixed contract to be brought forward. It is also noted that, the Council are looking to apply the draft policies in this Plan, including the requirement for national space standards prior to the examination or adoption of the plan. This contrary to the approach set out in the planning practice guidance. It is not practical to expect development proposals that are currently being considered to suddenly meet space standards.

In light of the above, Policy DS5 is not justified and should be deleted for reasons of soundness.

Local Plan Appendices

Appendix B set out a summary housing trajectory for the sites identified in the Plan. This is inadequate to properly assess the delivery expectation made by the Council with respect to individual sites. To enable proper scrutiny of the trajectory, the Council's housing trajectory should be broken down by individual sites. This is particularly important because the Council has consistently over-estimated the delivery timescales for key sites. For example, Welborne, which was originally identified in the Core Strategy (2011), was expected to commence delivery in 2014/15. The site has still not achieved an implementable planning persimmon, and commenced of development is still some way off.

4. Omission Sites

The following section provides an overview of the sites in Fareham Borough that are in Persimmon's interests, but have not be identified for allocation. These site are largely located on the periphery Stubbington and are within the ownership of the Dunley Estate. The Table below summarises the Dunley land holdings including capacity. The sites are shown on the enclosed Location Plans provided at Appendix 2.

Site Number	Address	Gross Area Acres (Hectares)	Site Capacity Estimate*
1	Land East of Burnt House Lane	23.53 (9.52)	240 - 320
2	Land West of Peak Lane	46.25 (18.72)	TBC
3	Land North of Titchfield Road	4.83 (1.95)	40 -50
4	Land South of Titchfield Road	2.78 (1.12)	10 - 30
5	Land West of Cuckoo Lane	52.76 (21.35)	150-200
6	Land at Oakcroft Lane	41.04 (16.20)	209
	Total	**171.19 (69.28)**	**649 - 809**

*Based on net developable area, not gross area.

Sites 1-3 and Site 6 fall within the South of Fareham SGA that was identified as part of the most recent Regulation 18 draft Plan. The remaining sites (Sites 4 and 5) are located outside of the SGA. The following section addresses each site in turn.

In support of the Draft Local Plan Regulation 19 Plan, the Council updated its Strategic Housing and Employment Land Availability Assessment (SHELAA) in September 2020. This replaces the previous study which published in December 2019. The conclusion of the SHELAA as related to each of the sites shown in the Table above are considered.

Site 1: Land East of Burnt House Lane

This site is located to the eastern edge of the Stubbington. Persimmon has undertaken some initial capacity testing in relation to Site 1, including an initial highways assessment and masterplanning. The outcome of this work indicates that the site is capable of delivering around 240 to 320 new homes. This accounts for on-site constraints including the provision of a noise attenuation bund, and strategic planting to the eastern and northern boundaries of the site. Adjacent to this site is the Meoncross School, which seeking alternative arrangements for playing pitches close to the school (the existing pitches are currently leased and do not adjoin the school) and additional car parking to avoid parents parking on the nearby residential streets. Persimmon is in discussion with the school about how development at the Burnt House Lane may assist in addressing the school's immediate needs. In the longer term, however, given that the school is unable to expand within its existing site, consideration is being given as to whether the facility could be relocated to the Cuckoo Lane site (Site 5) to the west of Stubbington. Permission are strongly of the view that the site is sustainable and suitable for development and it is capable of being brought forward as a standalone allocation site, or as part of a wider masterplan with the South of Fareham SGA, should the Council seek to revisit this project.

The SHELAA 2019 concluded that Site 1 (SHELAA Ref: 1040) was deliverable housing site. However, in the Council SHELAA 2020 the Council considers the site to be undeliverable due a) to a significant visual impact undermining the integrity of the Strategic Gap, and b) the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The

Council ascribes a capacity of 125 dwellings to the site. It is unclear how the Council has reached the conclusions in the new SHELAA given its assessment of the 2019 SHELAA undertaken just nine months prior. Notwithstanding this, as set in these representations, it is Persimmon's view that the Strategic Gap should be redrawn to exclude this site. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the bird site to development is not unachievable. A strategy of improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 2: Land West of Peak Lane

This site is located to the north of the by-pass and extends across much of the gap towards the urban edge of Fareham in the north. Given its location and context, the development potential of this site is considered to be limited. However, the land could be an effective nitrate mitigation and/or bird protected habitat site that mitigation solution that could be used to address the potential impact development on other sites within Permission interests and/or other sites in the Borough the require mitigation solutions.

Site 3: Land North of Titchfield Road

This site is located to the north-west of Stubbington. Whilst this site formed part of the previous SGA, it is clearly distinct from and separate from it. This site is small scale that is well-contained in landscape terms, surrounded by existing built development and is deliverable in the short-term as stand-alone site that can be brought forward either as part of outside of the SGA masterplanning process should the Council seek to revisit this project. Initial capacity assessments of Site 3 indicates that it is capable of delivering around 40-50 new homes.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3190) was a deliverable housing site. However, in the SHELAA 2020 considers the site to be undeliverable due it being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 20 dwellings to the site. It is unclear how the Council has reached these conclusions regarding the suitability of the site given its assessment of the site undertaken just nine months prior. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the site to development is not unachievable. This approach to improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 4: Land South of Titchfield Road

This small site is located to the north-west of Stubbington. It bounded to the north-east and north-west by existing housing fronting Titchfield Road and the Crofton Equestrian Centre. The site's relationship with the wider Meon Valley landscape is limited by the woodland to the south of the site. The woodland to the south and its associated watercourse (which is also within Dunley Estate ownership) is recognised as an important ecological resource. Sensitive site design, however, could provide a means of ensuring the ecological interests at this adjoining site are protected and enhanced. Initial site capacity assessment indicated that the site is capable of delivering between c. 10-30 new homes. Were the Council minded to allocate the site for residential development, it could provide an important contribution towards its small-medium site housing allowance as required by Paragraph 68 of the NPPF.

Site 5: Land West of Cuckoo Lane

This site adjoins the settlement boundary of Stubbington to its north-eastern boundary. It is characterised by a substantial arable field that is well-contained in the north by the built form of Stubbington and substantial woodland. Initial capacity testing of this site, which has allowed for a substantial ecological buffer to the woodland, strategic planting to contain the site from the wider Meon Valley, land for a new school and new parkland further south, indicates that it is capable of delivering around 150-200 new homes.

This site is assessed in the SHELAA as being undeliverable due to being located within a *'highly sensitive landscape (based on the Fareham Landscape Assessment) and within an Area of Special Landscape Quality. Significant ecological constraints associated with the adjacent SPA/SSSI affect the suitability of the site.'* The SHELAA ascribes a capacity of 240 dwellings to the site. Whilst the ecological and landscape challenges associated with this site are recognised, they are not insurmountable. Although not a consideration for the SHELAA per se, the site provides the opportunity to deliver substantial ecological and recreation benefits, alongside community benefits, including new education provision and allotments.

Site 6: Land at Oakcroft Lane

Similar to Sites 1 and 3, the Oakcroft Lane site can be delivered outside of or as part of the SGA process (should the Council revisit this project). However, as demonstrated through the planning application, the site is deliverable now as a standalone development site. Technical issues associated with the development have been resolved and Persimmon are currently awaiting determination of the application by the Council. The site is capable of delivering 209 new homes alongside a considerable area of space to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3141) was a deliverable housing site. However, in the SHELAA 2020 the Council considers the site to be undeliverable due to the site to be undeliverable due to the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 200 dwellings to the site. It is unclear how the Council has reached these conclusions given its assessment of the site undertaken just nine months prior, and considering the site-specific mitigation strategy for protected birds has the support of Natural England and the Council's ecologist via the planning application process.

Appendix 1: Oakcroft Lane Site Layout

Rev	Date	Revision Details	Dr	Ch
E	22.04.20	Bypass junction amended	br	db
D	25.02.20	see planning cover note	br	db
C	05.11.19	see planning cover note	br	db
B	20.09.19	see planning cover note	br	db
A	22.07.19	see planning cover note dated 23 July	br	db

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Job Title
Oakcroft Lane, Stubbington

Drawing Title
Site Layout

Job No	Drawing No	Rev
220	A-02-015-SL	E
Drawn	Checked	Date
BR	DB	March '19

Scale
1:1000 @ A1 / 1:2000 @ A3

metres 20 40 60 80 100

Status
PLANNING

Persimmon Homes. No dimensions to be scaled from drawing except for the puposes of Planning Applications. The contractor should check all dimensions on site. It is the contractors responsibility to ensure compliance with Building Regulations. No drawings should be copied or modified without permission from Persimmon Homes.

File Location: s:\south coast\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Appendix 2 Omission Site Location Plans

Site 1 Location Plan: Burnt House Lane, Stubbington

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Site 2 Location Plan: West of Peak Lane, Stubbington

TEAM GB

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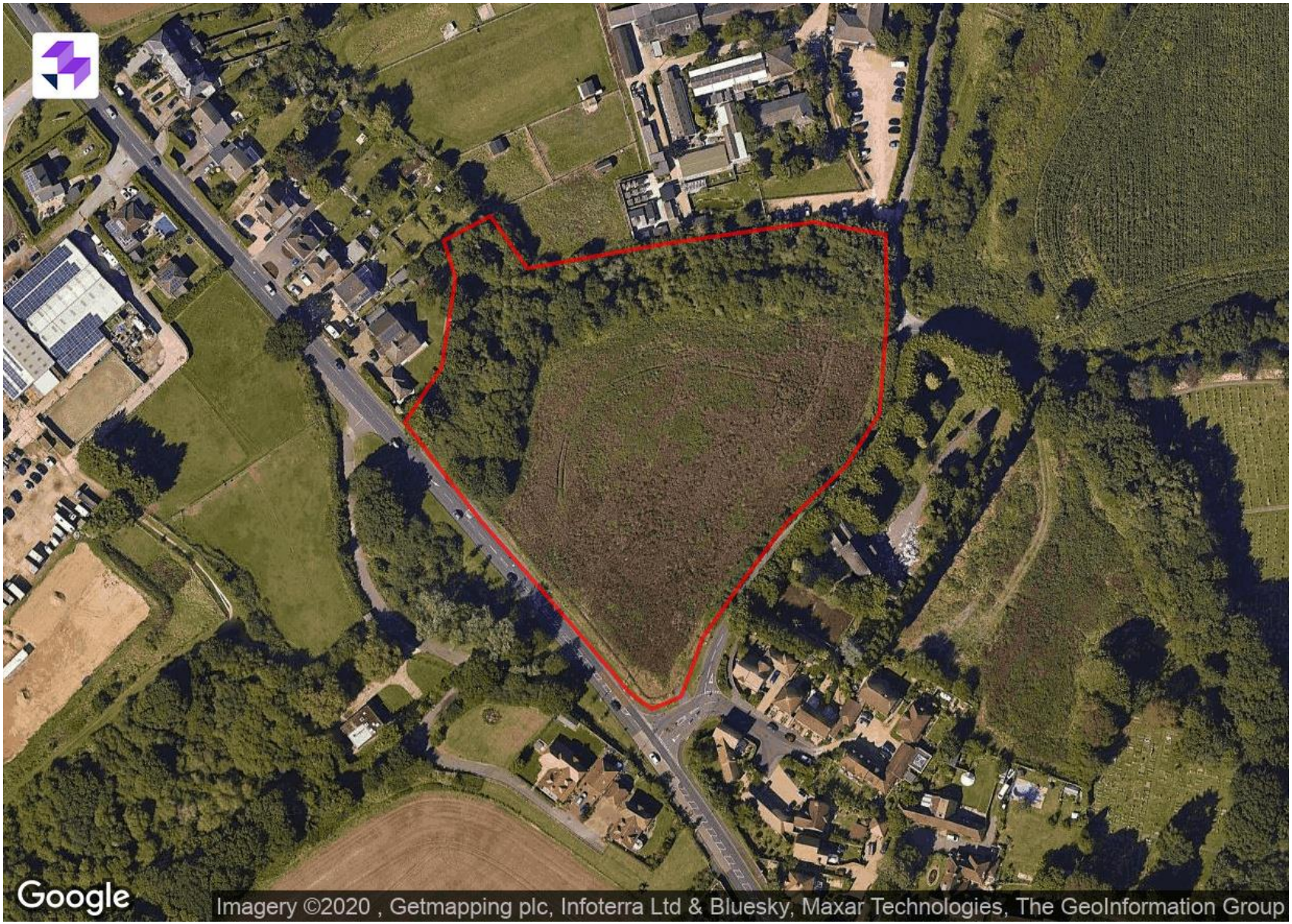

Site 3 Location Plan: North of Titchfield Road, Stubbington

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Site 4 Location Plan: South of Titchfield Road, Stubbington

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Site 5 Location Plan: West of Cuckoo Lane, Stubbington

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Rev	Date	Revision Details	Dr	Ch
A	22.07.19	see planning cover note dated 23 July	br	db

PERSIMMON
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Job Title
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File Location: s:\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

giving nature a home
rspb
England

Planning Strategy
Department of Planning and Regeneration
Fareham Borough Council
Civic Offices, Civic Way
Fareham
Hampshire
PO16 7AZ

By email only: consultation@fareham.gov.uk

18th December 2020

Dear Sir/Madam

Re: Fareham Borough Council Publication Local Plan 2037

Thank you for consulting the RSPB on Fareham Borough Council's Publication Local Plan 2037 consultation. We have reviewed the Publication Local Plan 2037 and would like to make the following comments. We have focused our response on the sections of the local plan relating to **Housing Need and Supply** and the **Natural Environment**.

Housing Need and Supply

The RSPB had previously responded to Fareham Borough Council's consultation for Local Plan 2037 Supplement and Strategic Housing and Employment Land Availability Assessment (SHELAA) (February 2020) regarding concerns for sites considered by Fareham Borough Council during the SHELAA process. The RSPB highlighted two areas of concern relating to Romsey Avenue, Portchester (site ID: 207) and Land between Fareham and Stubbington (site IDs: 1341, 3008, 3059, 3190, 3199, 3200). Our concerns highlighted the inappropriate locations of these sites within the Solent Wader and Brent Goose Strategy (SWBGS); containing **one Primary Support** site, **two Secondary Support** sites, and **five Low Use** sites. The RPSB's response to Fareham Local Plan 2037 SHELAA can be found in **Appendix I**.

We welcome the exclusion of the above sites from Fareham Borough Council's Local Plan. In-combination effects of development within Fareham Borough Council are required to be assessed for impacts on the wider SWBGS network of sites and its connectivity as functionally-linked land to the Solent Special Protection Areas (SPAs). Discounting the above sites will help to protect one of the last stepping-stones between Portsmouth Harbour SPA and Southampton Water SPA from significant impacts through development and loss of SWBGS sites. It is acknowledge that sites that impact the SWBGS network may come forward outside of the local plan allocations and therefore Policy NE5 will be key in informing the requirements for these sites. We would urge that this policy makes specific reference to the SWBG Guidance on Mitigation and Off-setting Requirements (2018 and subsequent updates) for additional

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BirdLife INTERNATIONAL
The RSPB is part of BirdLife International, a partnership of conservation organisations working to give nature a home around the world.

Patron: Her Majesty the Queen Chairman of Council: Kevin Cox President: Miranda Krestovnikoff
Chairman, Committee for England: Victoria Chester Director, RSPB England: Emma Marsh
The Royal Society for the Protection of Birds (RSPB) is a registered charity: England and Wales no. 207076, Scotland no. SC037654
Registered address: The Lodge, Potton Road, Sandy, Bedfordshire, SG19 2DL

detail and would suggest that any mitigation is agreed with the SWBG Steering Group as well as the Council.

The RSPB also welcomes the inclusion of site-specific requirements addressing indirect impacts on SWBGS sites and the Solent SPAs for remaining site allocations that are relevant to these protected sites. Fareham Borough Council have identified sites that are not consistent with the SWBGS mitigation guidance[1] and discounted these sites at the appropriate stage. Sites that remain with the potential to have adverse impacts upon the SWBGS site network or Solent SPAs must ensure that site-specific requirements for Construction Environmental Management Plans (CEMPs) and site design plans to avoid potential adverse impacts highlighted within Fareham Borough Council's Publication Local Plan 2037 are adhered to.

Eutrophication in the designated sites in the Solent area

The RSPB is increasing concerned about the impact poor water quality and particularly nutrient enrichment is having on the designated sites and their features. Therefore, we are very supportive of the inclusion of Policy NE4, however, in its current form this text only sets out what is legally required. It would be useful to include some further policy wording around the need for developments to demonstrate nutrient neutrality or provide nutrient mitigation to achieve this as detailed in the following supportive text. We particularly welcome the supporting text para. 9.54 to target nutrient enrichment issues impacted the designation and the need to provide a net reduction. We would encourage the Council to explore enhancing areas for biodiversity as part of any mitigation to address nutrient enrichment.

We hope you find these comments useful. We would welcome the opportunity to discuss these comments with you in further detail.

Yours sincerely

[redacted]

Jack Thompson

[redacted]

[1] SWBGS Steering Group (2018) Solent Waders and Brent Goose Strategy (SWBGS): Guidance on Mitigation and Off-setting Requirements.

Appendix I – RSPB response to Fareham Local Plan 2037 SHELAA, February 2020

SHELAA

The RSPB recognises the challenges that Fareham Borough Council faces as it seeks to accommodate development on a scale predicted to be required within the Plan period. However, the RSPB is increasingly concerned by the incremental loss of Special Protection Area (SPA) supporting sites across the Solent and therefore concern by the number of sites assessed as developable within Fareham Borough Council's Strategic Housing and Employment Land Availability Assessment (SHELAA) which are part of the network of sites used by brent geese and waders.

Dark-bellied Brent Geese (*Branta bernicla bernicla*) are winter visitors to the Solent from their breeding grounds in Siberia. Traditionally wintering on coastal mud flats, terrestrial feeding sites such as farmland with cereals and pasture or amenity grasslands are important feeding sites for Brent Geese, with greatest use at high tide when coastal mud flats are unavailable to Brent Geese. Maintaining and enhancing scale and connectivity of these important high tide feeding and roosting sites for Brent Geese is extremely important in order to prevent the loss of wintering Brent Geese and waders.

We acknowledge the inclusion of impacts to sites identified in the Solent Wader and Brent Goose Strategy (SWBGS) within the assessment of site suitability within Fareham Borough's SHELAA. However, across the sites assessed as developable within the SHELAA **one Primary Support** site, **four Secondary Support** sites, and **nine Low Use** sites within the SWBGS will be lost or partially lost. Sites within the SWBGS are classified based on value of the site in the context of the wider network of sites, its populations in terms of national importance, and the maximum count of bird use at the site. Further information on classification can be found in the SWBGS Guidance on Mitigation and Off-setting Requirements (October 2018)[2] and Interim Project Report: Year Two (2019)[3]. We provide further comment on these sites below.

Romsey Avenue, Portchester

Romsey Avenue, Portchester (SHELAA site 207) has been identified as a 'Developable Housing Site' within Fareham Borough's SHELAA. The 12.71ha site is a Brent Geese and Solent Waders Primary Support Area. The Ecology Comment for Romsey Avenue identifies that '*partial retention of the site and its enhancement, along with financial contribution, is required to mitigate for loss of a Primary Support Area'*. Any mitigation or compensation for the loss of a Primary Support site within the SWBGS network must ensure the continued ecological function ensuring that there are significant net benefits to the wader and brent goose network through the creation and ongoing management of any replacement sites. It is preferred that schemes affecting Primary Support Areas such as this come through the local plan process, however, we are aware that a planning application for this development (P/18/1073/FP) has been submitted and is currently under consideration. The proposed Bird Conservation Area associated with this application represents a 78% reduction in the size of the Primary Support site. This is wholly inadequate to appropriately mitigate for the partial loss of the Primary Support site. Mitigation in relation to recreational disturbance of the retained area of SWBGS Primary Support site has not been considered and will need to be included in the mitigation required for the Romsey Avenue development. Therefore, based on the current information it cannot be excluded that the allocation of this site will result in an adverse impact on the integrity of the SPA.

Further work undertaken as part of the SWBGS has looked to identify areas suitable for strategic wader and brent goose reserves. This area including the allocation would be ideally placed to form part of the network of sites retained to support the SPA, we therefore urge the removal of this allocation.

Land between Fareham and Stubbington
Land between Fareham and Stubbington has been identified as a Strategic Growth Area. This area contains the largest proportion of sites assessed as developable within the SHELAA. We highlight those sites below:

- Land South of Longfield Avenue, Fareham (SHELAA site 3008) – identified as containing both SWBGS **Secondary Support** and **Low Use** sites.
- Land South of Oakcroft Lane, Stubbington (SHELAA site 1341) – identified as containing both SWBGS **Secondary Support** and **Low Use** sites.
- Land East of Titchfield Road, Titchfield (SHELAA site 3059) – identified as containing SWBGS **Low Use** site.
- Land at Titchfield Road and Ranvilles Lane (SHELAA site 3190) – identified as containing SWBGS **Low Use** site.
- Newlands Plus – Area B1 and B2 (SHELAA sites 3199 and 3200) – both are identified as containing SWBGS **Low Use** sites.

SWBGS Guidance on Mitigation and Off-setting Requirements (October 2018) states in paragraph 24 under *Secondary Support Areas* that *'In-combination, these sites (Secondary Support Areas) are essential to secure a long term, permanent network as this ensures a geographical spread of sites across the wider ecological network, thereby meeting the needs of each discrete subpopulation'*. Paragraph 35 under *Low Use* outlines the wider importance of Low Use sites: *'All Low Use sites have the potential to be used by waders or brent geese. These sites have the potential to support the existing network and provide alternative options and resilience for the future network. The in-combination loss of these sites would impact on the continued ecological function of the wader and brent goose network. In all cases proportionate mitigation, off-setting and/or enhancement measures will be required.'*

Considering the annual housing need for Fareham Borough at 520 houses per year, with a total requirement for 8,320 new houses developed over the duration of the Local Plan (not including the 10-15% buffer proposed for the new Local Plan), the RSPB is concerned by the proposed loss of sites between Fareham and Stubbington and the impact that these developments in-combination will have on the wider SWBGS network of sites and its connectivity. The land between Fareham and Stubbington provides one of the last stepping-stones between SWBGS sites from Portsmouth Harbour SPA to the east of the Borough and Southampton Water SPA to the west. Therefore, the assessment of this in-combination effort of the loss of these sites identified in the SHELAA needs to be considered within Fareham Borough Council Local Plan. Further, any development identified within 5.6km of the Solent SPAs will need to contribute towards the Solent Recreation Mitigation Strategy (SRMP). Development located immediately adjacent is likely to require more than financial contribution to the strategy in order to fully mitigate likely significant impacts upon the SPAs.

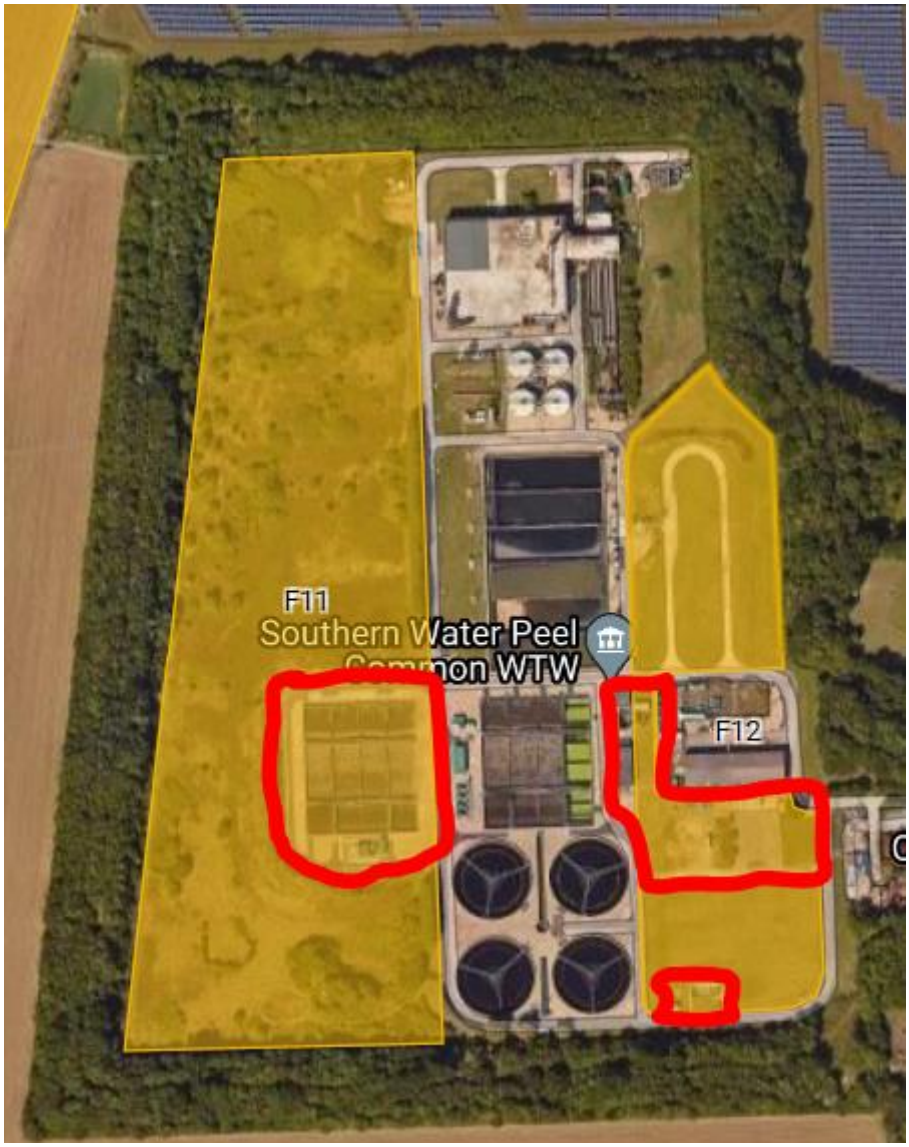
Dear Sir/Madam,

Thank you for your email below, inviting Southern Water to comment on the Fareham Local Plan.

We submitted our formal response online on 13 December, however an additional concern has been identified over the policy map associated with Policy NE5 Solent Wader and Brent Goose Sites relating to the designation of certain areas of Peel Common Wastewater Treatment Works as 'Low Use'.

Southern Water owns and operates the Wastewater Treatment Works at Peel Common, which provides wastewater treatment services for the whole of Fareham district and beyond. Whilst it may be the case that the birds use the quieter grassed areas of our site at times, we have concerns over part of the 'Low use' designation which includes operational structures. The Policy Map associated with the Local Plan does not provide sufficiently fine grained detail to identify that part of this designation overlays some operational areas. The map below is copied from the online map provided in the Solent Waders and Brent Goose Strategy (https://solentwbgs.wordpress.com/page-2/).

This enables you to see operational areas which we have circled red, within the yellow shaded area of the F11 and F12 designation boundaries. The area circled red in F11 contains aeration lanes, which are tanks filled with wastewater that is continually injected with air as part of the treatment process. The water in these tanks is non-buoyant as a result of the aeration process and as a result anything on the surface would sink to the bottom.



In addition, within area F12, we have highlighted two areas in red, the first at the southernmost edge being a UV treatment area, and the other larger area in the middle being a temporary contractor area, temporary treatment trial area and car park. The level of human and vehicle disturbance in these areas would be likely to make them unattractive to geese.

Whilst Southern Water wouldn't wish to threaten the habitat of these birds and supports the spirit of Policy NE5, we do not believe that these operational areas of Peel Common WTW qualify as a low use area - perhaps a more up to date survey is needed, or simply and adjustment of the boundaries of F11 and F12 to exclude the parts of the WTW that we have identified above.

We have made this comment separately to the local plan consultation, as it relates more to the SW&BGS document, which may require updating. However it was the local plan consultation that brought this matter to our attention.

We trust the above is in order but if you have any questions, or would prefer this comment to be submitted as a formal response to the Local Plan consultation, please let me know.

Yours faithfully,

Charlotte Mayall
Regional Planning Lead
Hampshire & West Sussex

Technical Note

Site:	HA2
Client:	Bargate Homes and Miller Homes
Job Number:	A097690-2
File Location:	I:\Projects\Projects 097000 on\A097690-2 Newgate Lane East\REPORTS

Introduction

This Technical Note has been prepared to provide support in relation to Ecology to representations to the Fareham Borough Local Plan for the former strategic housing allocation HA2 Newgate Lane South.

This comprises the following three sites within the Strategic Housing and Employment Land Availability Assessment (SHELAA) prepared by Fareham Borough Council:

- Copps Field, Newgate Lane, Peel Common (3028);
- Land East of Newgate Lane, Peel Common (3057); and
- Land East of Newgate Lane East, Peel Common (3002).

The SHELAA includes comments in relation to Ecology and reasons for discounting the sites. For all three sites, the Ecology comments include the following:

> *"The site is a Brent Geese and Solent Waders 'Low Use' site. All such sites have the potential to support the existing network and provide alternative options and resilience for the future network. Therefore proportionate mitigation, off-setting and/or enhancement measures will be required. Natural England should be consulted."*

For Copps Field, it is also stated that:

> *"The hedgerows on site should be retained and protected by a planted buffer. Due to the presence of suitable habitats on site, it is likely that reptiles, Badgers, Water Voles, amphibians, Dormice and bats are present on site."*

For Land East of Newgate Lane it is stated that there is:

> *"Potential for badger, bat, reptile and green sandpiper."*

All three sites share the same reasons for discounting, one of which relates to Ecology. This states that:

> *"Site is designated as a Brent Geese and Solent Waders Low Use site and there is no evidence of a strategy compliant solution."*

Proposed Sites

Land East of Newgate Lane East, Peel Common (3002)

Land East of Newgate Lane East is currently the subject of an outline planning application P/19/1260/OA. As part of this application, a Wader and Brent Goose Mitigation Strategy has been devised by WYG and submitted to Fareham Borough Council and assessed as part of a Report to Inform Habitats Regulations Assessment Stage 1 and Stage 2 prepared on behalf of the applicants. This involves the creation of a mitigation area at Land West of Old Street, Stubbington and is designed to deliver mitigation for a further two sites currently the subject of appeals (Land at Newgate Lane North and Land at Newgate Lane South).

Although this has not yet been formally assessed by Fareham Borough Council through their Appropriate Assessment for P/19/1260/OA, the strategy has been reviewed by the Council's Ecologist for the two appeal sites and is agreed as part of the relevant Statements of Common Ground. Therefore, it is reasonable to conclude that this represents a 'strategy compliant solution' and as such this should not represent a reason to discount the site.

Copps Field (3028) and Land East of Newgate Lane (3057)

These two sites are not covered by the mitigation strategy discussed above, however; the presence of this strategy demonstrates that there are suitable opportunities to deliver mitigation.

The reasons for discounting refer to a 'strategy compliant solution', this in relation to the Solent Waders and Brent Goose Strategy (SWBGS). Under the SWBGS, mitigation for the loss of Low Use sites (such F15 which is covered by HA2) comprises compensatory funding to be used to maintain and enhance the network. The intention of this approach is for funding to be managed by the Local Authority to support schemes across the network, including within neighbouring authorities. In Fareham Borough, there is no scheme or schemes towards which the authority can direct this funding. Where no strategic approach is available, then it is necessary for a suitable mitigation solution to be provided by the applicant. This is confirmed by Natural England's written statement in respect of the above appeals. According to Policy NE5 of the Fareham Local Plan for Low Use sites:

> *"For development proposals of all kinds, proportionate mitigation, enhancement and/or offsetting will be required. Measures should avoid and/or adequately mitigate the impact of development on site in the first instance. However, where it is demonstrated that this is not practical or feasible, off-site options and / or a financial contribution for mitigation should be considered."*

In the case of each of these sites, on site mitigation is not possible (as any areas of open space retained would be unsuitable for waders and brent geese due to the reduces size and proximity of new development). Therefore, a suitable off-site mitigation solution, such as that proposed for Land East of Newgate Lane East, would be policy compliant. In addition to a scheme such as this, we are also aware of other opportunities for mitigation which are likely to be practical during the new plan period. Following discussions with Hampshire and Isle of Wight Wildlife Trust and Hampshire County Council, both bodies are in the process of identifying suitable sites which could be funded by mitigation payments under Policy NE5. Hampshire County Council already own large areas of suitable land within the wader and brent goose network, and the Wildlife Trust are considering acquiring land in a similar manner to their approach to providing mitigation for nitrogen outputs.

Policy NE5 is taken into account as mitigation within the Fareham Local Plan HRA prepared by Urban Edge Consultants which concludes that there will be no adverse effect on the integrity of the Solent and Southampton Water SPA or Portsmouth Harbour SPA (alone or in combination) as a result of site specific impacts (which includes loss of SWBGS sites). It can therefore be concluded that provided any development of these two sites is compliant with Policy NE5 (which it must be in order to be granted consent) there will be no impact on the integrity of the associated European sites or the wader and brent goose network. Given the presence of this policy, it is unreasonable to dismiss the sites on these grounds, or to require detailed mitigation at the plan stage (when Policy NE5 provides sufficient security).

It should also be noted that two proposed allocations within the Local Plan (employment allocations 3113 Farady Business Park and 3114 Swordfish Business Park) are incorrectly stated to have no constraints within the SHELAA. In fact, both these sites lie within a Low Use site (F13) and would also result in an adverse effect. Neither allocation is supported by a site-specific or detailed mitigation strategy and in the Local Plan HRA it is stated that mitigation for these allocations will be meeting the requirements of Policy NE5. On the grounds of consistency, either these two allocations should also be discounted, or a requirement to comply with Policy NE5 should be acceptable for all sites which affect Low Use sites.

Local Plan Policies

As requested, a review has also been undertaken of the proposed Natural Environment policies within the Local Plan relevant to our area of expertise. This includes Policies NE1 – NE5. These are summarised below along with a brief commentary in relation to the HA2 sites.

Policy	Description	Comments
NE1	Protection of Nature Conservation, Biodiversity and the Local Ecological Network	This policy relates to the protection of designated sites which is included within previous plans. It adds protection of the Ecological Network. The Local Ecological Network Map identifies 3028 as a 'Network Opportunity', which means it has been identified as an area which could be improved or managed to achieve measured biodiversity net gain (see NE2). None of the sites within HA2 comprise statutory or non-statutory designated sites.
NE2	Biodiversity Net Gain	This requires 10% gains in biodiversity for all sites and is in line with forthcoming government requirements. It is likely that this requirement can be achieved for HA2 (it has been demonstrated for 3002 in the submission) as a whole.
NE3	Recreational Disturbance on the Solent Special Protection Areas (SPAs)	This policy requires a financial contribution to mitigate recreational disturbance and is consistent with previous local plan policy.

NE4	Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent.	This requires the production of nutrient budgets and delivery of suitable mitigation to make sure that developments result in a net reduction in nitrogen outputs.
NE5	Solent Wader and Brent Goose Sites	Discussed above, this policy requires mitigation where there will be impacts on the wader and brent goose network. Mitigation is proposed for 3002 and suitable mitigation in compliance with NE5 will be required for 3028 and 3057 at the application stage. In Para 9.74, it states that *'off-site options and / or a financial contribution'* are suitable for mitigation, however it then only goes on to discuss financial contributions. In the absence of clear identification of where contributions will be applied, the policy wording should be make it clearer that bespoke mitigation solutions which do not result in such payments are also acceptable (where they satisfy the requirements of the Habitats Regulations).

[redacted]

David West CEnv MCIEEM

Associate Ecologist

Keely, Lauren

From: [redacted]
Sent: 18 December 2020 22:17
To: Consultation
Subject: Representation about the Local Plan
Attachments: response to Fareham Local Plan.doc

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/ Madam,

I am attaching my response to the Local Plan. I tried to do this on a form but was unable to find a way of filling one in on a computer. I hope I have included all the necessary details.
If not please get in touch.

Yours faithfully

Anne Stephenson
[redacted]

Fareham Local Plan Representation:

Please note I tried to fill in an on line form but none of the links seemed to work or took me to a form which I couldn't type on to. I am therefore emailing my comments on a word document. If there is anything that is unclear then please get in touch.

A1: No Agent

A2: Personal details

Ms

Anne

Stephenson

[redacted]

All representations are about whether the policy is Sound

Strategic Priorities

2.12 The strategic priorities are not in the correct order and this is reflected in the structure of the report.

The need to respond to the UK governments declaration of a Climate Emergency and to support it in reaching its commitments under the Paris agreement are alluded to but more as an afterthought rather than something that should be at the heart of planning. The need for an increase in green infrastructure and as a way to mitigate climate change and also improve the local environment needs to be more strategically planned and should be nearer the top of the priorities, as should the need for good design which will reduce carbon emissions and help to produce renewable energy. I think the design chapter should be up front as part of the development vision as should the idea of building a resilient community which is why Climate change should also be at the beginning of the report.

Housing Need and Supply:

FTC2 Market Quay Development

g) It is important that any retail doesn't draw people away from the present shopping areas as at present there are empty outlets in the precinct. Any town square needs feel a safe space and should not detract from the present town square which already seems under used and a bit of a 'ghost town' feel at times. I acknowledge the mention of roof gardens and balconies and think it is important to incorporate a green feel to this area as I think this is lacking in the present town centre. Use of green walls, street trees, water features that will actually work and be enjoyed (I have never seen the only water feature in West Street ever in operation and have lived here for 20 years). For example fountains that come out of the paving in a 'random' way that children could play in. Bearing in mind the projections for climate change bringing dryer and hotter summer we need opportunities for people to enjoy cool and shady areas and areas with a green and natural feel are known to improve mental health.

FTC4 Fareham Station West

e) TPOs **must** be respected as mature trees are so important to maintain biodiversity and landscape value as even if trees are planted in their place it takes a long time for them to grow to replace properly mature trees that are felled. There should also be a 5 new for one policy to replace any trees felled and a requirement for any developer to maintain any trees planted for at least 3 years after planting.

HA1 North and South of Greenaway Lane

g)) TPOs **must** be respected as mature trees are so important to maintain biodiversity and landscape value as even if trees are planted in their place it takes a long time for them to grow to replace properly mature trees that are felled. There should also be a 5 new for one policy to replace any trees felled and a requirement for any developer to maintain any trees planted for at least 3 years after planting.

HA7 : Warsash Maritime Academy

j) TPOs **MUST** be respected as mature trees are so important to maintain biodiversity and landscape value as even if trees are planted in their place it takes a long time for them to grow to replace properly mature trees that are felled. There should also be a 5 new for one policy to replace any trees felled and a requirement for any developer to maintain any trees planted for at least 3 years after planting.

m) Flood risk: considering the site this should be a much higher priority in the planning process. Is this actually a realistic site for development considering projected seal level changes and increasing likelihood of storms etc. affecting tidal areas?

HA9 Heath Road

f) TPOs **MUST** be respected as mature trees are so important to maintain biodiversity and landscape value as even if trees are planted in their place it takes a long time for them to grow to replace properly mature trees that are felled. There should also be a 5 new for one policy to replace any trees felled and a requirement for any developer to maintain any trees planted for at least 3 years after planting.

HA10 Funtley Road South

g) This should be re-written to change the emphasis:

The design and layout of dwellings, roads, footpaths or other infrastructure proposals should be in a manner that does not impact on, and prevents damage to, the existing woodland on-site which shall be retained and incorporated within the development.

HA19: 399-403 Hunts Pond Road

Should this include some reference to the trees in the area so trees with TPOs are retained?

HA22 Wynton Way:

f) This should be re-written to change the emphasis:

The design and layout of dwellings, roads, footpaths or other infrastructure proposals should be in a manner that does not impact on, and prevents damage to, the existing woodland on-site which shall be retained and incorporated within the development.

HA26 Beacon Bottom East

No mention of preservation of trees not even those with TPOs which seem to be part of the site

H 33 Land East of Bye Road, Swanwick

No mention of preservation of trees not even those with TPOs or woodland which seems to be part of the site

HA34 : Land South West of Sovereign Crescent

No mention of preservation of trees with TPOs which seem to be part of the site

HA36: Land at Locks Heath District Centre

d) Is the reference to winter gardens correct as I'm not sure what this means?

HA38 68 Titchfield Park Road

e) it should clearly state the need to retain existing trees.

HA40 Land west of Northfield Park

d) Should be re-written:

Existing trees subject to a Tree Preservation Order should be retained and incorporated within the design and layout of proposals in a manner that **does not impact on the trees**

HA42 Land South of Cams Alders

This is taking place on land identified as important for nature conservation. The Council should avoid such areas as the Government has noted the need to keep biodiversity and green space. This development should occur on a brown field site e.g. the town centre where retail units are closing.

Employment

Policy E4

SHELAA Reference: part of 124 (ID 2850)

Solent 2

This is on a site of importance for nature conservation. The Council should avoid such areas as the Government has noted the need to maintain biodiversity and green space. This development should occur on a brown field site e.g. the town centre where retail units are closing.

d) There should be a wildlife corridor to avoid the area to the west being cut off.

Policy E7: Solent Airport

6.41 There should be no extension or growth of aviation as this goes counter to the advice of the Committee on Climate Change which says there should be no airport expansion if the UK is to meet its commitments to reduce carbon emissions. The expansion is also counter to FBC commitment to becoming carbon neutral.

Retail

7.13/7.16: The need for retail space is likely to be lower due to the growth of on-line shopping.

7.23 There should be a focus on '15 minute communities' to reduce the need for car travel.

Strategic Policy on Climate Change

8.6 This should be framed more positively so it is clear that the Council commits to finding areas to actively increase tree cover as part of its obligation to play its part in reducing Carbon emissions as trees sequester carbon. FBC should aim for 40% tree canopy cover on streets to mitigate temperature rise (the urban heat island) this is being done in Hackney. Trees also help to reduce air pollution.

Policy CC4: Renewable and Low Carbon Energy

Developments should be orientated to allow maximum potential for solar power use. It could be a stipulation that all new builds have solar panels.

Policy NE6: Trees, Woodland and Hedgerows

Please change wording: Where protected trees, woodland and hedgerows are subject to removal, a replacement of an *appropriate number*, species and size in an appropriate location will be required.

Wording here should be made clearer to reinforce the idea that there will need to be a net biodiversity increase if protected trees and hedgerows are removed for example the number of replacement trees will be 5/3 times that of those felled and there will be maintenance required for at least 3 years afterwards to ensure the trees are established.

Design:

11.7 should include reference to climate change, reducing carbon footprint by insulation etc and incorporating renewable energy production using solar panels etc.

11.23 Add “need to take into account the requirement to be low energy and carbon neutral”

The countryside charity
Hampshire

Ema[redacted]

Working locally and nationally for a beautiful and living countryside

15th December 2020

FAO: planningpolicy@fareham.gov.uk

Fareham Local Plan 2037 Publication
Regulation 19 Consultation

Dear Sirs,

Please find attached comments from CPRE Hampshire regarding the Regulation 19 Fareham Local Plan 2037 consultation.

Firstly, a general point; CPRE Hampshire is extremely pleased to see that Fareham BC have approached their new Local Plan from a landscape-based perspective, a process which we wholly support. Furthermore, we fully endorse Fareham BC's inclusion of a Climate Change policy, which must underpin all other policies and spatial planning.

Furthermore, we are pleased to see that Fareham have adopted housing numbers based on the latest available housing projections from the ONS, the 2018-based projections, which show a considerable reduction in estimated local need.

However, we remain disappointed that there seems to be no mention of a potential new South Hampshire **Green Belt** in the Reg 19 consultation. In an earlier consultation by Fareham BC in July 2019, there were a number of mentions of this option, notably in Section 10c regarding the Meon Valley, where it said "The Council will also be working with PUSH to consider the potential for greenbelt land across local authority areas, and there could be scope for this area to become part of a South Hampshire greenbelt." As CPRE Hampshire has long campaigned for a sub-regional area of restraint in order to encourage urban regeneration and prevent sprawl, this was very much welcomed. Sadly, this does not seem to have been included in the Reg 19 document, and we consider its exclusion to be a significant wasted opportunity, as the NPPF allows local authorities to designate Green Belt as part of the Local Plan process. It has been agreed that the PfSH authorities are to consider a new Green Belt as part of their forthcoming Statement of Common Ground and we would have hoped to see Fareham BC leading the way.

CPRE Hampshire has completed Response forms for individual policies which are attached below this letter, but in summary our headline comments are as follows:

Development Strategy

Strategic Policy DS1 Development in the Countryside: CPRE Hampshire agrees with these principles but notes that a South Hampshire Green Belt could aid considerably in achieving these goals.

Strategic Policy DS2 Strategic Gaps: We note the decision to re-define strategic gaps (the Meon and Fareham-Stubbington gaps) and suggest that a new Green Belt could achieve this. An area could easily be defined to encompass the Meon Valley, which could link to an area of larger Green Belt to the north of the Borough in Winchester District.

Strategic Policy DS3 Areas of Special Landscape Quality: CPRE Hampshire agree with Fareham BC's analysis of the Borough's varied landscapes and supports any intention to define them as Areas of Special Landscape Quality, illustrated in Figure 3.3. However, CPRE Hampshire suggests that some of these could be further protected if they also formed part of a wider South Hampshire Green Belt, in particular the Upper Hamble Valley, the Meon Valley, the Forest of Bere and Portsdown Hill.

Climate Change

Strategic Policy CC1 Climate Change: CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. The aspirations in Policy CC1 are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. We consider that this is a missed opportunity. However, we feel that Criterion a) does not go far enough. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes "Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle." It must be a fundamental tenet of the Fareham Local Plan that NO development should be permitted that relies on the car as its main means of access.

Nothing less than a drastic change to spatial strategy and a move away from South Hampshire's historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture. The adoption of a South Hampshire Green Belt would assist this by encouraging urban redevelopment, and preventing sprawl into the countryside where modal change to walking, cycling and public transport is very much more difficult to achieve.

Housing

Policy H1 Housing: CPRE Hampshire recognises that the current guidance from MHCLG requires the calculation of local housing need (LHN) based on figures from the 2014-based household projections, although a recent MHCLG consultation suggested a new methodology. Whatever the methodology, CPRE Hampshire supports Fareham BC in using the most up-to-date household figures based on the 2018-based projections. We also welcome the removal of Policy HA2 from the Reg 19 Local Plan.

Policy HA1 Warsash: CPRE Hampshire does not believe that the proposed development around Warsash can be consider truly sustainable, reliant as it is on the car as the main means of transport. We are concerned about the lack of a masterplan and believe the proposed framework does not fulfil a place making function.

Policy HP4 Five-Year Housing Land Supply: CPRE Hampshire has significant concerns about the unintended consequences of this policy, specifically its linkage with DS1, and believe that it may lead to site selection looking outside the Urban Area in the first instance.

Policy HP6 Exception Sites: The potentially inadvertent use of the word OR in Criterion c) could allow significantly large exception sites to be allowed, as long as they remain below the threshold of 5% of the size of the adjacent settlement. There should be a fixed upper limit.

Natural Environment

Strategic Policy NE1 Protection of Nature Conservation, Biodiversity and the Local Ecological Network: CPRE Hampshire supports the use of ecological network mapping to conserve nature and protect biodiversity and as a tool for influencing spatial planning.

Policy NE2 Biodiversity Net Gain: CPRE Hampshire supports the requirements for 10% biodiversity net gain on all development.

Policy NE4 Water Quality effects on the SPAs, SACs and Ramsar sites of the Solent: CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse the proposed policy until the legal issues have been resolved.

Policy NE6 Trees, Woodlands and Hedgerows: CPRE Hampshire agrees with any policy that supports the preservation or enhancement of trees, woodlands and hedgerows.

Policy NE8 Air Quality: CPRE Hampshire supports the requirements for air quality improvement but considers more could be achieved if development were only to be permitted in locations around mass public transport hubs, rather than being car dependent.

Policy NE9 Green Infrastructure: CPRE Hampshire agrees that green infrastructure is important to the wider ecological network and to the health and wellbeing of residents but suggests that it would be better protected in perpetuity were it to be formalised as part of a new Green Belt.

Transport and Other Infrastructure

Strategic Policy TIN1 Sustainable Transport: CPRE Hampshire recognises that Fareham BC aspire to have 'good growth' with existing and proposed transport corridors influencing choice of development, but we feel the policy does not go far enough. The Council should feel empowered to reject development which is not already located around, or can provide, public mass transit hubs, in particular the rail network.

The principles of development and transport as set out in the Transport for New Homes checklist should be followed - https://www.transportfornewhomes.org.uk/the-project/checklist-for-new-housing-developments/.

Design

Strategic Policy D1 High Quality Design and Placemaking: The design quality of future developments starts with overall masterplanning and landscape context as well as specific building details. Fareham has seen a proliferation of poorly designed car dependant nondescript developments over recent years, and it is critical that major improvements are made for the future.

Yours faithfully,

Caroline Dibden

Vice-President
CPRE Hampshire

The countryside charity
Hampshire

A1 Is an Agent appointed:

No, an agent is not appointed

A2 Please provide your details below:

Title:	**Mrs**
First Name:	**Caroline**
Last Name:	**Dibden**
Job Title:	**Vice-President**
Organisation:	**CPRE Hampshire, the countryside charity**
Address:	[redacted]
Telephone:	
Email Address:	

POLICY DS1: Development in the Countryside

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.29 – 3.36

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS1: Development in the Countryside

B1c Which part of the Policies Map?

Areas of Special Landscape Quality and Strategic Gaps

a) East of Welborne,
b) the Strategic Gap along the Meon, and
c) to the north-west of the borough.

2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire STRONGLY SUPPORTS the overall approach taken by Fareham BC in the Fareham Local Plan 2037 for a spatial strategy based on countryside, which is justified as it is in accordance with the aspirations as set out in the NPPF for development to be brownfield first, and for countryside to be protected for its intrinsic value and beauty, and for protection of Best and Most Versatile agricultural land. It is also supported by the Government's 25-year Environment Plan and for the recommendations as set out by the Climate Change Committee.

Furthermore, CPRE Hampshire SUPPORTS the Vision for the Fareham Local Plan 2037 which states that Fareham BC seek to retain its identity, and the identity of individual settlements within the Borough, through measures that seek to retain the valued landscapes and settlement definition.

We also SUPPORT Strategic Priority 2 which seeks to maximise development in the urban area and away from the wider countryside, valued landscapes and those of special quality and spaces that contribute to settlement definition.

CPRE Hampshire believes that the Vision and Strategic Priority 2 would both be better achieved if a new Green Belt was designated, due to its permanence and effectiveness. We submitted to Fareham BC and to PfSH a report by NEF Consulting on the potential socio-economic and environmental benefits of a Green Belt: https://www.cprehampshire.org.uk/our-campaigns/south-hampshire-green-belt/. This demonstrates the considerable financial benefits as well as to health and wellbeing, climate change and natural capital of protecting the green space near to population centres, in perpetuity, something that only Green Belt is designed to achieve.

Looking at the specific policy wording, CPRE Hampshire believes that criterion (e) of **Policy DS1** is unsound, specifically in the way it permits development in the countryside that is compliant with Policies **HP4, HP5 and HP6**. Permissions that might be compliant with these polices appear to be in direct contradiction with the other criteria in **Policy DS1**, and the policy is therefore internally inconsistent.

HP4 relates to the Five Year Housing Supply (5YHLS) and allows residential development outside the urban area boundary where the Council is unable to demonstrate a 5YHLS. It is believed that the Government intends to remove 5YHLS test in the planning reforms, so this policy may be redundant and should be reworded to future proof its deletion. However, that notwithstanding, the main problem is that the wording of Policy HP4 and its linkage with **DS1** could unintentionally lead to countryside locations taking priority over alternative, more sustainable, urban or brownfield locations.

HP5 relates to the provision of affordable housing on sites of 10 or more, and its linkage to **DS1** could unintentionally suggest that Fareham BC accepts in principle the development of ANY affordable housing site outside the urban area boundary. The risk is that the linkage could potentially enable large scale housing development in the countryside as long as it could be demonstrated that 40% affordable housing would be achieved.

HP6 relates to small rural affordable housing exception sites, and whilst CPRE Hampshire supports the provision of rural affordable housing, the concern is that the linkage with **DS1** could inadvertently lead to a series of separate applications which in combination amount to significant levels of development in the countryside. The cumulative impact on the separation of settlements resulting from a number of sites each individually sub- 1 hectare or <5% of the adjacent settlement must be considered, but at the moment the policy has no mechanism for dealing with this potential eventuality. See separate comments on **Policy HP6** as regards the use of the word *OR*.

CPRE Hampshire SUPPORTS criteria i) to v) of **Policy DS1** and believe they provide a sound underpinning of the principles aspired to by Fareham BC.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Fareham BC should look at the areal extent of a possible South Hampshire Green Belt as part of this Local Plan, as it has been confirmed by Leader Cllr Woodward that they wish to see such a designation to protect the countryside and gaps.

Remove the linkage of **Policies HP4, HP5 and HP6** with **Policy DS1**.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Including a proposed South Hampshire Green Belt would be in accordance with the aspirations as set out by the Council in council meetings, PfSH meetings and in press releases.

Removing the linkage of **Policies HP4, HP5 and HP6** with **Policy DS1** would remove the internal inconsistency by removing the possibility of inadvertent development in the countryside.

B4c Your suggested revised wording of any policy or text:

Remove the linkage of **Policies HP4, HP5 and HP6** from Policy **S1 (e).**

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for Local Plans to take the countryside into account when devising spatial development strategy, and we would like to appear at the Hearings to support Fareham BC in choosing this approach. Our expertise lies in spatial strategy and reconciling development requirements with the environmental constraints of countryside, and its uses and purposes.

POLICY DS2: Development in Strategic Gaps

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.43 to 3.46, Para 3.10

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS2: Development in Strategic Gaps

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC to designate strategic gaps between Fareham / Stubbington and the Western Wards (Meon Gap) and between Fareham / Bridgemary and Stubbington / Lee-on-the-Solent (Fareham- Stubbington Strategic Gap). However, a study carried out on behalf of CPRE Hampshire in January 2019, by consultants West Waddy, showed that historically strategic gaps in South Hampshire have failed to adequately prevent coalescence of settlements. This report was shared with Fareham BC as a member of the Partnership for South Hampshire, and can be submitted as part of our evidence on this matter to the examination hearings.

"An Assessment of the Effectiveness of Settlement Gap Policies in South Hampshire in preventing Urban Sprawl & the Coalescence of Settlements" – January 2019, West Waddy.

The conclusions show that through appeals and permissions the gaps designated in South Hampshire (including Fareham) have been significantly reduced over time, and are thus an ineffective policy and thus unsound. Para 3.10 confirms that this has been the case in Fareham.

The findings of this report show that "In the national context, South Hampshire is fairly unique among the large urban areas in England in having no designated Green Belt, with reliance instead being placed upon Gaps designated in Local Plans to prevent the coalescence of settlements."

Furthermore "given the major urban extensions currently being proposed and the past history of erosion of Gaps through subsequent permissions being granted, a strong argument can be made that the current Gap policies across the sub-region are failing in their remit to prevent coalescence and sprawl, which is ultimately likely to lead to currently separate settlements forming one large South Hampshire conurbation and expanding out into the adjoining areas of countryside. The exceptional circumstances therefore exist to demonstrate that a new stronger policy backed by explicit Government advice is needed to prevent this happening and the tool for this is a Green Belt, which is already in use around most large urban areas in England. South Hampshire is the exception in having no such designation."

CPRE Hampshire has submitted to Fareham BC and to PfSH a report by NEF Consulting on the potential socio-economic and environmental benefits of a Green Belt: https://www.cprehampshire.org.uk/our-campaigns/south-hampshire-green-belt/

Notwithstanding the above comments regarding a new Green Belt, CPRE Hampshire SUPPORTS the removal of the earlier proposed Strategic Growth Area SGA, previously entitled HA2 (in the Reg 18 consultation version) from the now proposed Fareham-Stubbington Strategic Gap. The previous inclusion of the SGA was clearly subject to objections by neighbouring Gosport BC, which would have undermined any Duty to Co-operate and thus soundness. It was also objected to by many CPRE members and is therefore of concern to us.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Fareham BC should look at the areal extent of a possible South Hampshire Green Belt as part of this Local Plan, as it has been confirmed by Leader Cllr Woodward that they wish to see such a designation to protect the gaps between settlements.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Including a proposed South Hampshire Green Belt would be in accordance with the aspirations as set out by the Council in council meetings, PfSH meetings and in press releases, and would lead to a much more rigorous policy to prevent coalescence which is Fareham BC's stated aim.

A need for a South Hampshire Green Belt was confirmed by Cllr Woodward in the Fareham BC Executive Committee at 6pm on Monday 7th December 2020. Its omission from the Reg 19 Local Plan consultation is thus not in accordance from the council's own publicly announced policy.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for a new South Hampshire Green Belt, and we would like to appear at the Hearings to further explain our justification and why Fareham merits the exceptional circumstances required to designate a new Green Belt. We have a petition which has been signed by nearly 15,000 people asking Fareham BC (alongside Eastleigh BC, Winchester CC and Test Valley BC) to designate a Green Belt as part of its Local Plan process.

POLICY DS3: Landscape

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.48 to 3.58

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS3: Landscape

B1c Which part of the Policies Map?

All Areas of Special Landscape Quality

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE fully SUPPORTS the approach taken by Fareham BC in respect of analysing and including Areas of Special Landscape Quality as part of its development strategy and as Strategic Policy S3. This is in accordance with the aspirations outlined in the NPPF to value landscape for its intrinsic character and beauty of the countryside, as outlined in NPPF Para 170 a) and b).

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for Local Plans to take landscape into account when devising spatial development strategy, and we would like to appear at the Hearings to support Fareham BC in choosing this approach. Our expertise lies in spatial strategy and reconciling development requirements with the environmental constraints of, and impacts upon, the wider landscape.

POLICY H1: Housing Provision

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 4.1 to 4.20

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy H1: Housing Provision

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

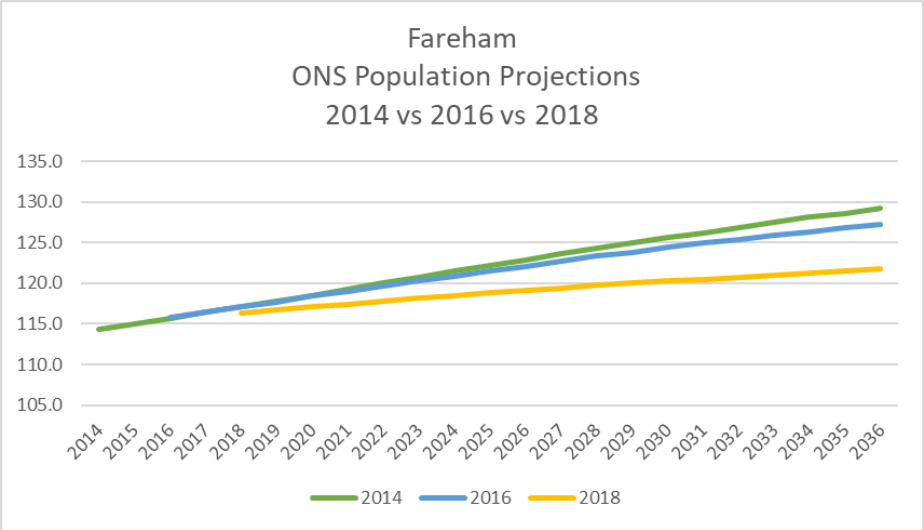
B3 Please provide details you have to support your answers above

The approach taken by Fareham BC to calculating housing need for this Reg 19 version is based upon the MHCLG consultation on a new standard method in August 2020, which showed Fareham's housing need to be lower (403 dpa) than using the previous standard method (514 dpa). CPRE Hampshire SUPPORTS the use of the latest base data on household projections (the 2018-based projections from the ONS) as it conforms with Para 31 of the NPPF "The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals."

As can be seen from the graph below, the most up-to-date population projections (in 000's) for Fareham evidences the trend towards a lower requirement, and this would translate into a lower household projection. The impact of Covid-19, and corresponding economic fallout, on migration patterns will remain unclear for some time, and it is therefore sensible to use a cautious approach to planning and development.

However, for Fareham to agree to take unmet need from Portsmouth is premature, predating as it does the revised statement of common ground from PfSH, and therefore Policy H1 is unsound.

It is also clear that there remains a significant reliance on delivery of housing at Welborne, which is subject to a separate plan. Delays to infrastructure finding at Welborne could have an impact on Fareham's overall strategy for delivery of its housing needs in the plan period.



B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Remove the requirement to take housing from Portsmouth CC.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a recognised authoritative voice on Hampshire's housing numbers, the standard methodology and has been involved in this aspect of Fareham's Local Plans since the time of the South East Plan in 2005, and the formation of PfSH (Partnership for South Hampshire).

CPRE Hampshire is part of an expert group in the National CPRE network on housing numbers, and would like to appear at the hearing sessions to SUPPORT the use of the most up-to-date household projections.

POLICY HA1: North and South of Greenaway Lane, Warsash

B1 Which part of the Local Plan is this representation about?

	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA1 North and South of Greenaway Lane, Warsash

B1c Which part of the Policies Map?

Figure 4.1

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire has significant concerns about the piecemeal development already seen, and proposed, in the Warsash area. Population growth in the 10 years 2009-2019 has reached 9% in Warsash and the western wards, while Fareham itself has only grown by 4%. As Warsash has no access to the rail network, this pattern of development could not be considered sustainable. It therefore fails the soundness tests.

An indicative framework as shown in Figure 4.1, but this does not meet the requirements for a masterplan, and it is not adequate for long-term planning to integrate the various separate sites and applications by a series of different developers. Policy HA1 will fail to meet any government aspirations for placemaking as set out in the NPPF Chapter 12, Paras 124 to 130, and is therefore unsound.

Para 124 of the NPPF states “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

Para 125 of the NPPF states "Design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics." It is apparent from discussion with CPRE Hampshire members that there has not, to date, been any meaningful involvement of local communities.

It is clear that the settlement policy boundaries have been moved to accommodate the applications pending for Warsash. This is not consistent with a plan-led approach but is simply reactive to a developer-led situation, and takes no account of the area's defining features.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

More analysis of the sustainability criteria for the overall development strategy, such as access to public transport is required before sites such as HA1 are confirmed. Has every opportunity for brownfield development around rail networks been ruled out?

Much more consultation with the local community is required before the proposed HA1 framework meets NPPF prerequisites.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has worked for some years with local campaign group Save Warsash and the Western Wards, and a number of our members will be affected by the proposals for such a large allocation of housing to one small settlement. We would like to take part in the hearing sessions to represent their concerns for initial choice of an unsustainable site, loss of countryside and open space in Warsash, and poor design due to lack of a masterplan.

POLICY HP4: Five-year housing land supply

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 5.22 to 5.28

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy HP4: Five-year housing land supply

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

Policy HP4 states "If the Council cannot demonstrate a five-year supply of land for housing against the housing requirement set out in Policy H1, additional housing sites, outside the Urban Area boundary, may be permitted where they meet all of the following criteria….." The problem with this policy is that inadvertently it encourages the first choice of sites to be "outside the Urban Area". CPRE Hampshire is sure that this is not what Fareham BC intends, and in any event it would not be in accordance with the councils own aspirations for a brownfield first approach, nor in accordance with the NPPF Para 137, and is therefore unsound. A sequential approach should be used, even in the event of a lack of a five-year housing land supply.

The problem is exacerbated by the linkage of **Policy HP4** with **Policy DS1**, particularly **DS1 Criterion (e)** as discussed above**.**

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HP4 should be rewritten to include a sequential approach, which "makes as much use as possible of suitable brownfield sites and underutilised land" as per Para 137 (a) of the NPPF.

The linkage of **Policy DS1 (e)** and **Policy HP4** should be removed.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be in accordance with the NPPF.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is part of an expert group in the National CPRE network on housing numbers, and the five-year housing land supply, and would like to appear at the hearing sessions to discuss its impact on the Fareham Reg 19 Local Plan.

POLICY HP6: Exception Sites

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 5.43 to 5.51

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy HP6: Exception sites

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The second part of **Policy HP6, Criterion (c)**, would allow exception sites with a limit of 1 hectare *OR* a proviso that the scheme does not exceed 5% of the size of the adjacent settlement. The problem is the word OR, as this could lead to large sites adjacent to large settlements being permitted as they would still be beneath the 5% cut-off. For example, Fareham town is a large settlement, of some 20,000 households, and so an exception site of up to 5% could itself number 1,000 dwellings. CPRE Hampshire is sure that this is not what was intended by Fareham BC as the aspiration is for small sites on urban boundaries.

The problem is exacerbated by the linkage of **Policy HP6, Criterion (c)**, with **Policy DS1**, particularly **DS1 Criterion (e)** as discussed above**.**

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HP6 should be rewritten to include a sequential approach, which "makes as much use as possible of suitable brownfield sites and underutilised land" as per Para 137 (a) of the NPPF.

Criterion c) should be reworded to remove the reference to *OR* 5% of the size of the adjacent settlement and have a fixed upper limit of what is meant by 'small sites' as identified in the justification text (Para 5.46).

The linkage of **Policy DS1 (e)** and **Policy HP6** should be removed.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Any ambiguity on what a "small site" means would be removed giving clarity for applicants and for FBC.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of affordable housing, such that it is located and designed appropriately, and would like to appear at the hearing sessions to discuss the impact of Policy HP6 on the Fareham Reg 19 Local Plan.

STRATEGIC POLICY CC1: Climate Change

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 8.1 to 8.10

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy CC1: Climate change

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		**NO**
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire generally SUPPORTS the approach taken by Fareham BC to Climate Change. But we believe that **Policy CC1, Criterion (a)** does not go far enough to encourage/enforce a truly sustainable pattern of development and is unlikely to lead to a meaningful reduction of emissions from private car use.

Section 19(1A) of the Planning and Compulsory Purchase Act 2004 requires that a local authority's development plan documents must: (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.

The NPPF Para 148 further includes the requirement that "the planning system should support the transition to a low carbon future in a changing climate", should "shape places in ways that contribute to radical reductions in greenhouse gas emissions" and Footnote 48 "in line with the objectives and provisions of the Climate Change Act 2008."

CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. The aspirations in **Policy CC1** are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. We consider that this is a missed opportunity. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes "Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle." It must be a fundamental tenet of the Fareham Local Plan that NO development should be permitted that relies on the car as its main means of access.

Nothing less than a drastic change to spatial strategy and a move away from South Hampshire's historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture.

Policy CC1 is therefore not legally complaint unless the large part of Fareham's spatial strategy is geared to development around mass public transport hubs and avoiding sites which are car-dependant. It is clear that sites such as Policy HA1 would fail to meet this condition.

CPRE Hampshire recommends the checklist provided by Transport for New Homes, which sets out an objective approach to planning new housing areas without dependence on cars: https://www.transportfornewhomes.org.uk/wp-content/uploads/2019/10/checklist.pdf

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

CPRE Hampshire recommends strengthening **Policy CC1, Criterion (a)** to enable a spatial strategy more likely to meet the requirements set out in Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and the NPPF, by including a requirement for mass public transport hubs to be the first approach for development, and to enable Fareham to refuse car-dependent applications.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be in accordance with Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and the NPPF Para 148.

B4c Your suggested revised wording of any policy or text:

(a) A development strategy that minimises the need to travel by allocating sites and generally directing development to locations **near to mass public transport hubs**, with better services and facilities, or where they are capable of being improved.

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning housing, such that it is located and designed appropriately around public transport hubs to minimise emissions and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy CC1** in this regard.

POLICY NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.5 to 9.27

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

B1c Which part of the Policies Map?

The Local Ecological Network map in Appendix C

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The approach taken by Fareham BC is sound, and CPRE Hampshire SUPPORTS the requirement for nature to be conserved and ecological networks to be protected as per the forthcoming Environment Act.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning development, such that it is located and designed appropriately to conserve and enhance the biodiversity of the area and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE1** in this regard.

POLICY NE2: Biodiversity net gain

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.28 to 9.44

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE2: Biodiversity net gain

B1c Which part of the Policies Map?

The Local Ecological Network map in Appendix C

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The approach taken by Fareham BC is sound, and CPRE Hampshire SUPPORTS the requirement for biodiversity net gain as per the forthcoming Environment Act.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning development, such that it is located and designed appropriately to see a net gain in biodiversity of the area, and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE2** in this regard.

POLICY NE4: Water quality effects on the SPAs, SACs and Ramsar sites of the Solent

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.50 to 9.54

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE4: Water quality effects on the SPAs, SACs and Ramsar sites of the Solent

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		**NO**
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse the proposed policy until the legal issues have been resolved.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire's remit covers protection and enhancement of both land and seascape, including Hampshire's iconic chalk streams and rivers, and the Solent. In the absence of an outcome on the legal matters, the hearing session may be the first opportunity to evaluate the effectiveness and legality of the proposed policy.

POLICY NE6: Trees, woodland and hedgerows

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.79 to 9.89

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE6: Trees, woodland and hedgerows

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE6** is sound. The Climate Change Committee has called for a 40% increase in the extent of hedgerows by 2050 to help tackle the climate emergency, and we would thus like to see more hedgerows planted and restored in Fareham BC.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

NO Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

POLICY NE8: Air quality

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.98 to 9.118

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE8: Air quality

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE8** is sound.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

NO Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

POLICY NE9: Green infrastructure

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.119 to9.125

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE9: Green infrastructure

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE9** is sound. However, we believe that a link with **Policy HE1** should be included within **Policy HE9** itself, rather than just within the supporting text in **Para 9.122**. CPRE Hampshire further believes that much better Green Infrastructure provision could be safeguarded over the long term if it were to be incorporated within a South Hampshire Green Belt.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of green infrastructure alongside planning development, such that it is located and designed appropriately, in order to benefit biodiversity, natural capital, but also residents' health and wellbeing. We would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE9** in this regard, and to discuss whether a South Hampshire Green Belt could ensure green infrastructure is protected in perpetuity.

POLICY TIN1: Sustainable transport

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 10.1 to 10.11

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy TIN1: Sustainable transport

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy TIN1** to be a good starting point. CPRE Hampshire recognises that Fareham BC aspire to have 'good growth' with existing and proposed transport corridors influencing choice of development, however we feel **Policy TIN1** does not go far enough. The Council should feel empowered to reject development which is not already located around, or can provide, public mass transit hubs, in particular the rail network. The policy as it stands does not give Fareham BC a sufficiently robust mechanism for achieving this. It is therefore unlikely to comply with the aspirations to meet climate change objectives as set out in **Policy CC1** or for air quality in **Policy NE8**.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

The principles of development and transport as set out in the Transport for New Homes checklist should be followed - https://www.transportfornewhomes.org.uk/the-project/checklist-for-new-housing-developments/.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

The policy would then comply with climate change and air quality objectives.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning housing, such that it is located and designed appropriately around public transport hubs to minimise emissions and impacts on climate change. We would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy TIN1** in this regard.

POLICY D1: High quality design and place making

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 11.1 to 11.36

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY D1: High quality design and place making

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire welcomes the approach taken by Fareham BC towards high quality design in **Policy D1** but would like to see the inclusion of the words countryside and landscape into **Criterion (i)**. The omission of these words makes it inconsistent with **Strategic Policies DS1 and DS3** and therefore unsound.

The design quality of future developments starts with overall masterplanning and landscape context as well as specific building details. Fareham has seen a proliferation of poorly designed car dependant nondescript developments over recent years, and it is critical that major improvements are made for the future.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include the words countryside and landscape into **Criterion (i).**

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

This would then be in accordance with **Strategic Policies DS1 and DS3**.

B4c Your suggested revised wording of any policy or text:

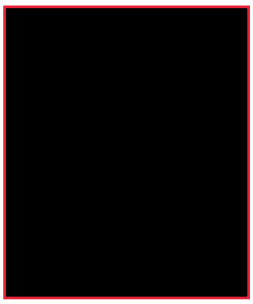
B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire has many members in Fareham who are keenly interested in the design of future developments and would like to see major improvements over previous failures in design quality, which has historically resulted in large spawling estates of car-dependant nondescript housing.

Date: 18 December 2020
Our ref: 333521
Your ref: N/A



Planning Strategy Team
Fareham Borough Council

BY EMAIL ONLY

Dear Sir/Madam,

Regulation 19 Local Plan Consultation (6th November – 18th December 2020)

Thank you for your consultation dated 06 November 2020 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the Council's approach to achieving sustainable development through its Local Plan, particularly through its suite of Natural Environment policies that include protection of internationally, nationally and locally designated sites, the enhancement of the local ecological network and the requirement for biodiversity net gain.

Our comments on the Regulation 19 Local Plan and supporting Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA) are made below.

Strategic Policy DS1: Development in the Countryside
It is recommended this Policy also requires proposals to ensure compliance with Natural Environment policies, in particular Strategic Policy NE1 and Policy NE2, to ensure impacts on nature conservation interests are properly considered and addressed, and biodiversity net gain is achieved (for applicable development).

With regards to soils, the local plan outlines that 'the benefits of protecting the Best and Most Versatile (BMV) agricultural land are considered against the need for development'. This Policy requires development proposals to demonstrate they 'Conserve and enhance landscapes, sites of biodiversity or geological value and soils'.

The National Planning Policy Framework sets out that:

> 'Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework[1]; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.'
>
> *1 Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.*

It is recommended that this Policy is amended to give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpin our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver. The plan should safeguard the long term capability of BMV agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future.

Where site allocations are sited on BMV land, the Plan should outline a requirement for the protection of soils during construction where possible, referencing the 'Defra Code of practice for the sustainable use of soils on construction sites'.

Strategic Policy DS3: Landscape
Natural England welcomes the proposed designation of eight Areas of Special Landscape Quality within the Borough, and the requirement for development in these areas to meet stringent criteria that seek to protect and enhance landscape.

Strategic Policy CC1: Climate Change
Natural England advise all Local Plans consider climate change adaption and recognise the role of the natural environment to deliver measures to reduce the effects of climate change, for example tree planting to moderate heat island effects. In addition factors which may lead to exacerbate climate change (through more greenhouse gases) should be avoided (e.g. pollution, habitat fragmentation, loss of biodiversity) and the natural environment's resilience to change should be protected. Green Infrastructure and resilient ecological networks play an important role in aiding climate change adaptation.

Natural England welcomes Strategic Policy CC1: Climate Change that promotes mitigation and adaptation to climate change through various methods including the integration of green and blue infrastructure into the design of developments, adopting higher water efficiency standards, the integration of energy efficiency, renewable and low carbon technologies into all development, and reducing reliance on car travel.

Natural England supports the embedding of policy that will deliver measures to increase sustainability of development over the Plan period. This should also include reducing consumption of raw natural resources, sourcing more renewable or 'green' energy, and reducing waste. Consideration should be given to the collection of financial contributions from development to offset residual carbon emissions elsewhere in the Borough. Consideration can also be given to the retrofitting of existing development with technology that improves energy and water efficiency.

It is recommended that Local Plan policy also seeks measures that help natural habitats across the Borough adapt to the effects of climate change. We would encourage you to refer to the Natural England and RSPB Climate Change Adaptation Manual and look at the step by step approach to identifying the climate resilience of habitats that occur in the Borough. Consideration should be given to addressing issues on habitats and protected sites that will be exacerbated by climate change, such as flooding, drought, reduction of water resources etc.- the Manual can also help identify these.

Consideration can be given to delivering specific projects within the Borough. For example, to maximise climate change adaptation and mitigation through the establishment of a Nature Recovery Network (NRN), and the Local Nature Recovery Strategy in which the NRN would sit, to ensure climate change resilience at their core. Such projects could potentially benefit from carbon offsetting contributions from development over the local plan period.

Such an approach could link into other aspects of the Plan such as water and air quality, nutrient mitigation for Solent European designated sites, delivery of biodiversity net gain, natural flood management, and green infrastructure implementation among others. Natural England would be happy to advise further on this aspect.

Policy CC2: Managing Flood Risk and Sustainable Drainage Systems
Natural England welcome this Policy that requires development ensures flood and surface drainage are properly addressed, and that Sustainable Drainage Systems (SuDS) are designed in accordance with CIRIA C753 SuDs Manual, to be as 'natural' as possible.

It is advised that the policy makes clear that where a development drains to a protected site(s), an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection may be required to ensure water quality impacts are avoided.

Where SuDS are proposed serving as mitigation for protected sites, development should ensure that appropriate resources are put in place to ensure their long-term (in perpetuity) monitoring, maintenance/replacement, and funding.

Policy CC3: Coastal Change Management Areas (CCMAs)
Sea level rise and coastal change are inevitable and bring both challenges and opportunities for people and nature. Sustainable coastal management needs to embrace long-term change and achieve positive outcomes for both.

Policy CC3 identifies that the North Solent Shoreline Management Plan (SMP) policy for the majority of Fareham Borough's coastline is 'Hold the Line', and identifies two CCMAs between Hook spit and Meon Shore, with an identified coastal management policy of 'No Active Intervention'. The Policy will ensure that development in these areas will appropriately consider coastal change. It also will ensure replacement coastal defence schemes 'are consistent with the relevant Shoreline Management Plan and that there will be no severe adverse impact on the environment, the English Coast Path, and the rights of way network'.

We would advise that the Local Plan should also help facilitate the relocation of valued environmental assets away from areas of risk.

Strategic Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network
Natural England welcomes this policy that sets out clearly the hierarchy of nature conservation and the requirement for development to 'demonstrate clearly that the mitigation hierarchy has been followed' in terms of avoiding, mitigating or compensating (as a last resort) impacts on biodiversity. Natural England welcomes the Local Ecological Network (LEN) approach that has been included in the local plan.

It is helpful that the LEN and the Council's Green Infrastructure Strategy have been suggested as tools to provide opportunity for enhancements across the Borough. Please read our comments below in relation to Policy NE2 that regards the choosing of suitable opportunities for biodiversity enhancement.

Policy NE2: Biodiversity Net Gain
Natural England is fully supportive of the inclusion in the local plan of a Policy for biodiversity net gain. It is welcomed that the policy refers to the benefits to Borough residents from the ecosystem services that being close to nature provides, and outlines an expectation that offsite net gain must be sought as close to the development as possible. However in some instances this may be difficult, and Natural England recommends that consideration is given to developing a suite of projects across the LEN that development within the Borough can contribute to thereby ensuring the biodiversity within the Borough is protected and enhanced. For example, partners that manage Local Nature Reserves and Sites of Importance for Natural Conservation in the Borough could submit projects to the local planning authority to enhance the ecological value of these sites. These projects could be funded by development that requires offsite compensation or additional enhancements to achieve biodiversity net gain. This approach can also be used by development with limited opportunities for biodiversity net gain on-site.

The Policy outlines that the Council may prepare and adopt a Supplementary Planning Document (SPD) for Biodiversity Net Gain. Due to the need to ensure net gain is delivered in a suitably

strategic way, and having regard to the timescales of the legislative requirement for net gain and further national guidance, Natural England would support the development of such an SPD and would encourage Policy NE2 to outline this as a clear intention of the Council, in order to provide further guidance and support to aid sustainable development across the borough. Natural England will be happy to advise further to aid the development of such an SPD.

- *Calculating net gain*

Please note that Biodiversity Metric 3.0 is due to be published early 2021, which will supersede Biodiversity Metric 2.0. We advise that the Policy is updated accordingly and that this metric is used to measure gains and losses to biodiversity resulting from development, and implement development plan policies on biodiversity net gain.

Please note that although the Policy includes 'nesting and roosting features' as suggestions for achieving net gain, it is our advice that features such as bird and bat boxes, swift bricks, bee hotels etc should be classed as general biodiversity enhancements that should be included as part of a wider biodiversity enhancement and mitigation plan. Net gain specifically should derive strictly from habitat enhancement and creation, required as calculated using the metric.

- *Wider environmental gains*

The reference to seeking wider environmental gains, for example to address water/air quality, flooding, climate change etc. is welcomed. Opportunities for environmental gains, including nature based solutions to help adapt to climate chance, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g. by sowing wild flower strips, changing cutting regime of open spaces and road verges*) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g. a hedgerow or stone wall or clearing away an eyesore)
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats

*Please see this paper regarding cost-effective and low-maintenance management for species-rich grassland on road verges and the value it can contribute to biodiversity and ecosystem services.

Please note that Natural England and Defra are developing an Environmental Net Gain/metric for Natural Capital Net Gain that can be used in conjunction with the Biodiversity Metric (but not instead of). Further information will be available in 2021.

- *Monitoring of net gain*

Your plan should include requirements to monitor biodiversity net gain. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

LPAs should work with local partners, including the Local Environmental Record Centre and wildlife trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations and providing as much up front information on monitoring will help to streamline the project stage.

Policy NE3: Recreational Disturbance on the Solent Special Protection Areas (SPAs)

Natural England welcome this policy that will require new residential development to address in-combination effects on the Solent SPAs via recreational disturbance. It is recommended the Policy also outlines that other types of development (such as new hotels, student accommodation, care homes etc.) may also need to address recreational disturbance impacts, both alone and in-combination. Such development should be assessed on a case by case basis.

Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
Natural England welcome this policy that will require new development that propose a net increase in overnight accommodation to address in-combination effects on the Solent designated sites via eutrophication from nutrients in wastewater.

Policy NE5: Solent Wader and Brent Goose Sites
Natural England welcome this policy that will require development to address effects on sites identified by the Solent Wader and Brent Goose Strategy (SWBGS) which serve as functionally linked land to the Solent SPAs.

It is recommended that the following wording within the Policy "*Sites which are used by Solent Waders and/or Brent Geese (as shown on the Policies map)*" is amended to read "*Sites which are used by Solent Waders and/or Brent Geese (as identified within the most up to date version of the Solent Wader and Brent Goose Strategy)*" to take account of any changes to sites and their distribution across the Borough, as these updates can be implemented at irregular times. Any further references to the Policies map should be similarly amended to refer to the SWBGS mapping.

Core Areas – due to their essential function within the SWBG network, it is advised these sites are identified for protection by the Policy. Any development that would result in impacts to a Core Area will need to be carefully assessed on a case-by-case basis. There are limited options where the function of a Core site can be fully replicated elsewhere in terms of its suitability and appropriate locality; where such land is available, an assessment of replicability will need to be undertaken through discussions with Natural England and the Local Planning Authority.

Financial contributions – it is welcomed that the Policy outlines that financial contributions proposed as mitigation will be used for the management and enhancement of an 'agreed suitable identified site for Solent Waders and Brent Geese'. Such proposals should demonstrate how such funds will be used to enhance, manage and monitor sites within the wider Solent Waders and Brent Geese network, in perpetuity. It is suggested that the Council works with relevant partners/stakeholders, including cross-boundary partnerships, to develop a strategic project(s), such as a bird reserve, and/or list of projects to enhance, manage and monitor the wider Solent wader and brent goose ecological network, to which contributions can be directed.

Policy NE6: Trees, Woodland and Hedgerows
Natural England welcomes this Policy that seeks to protect and enhance trees, woodland and hedgerows within the Borough. It is recommended that this Policy requires development proposals that affect ancient woodland, ancient trees and veteran trees, to ensure they are in line with standing advice published by Natural England and the Forestry Commission.

Policy NE8: Air Quality
It is welcomed that the Policy recognises that 'poor levels of air quality can also lead to environmental issues'. The Policy includes a need for planning applications to consider if they will have a 'potential adverse effect on biodiversity, especially where it would affect sites designated for their biodiversity value'.

The Policy outlines that the Local Plan HRA concludes the Plan 'would not have a likely significant effect on the internationally important habitats and species present in the area'. As this issue has

been considered within the HRA appropriate assessment, the wording here should be amended to use the correct terminology under the Habitats Regulations, i.e. the HRA concludes the Plan will not result in an 'adverse effect on integrity' (the term 'likely significant effect' is used at the screening stage of the HRA). See further comments on air quality below in regards to the Local Plan HRA.

Policy NE9: Green Infrastructure
Natural England welcomes this Policy that seeks to fully integrate green infrastructure (GI) into development and maximise opportunities to connect to the wider environment. The provision of enhanced green infrastructure and sites of nature conservation value can not only help address some of the mental and physical health problems that are experienced in the Borough's population, but can also benefit society in other ways including improvements to local air and water quality, reducing the risk of flooding, alleviating noise levels and aiding climate change adaptation.

Policy NE10: Protection and Provision of Open Space
This Policy references protection of public rights of way. Natural England advises that the Policy should also seek to secure enhancement of public rights of way and National Trails, as outlined in paragraph 98 of the NPPF. Recognition should be given to the value of rights of way and access to the natural environment in relation to health and wellbeing and links to the wider green infrastructure network. It is welcomed the plan seeks new access opportunities; it should seek to link existing rights of way where possible. The plan should avoid building on open space of public value as outlined in paragraph 97 of the NPPF.

It is welcomed that the Policy makes provision for appropriate quantity and quality of green space to meet identified local needs (as outlined in paragraph 96 of the NPPF) based on Natural England's work on Accessible Natural Greenspace Standard (ANGSt) in assessing the level of accessible natural greenspace; it is also welcomed that it recognises development may be required to 'provide more open space above what is required by the standards to make the development more acceptable'.

Policy D1: High Quality Design and Place Making
Natural England welcomes this Policy that requires the design of developments to integrate existing and new habitats and biodiversity within a coherent and well managed, connected structure. It is advised that landscaping of developments and open spaces seeks to use appropriate native and locally sourced species as far as possible to cater for local wildlife.

Policy D4: Water Quality and Resources
Natural England welcome this policy that seeks to conserve water and improve its quality.

Southern Water's Water Resources Management Plan (WRMP) 2019, that covers the planning period 2020-2070, projects a significant supply demand deficit during periods of drought in the Western Area, and commits to implementing a long term water resources scheme to restore the supply demand balance whilst avoiding and/or mitigating impacts on European sites, including the River Itchen SAC.

It is Natural England's advice that in advance of any permitting of such a suitable long term scheme, uncertainty remains with regards to water resources and the impacts of abstraction on protected sites.

Although it is welcomed that Policy D4 requires a water consumption for new dwellings of no more than 110 litres per person per day, Natural England strongly recommend all new development within the Southern Water supply area adopt a higher standard of water efficiency of 100 litres/per person/day, including external water use and re-use, in line with Southern Water's Target 100 demand reduction programme which is committed to within their WRMP19. Natural England also recommends that the Policy encourages the wise use of water in conjunction with the water companies, for example by developments incorporating grey water recycling systems and efficient appliances

Please see Natural England advice above in relation to Policies NE4 and Policy CC2 with regards to nutrients and surface water treatment via SuDS.

Neighbourhood Plans
Currently there are no Neighbourhood Plans in the Borough, but the Local Plan provides a 'strategic evidence base' which will inform any future Neighbourhood Plans.

It is recommended that any future Neighbourhood Plans which allocate housing should also identify spaces for environmental enhancement, for the purpose of offsetting environmental impacts, e.g. through the designation of Local Green Spaces. Such a local approach could give communities more ownership over such green spaces and provide a more strategic route to addressing common environmental impacts from development in that area, such as air and water pollution, habitat and species loss and increased carbon emissions, and could deliver biodiversity net gain and nutrient offsetting.

Such spaces could include the development of community orchards and play areas, woodlands and nature reserves, and serve a variety of functions that benefit both nature and the local community, for example providing benefits to health and wellbeing, offsetting nutrient discharges from allocated development and providing further scope for carbon sequestration.

Specific comments on Housing Allocation Policies

- HA9 - Heath Road (70 dwellings)

It is acknowledged this allocation site has resolution to grant permission for 70 dwellings. It is recommended this Policy includes the requirement to secure an appropriate level of offsite compensation to address the loss of secondary woodland on site which may in parts qualify as lowland mixed deciduous woodland habitat.

- HA29 - Land East of Church Road (20 dwellings)

Much of this site shows as Lowland Mixed Deciduous Woodland priority habitat on the Ecological Network mapping for Hampshire. Part of the site is designated as a Site of Importance for Nature Conservation (SINC) according to the Policy map. The Policy outlines a requirement for ecological mitigation for the site-specific construction and operational impacts of a development proposal. It is advised the Policy outlines a requirement to secure an appropriate level of offsite compensation to address any loss of priority habitat on site to ensure compliance with Policy NE1.

- HA31 - Hammond Industrial Estate (64 bed care home)

The Policy should ensure the impact of nutrients in wastewater is addressed to ensure compliance with Policy NE4.

- HA37 - Former Locks Heath Filling Station (30 dwellings)

This site is adjacent to an area of Lowland Mixed Deciduous Woodland priority habitat as shown on the Ecological Network mapping. The Policy should ensure that impacts on priority habitats and protected species are taken into account and appropriately addressed.

- HA38 – 68 Titchfield Park Road (9 dwellings)

The site is adjacent to Sylvan Glade SINC, much of which is ancient semi-natural woodland. The Policy should ensure compliance with standing advice on ancient woodland, ancient trees and veteran trees and that impacts on the SINC and protected species are appropriately addressed.

- HA42 - Land South of Cams Alders (60 sheltered housing)

This allocation site is located on 'Fort Fareham Grassland' SINC that supports woodland and meadow communities. It also lies adjacent to Fort Fareham SINC known for supporting wet woodland communities.

As previously advised in our response to the Supplement to the Reg 18 Local Plan (letter dated 23rd April 2020), allocations and development proposals should ensure they engage the mitigation

hierarchy, where impacts on designated ecological sites/features should first be avoided, and where not possible, adequately mitigated. Where this is not possible, any loss of priority habitat should be appropriately compensated. All residual ecological impacts will need to be addressed before any net gain for biodiversity can be achieved.

Natural England recommends that where loss of SINC habitat cannot be avoided, the policy should make clear how requirements set out within the NPPF, NERC Act 2006 and Local Plan Natural Environment policies will be met. It is advised an appropriate level of offsite compensation should be required to address any loss of priority habitat on site to ensure compliance with Policy NE1 .

- E4: Solent 2 (Employment - 23,500 sq. metres)

This employment allocation is located on Whiteley Meadow - Plot 2184 SINC and Ashley Wood, Fareham SINC. The Hampshire Ecological Network Mapping dataset shows much of this area as Lowland Mixed Deciduous Woodland, a priority habitat listed as required under Section 41 of the Natural Environmental and Rural Communities Act 2006. The site is also situated adjacent to the Gull Coppice (South-West Remnant) SINC which comprises ancient semi-natural woodland.

It is acknowledged that this site is an existing allocation within the adopted Fareham Local Plan Part 2 (2015).The current Policy outlines a requirement for this development to protect existing woodland and avoid habitat severance, and appropriate mitigation and compensation for any loss of protected trees. However, it is our view that a significant area of habitat, including mature woodland, is likely to be lost as a result of development. The Policy should ensure that it is compliant with Strategic Policy NE1 with regards to impacts on the local ecological network in this locality. In line with existing national and local policy and legislation, it is Natural England's advice that the mitigation hierarchy of avoid, mitigate and lastly compensate is employed where considering impacts on these habitats, particularly those designated as SINC. Measures should be sought to protect and enhance the local ecological network. Where impacts cannot be avoided or adequately mitigated, a comprehensive compensation package should be required that addresses the loss of all priority habitat on site (rather than just specifying protected trees), that seeks to enhance and connect habitat in the locality.

Comments on the HRA

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the Local Plan in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

We have the following comments on the HRA:

- *Recreational disturbance – New Forest designated sites*

The Local Plan HRA screening assessment outlines that although the Borough falls within the 25km buffer of the New Forest designated sites (via a straight line), the minimum actual travel distance by car is of approximately 30km travel distance (via the M27). In comparison to the number of visits from residents closer to the New Forest, the assessment states 'visits to the New Forest SAC/SPA/Ramsar associated with increased housing development in Fareham Borough contribute a significantly lower proportion of overall visits to the designated sites and it is not considered likely that significant effects associated with recreational disturbance from Fareham housing development would arise'. The HRA screens this impact pathway out from an appropriate assessment on this basis.

It is understood Footprint Ecology are currently conducting further analysis on several aspects of their latest visitor surveys. This analysis will assist the definition of a robust catchment area for recreational impacts. It will help in the preparation of a strategic, cross-boundary approach with neighbouring competent authorities to deliver habitat mitigation for the New Forest SPA/SAC/Ramsar. This work is due to be completed shortly and will provide a useful update to the evidence base against which such impacts from new development from surrounding local authority areas can be assessed.

Therefore, whilst acknowledging that the level of additional impacts from new residents is known to significantly decrease with distance from the New Forest designated sites, Natural England consider at this time there remains some uncertainty with regard to the evidence confirming the level of additional impacts from new residents of Fareham local plan development. We therefore advise this issue is taken forward to the appropriate assessment stage where further work may be carried out to ascertain the level of impacts as accurately as possible.

Where impacts are identified, suitable and proportionate mitigation should be proposed; we recommend the Council works with the New Forest National Park Authority and the other partner authorities to develop a strategic approach to addressing recreational impacts from new development on the New Forest designated sites. Such an approach should include developer contributions towards the New Forest National Park Authority's Habitat Mitigation Scheme to enable the authority to deliver site specific mitigation measures on behalf of applicants.

Natural England will be happy to provide further advice to the Council on this aspect as the evidence base develops.

- *Air quality*

The Local Plan is supported by an Air Quality Habitats Regulations Assessment (Ricardo, Sept 2020). The conclusions drawn in the Local Plan HRA in regards to air quality impacts are based on those drawn within the Ricardo report. Natural England concurs with the conclusions drawn in the report.

The Ricardo report suggests that the Council regularly reviews the Defra airborne NOx forecast levels. This is welcomed as a way to ensure any changes in forecasting and potential consequential changes to conclusions drawn in the report for this pollutant can be appropriately reviewed and addressed during the local plan period.

- *Water quality – nutrients*

The HRA calculates a nitrogen budget for the local plan of 2536.99 kgTN/yr. Appendix III of the HRA outlines various mitigation schemes that can be utilised or progressed as a means to ensure nutrient neutrality can be delivered by new development.

The HRA states within its Summary of Findings that the sites Chichester and Langstone Harbours SPA/Ramsar, Portsmouth Harbour SPA/Ramsar and Solent and Dorset Coast SPA are screened out of an appropriate assessment in relation to water pollution impacts. Much of development within Fareham borough is served by Peel Common wastewater treatment works (WwTW), which is a coastal WwTW that discharges effluent several kilometres out into the Solent. It is our advice that long-shore outfall pipes are likely to have shifted and widened the distribution of nitrogen loading within the effluent across the Solent SAC and SPAs. It is important to recognise the loading from Peel Common WwTW contributes to a number of estuaries and catchments within the Solent (including Portsmouth Harbour, Langstone Harbour, Chichester Harbour, River Meon, Wootton Creek and the Medina Estuary catchments). It is therefore Natural England's view that, because of this wide distribution of nitrogen loading, all designated sites should be screened in.

- *Other comments on the HRA*

Section 7.7.3 – this paragraph refers to the 'SAC' although it is relating to Portsmouth Harbour SPA and Ramsar.

Comments on the SA

We are broadly satisfied that the objectives and indicators within the Sustainability Appraisal cover our key interests, and welcome the identification of the need to conserve and enhance biodiversity, landscape character, and to reduce pollution. We also welcome the need to address minimise the

effects of climate change, and to minimise impacts on best and most versatile agricultural land. Please see some more specific comments below.

- SA5: To Minimise Carbon Emissions and Promote Adaptation to Climate Change

This SA objective to address the effects of climate change is welcomed. It is suggested a further monitoring parameter(s) is included to monitor the implementation of new GI/habitat that can seek to alleviate the pressures of climate change on species and the ecological network whilst also providing other benefits as described further in our advice above; e.g. percentage of new GI/ extent of priority habitat within the ecological network.

- SA7: To Conserve and Enhance Biodiversity

We advise that this SA objective also seeks to conserve and enhance geodiversity within the Borough, in line with national planning policy.

The SA outlines the Plan 'is predicted to lead to negative impacts to ecological receptors in the short to medium term, but many of these impacts are capable of being mitigated. Long-term effects are likely to be both positive and negative, and highly site-specific'. It is acknowledged these effects can be avoided/mitigated by the implementation of several policies including NE1, NE3, NE4 and NE5. It is advised Local Plan Policy requires relevant development to carry out site-level Habitats Regulations Assessments in order to ensure impacts on European sites are suitably addressed.

It is also suggested that further monitoring parameters are incorporated to ensure impacts on internationally, nationally and locally designated sites are monitored throughout the Plan period, e.g. via the number, extent and condition of sites designated for nature conservation. We would advise the use of a green infrastructure standard as an indicator, such as Natural England's Accessible Natural Greenspace Standard (ANGSt). Parameters for measuring the implementation of net gain should be introduced, see further above for our advice on net gain monitoring.

We would be very happy to comment further as the plan process progresses. If you have any queries relating to the detail in this letter please contact me on ([redacted]

Yours faithfully

Rebecca Aziz
Sustainable Development Senior Advisor
Thames Solent Area Team

Representations towards the Fareham Borough Draft Local Plan 2036 Publication Draft (Regulation 19) Consultation on Behalf of Persimmon Homes (South Coast)

December 2020

PERSIMMON
Together we make a home

1. Introduction

Persimmon welcomes the opportunity to comment on the Fareham Draft Local Plan 2036 (DLP) Publication (Regulation 19) consultation.

This letter is set out in sections as summarised below:

- Section 2 sets out our response to Duty to Cooperate issues
- Section 3 sets out our policy specific responses
- Section 4 sets out our response in relation to Omission Sites

2. Duty to Cooperate

The Duty to Cooperate places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters, including housing.

Planning Practice Guidance recommends that authorities should produce, maintain, and update one or more Statement(s) of Common Ground, throughout the plan-making process. The Council has unilaterally produced a 'Statement of Compliance with the Duty to Co-operate' which sets out how the Council claims to have addressed the duty to cooperate, including in relation to addressing the unmet housing need of its neighbouring authorities. This is not an agreed Statement. It is noted that there is little to no explanation within the Statement as to what cross boundary discussions have taken place since the Council has significantly altered its approach with regards to housing need (as detailed below). In Persimmon's view, this information is absent because neighbouring authorities, in particular Portsmouth and Gosport, will not be supportive of Fareham's approach.

As mentioned above, the Council's Regulation 19 consultation document is significantly different from the Regulation 18 draft in terms of its approach to housing. This is largely as a result of it applying the lower Local Housing Need (LHN) as derived from the Government's proposed new Standard Methodology, which has not been approved. The Regulation 18 version of the Plan included a number of Strategic Growth Areas that were identified, in part, to meet the housing needs of neighbouring authorities of Gosport and Portsmouth. These Areas have now been deleted, and do not feature in the Publication Plan.

The Council's decision to use the new Standard Methodology LHN in order to take advantage of lower housing numbers is premature, and is at odds with the approach being taken by nearly all other Local Planning Authorities developing Local Plans in the sub-region, including Gosport and Portsmouth.

It is understood that the SGAs would met at least 1,000 dwellings from Portsmouth's unmet needs, alongside a proportion of Gosport's (quantum not published). However, the Publication Plan suggests that unmet need accommodated by the Plan will only equate to 847 dwellings. By Fareham choosing to use the draft new Standard Methodology and reducing its housing site allocations as well, the scope for the Plan to pick up the housing needs of these neighbouring council areas has been significantly curtailed.

It is Persimmon's view therefore that, given the significant change in approach by Fareham Council, the joint working that it has undertaken on housing issues to date has been fundamentally undermined to a point where it can only be concluded that Council has failed the duty to cooperate.

2. Policy Specific Comments

DEVELOPMENT STRATEGY

Strategic Policy DS1 Development in the Countryside

Policy DS1 provides the policy basis for the delineation of settlement boundaries. In the context of our comments below, notably in relation to not meeting housing need, omission sites and the delineation of Strategic Gaps, the Council should amend the settlement boundaries to allow additional development to come forward.

With regards to the criterion d) of Policy DS1, an allowance for new or replacement building, conversion and/or extension of a school is welcomed. However, the Policy appears to limit re-provision to existing sites shown on the Policies Map. As set out in greater detail in the our response to Policy DS2 and the Omission Site section, discussions are on-going with the Meoncross school to facilitate expansion of the car park and/or playing fields in the short term. The potential relocation of the school to other land within Persimmon's interest at Cuckoo Lane over the longer-term is also being explored. As currently drafted, by strictly limiting development to within an existing educational facility, the Policy would prevent such future improvements and the possible relocation of Meoncross School.

Strategic Policy DS2 Development in Gaps

The Council has commissioned Hampshire County Council to review its Strategic Gaps. The County's methodology for this review is set out in the Technical Review of Areas of Special Landscape Quality and Strategic Gaps (September 2020). This applies 'Primary Measures' (i.e. physical and visual separation) and 'Secondary Measures' (i.e. Green Infrastructure Provision) to define the gaps. We support the inclusion of physical and visual separation as a means of determining the gap boundary, but we see no justification for including the secondary measures as this is outside of the scope of the role of a gap. In any case, Green Infrastructure is an issue that is dealt with separately under Policy NE9 of the draft Plan.

The following commentary on this policy considers each of the Strategic Gaps before comments are made on the content of Policy DS2 itself.

<u>The Fareham-Stubbington Gap</u>

As set out in the recommendations of the Gap Review paper (Chapter 4: Conclusions and Recommendations, Paragraph 10): *'there exists some opportunities for development to be absorbed within the Stubbington-Fareham Strategic Gap, subject to scale and future detailed design, without compromising its Gap function…'* It is surprising then that the Council has not examined this potential in greater details as part of its Publication draft Local Plan, particularly given that the most recent Regulation 18 Local Plan consultation proposed a Strategic Growth Area (SGA) within this gap as a means of accommodating growth.

It is also surprising that the Gap Review Paper does not adequately consider the influence of the Stubbington by-pass on the Fareham-Stubbington Gap. Paragraph 3 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap states that*: 'As the Bypass is currently under construction and its alignment marked out, it is possible to see how it might affect the sense of separation between Fareham and Stubbington.'* The report also states that it is too early to understand the full impact that Stubbington Bypass will have on the landscape character and development pressures of the Gap. This second assertion is contested. Given that the by-pass construction has progressed significantly, and that by-pass proposal has been subject to landscape assessment (including through the ES associated with the application), there is sufficient information available to allow for a robust assessment of the impact of the by-pass on the gap and the landscape to be carried out. A review of the landscape and gap evidence should be carried out prior to submission of the Plan for examination.

There can be no doubt that the by-pass will have a considerable influence on the Fareham-Stubbington Strategic Gap - effectively splitting it two. Once the by-pass is complete, it will form a strong defensible boundary, which will make the difference in the character between areas north and south even more apparent than it is already. This difference in the character requires considered in the Local Plan and its evidence base.

Land to the north of the bypass route is considerably more open in character, with large open fields with limited boundary planting providing prominent views north from the bypass toward the southern urban edge of Fareham, which is well defined by Rowan Way. This area is characterised by a strong sense of tranquillity, and is a much more sensitive landscape that is more befitting of Gap designation in accordance with the Council's own methodology. Land to the south of the bypass, however, comprises considerably more urban influences as demonstrated by existing development along Ranvilles Lane / Titchfield Road, the cemetery south of Oakcroft Land and development around May's Lane / Peak land (including where the urban area of Stubbington protrudes into the gap). This observation is supported by the detailed analysis of gap study area 7a (see Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap, para 8) which states that:

'There exists the potential to ***make modifications to the settlement boundary of North Stubbington: to extend the boundary to run along Oakcroft Lane****, as the isolated field that sits aside Crofton Cemetery, does not protrude into the landscape beyond the current Northern and Western edges of Stubbington. Largely sitting behind a mature line of Poplars also helps this isolated field absorb some development (subject to detail design),* ***without risking the integrity of the Gap, as a whole****.'*
(Persimmon's emphasis)

Paragraph 11, Bullet 2 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review evidence reconfirms the limited role that the area to the north west of Stubbington, south of Oakcroft Lane and east of Ranvilles Lane plays as a gap. The Gap study states that this area has *'the ability to absorb development into the landscape exists, without compromising the integrity of the Gap function'.* The Council will be aware of the planning application within this part of the gap (LPA Application Reference: P/20/0522/FP). This application comprises 209 new homes a considerable area of land to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1. The application is a resubmission of a planning application that addresses technical and design issues raised by the Council previously. It is understood that the application is due to be considered by planning committee in January 2021.

One key consideration when reviewing the boundary of a gap is the consideration that no more land should be included in the gap than is necessary (see adopted Core Strategy Policy CS22, Fareham Borough Council Gap Review 2012 and South Hampshire Strategy 2012). This concept is reiterated in the Gap Review Paper as 'minimum land take'. In light of the above, it is Persimmon's view that the gap evidence should be reconsidered with areas north and south of the by-pass assessed separately to take account of the by-pass. For reasons set out above, and in accordance with the Gap Review methodology, it is considered that a review of the evidence would indicate that the land north of the by-pass should be retained as gap and land to the south should be deleted from the gap designation. Retaining a gap to the north would preserve a c. 800m gap between the by-pass and the southern urban edge of Fareham, which is described in the Gap Review Paper as being *'moderate-large gap'* of a 'good distance' that *'gives the traveller time to experience the countryside after leaving one settlement before joining another.'* Retaining a gap of adequate width in this location is particularly important given the role Peak Lane plays in providing a well utilised north-south link between Stubbington and Fareham.

With regards to land to the east of Stubbington, Paragraph 11, of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review indicates that there is very little opportunity to absorb development in this corridor but that advanced planting along the eastern edge of the settlement would be beneficial. Persimmon Homes have interests in this area (as discussed in detail later in these representations). In summary, the proposals include new residential development, significant new strategic planting and open space along the eastern edge of the site. Discussion are on-going with the

Meoncross School to facilitate expansion of the car park and playing fields in the short term and the potential relocation of the school to other land within Persimmon's interests over the longer-term.

In light of the our comments set out above It is considered that the Fareham-Stubbington Strategic Gap should be redrawn so that land to the south and west of the by-pass is removed from the gap.

Whilst not a gap issue per se, the emerging and previous Local Plans, have tended to avoid allocating any significant growth on the periphery of Stubbington. Sensitively redrawing the gap boundary as suggested above will allow for much needed sustainable development housing to come forward to support the housing aspirations of those wish to live in or remain living in Stubbington.

The Meon Strategic Gap

As touched upon above, the function of a Strategic Gap is to prevent the coalescence of separate settlements. Land to the west of Stubbington is identified as a gap but there is no settlement to the west of the Stubbington that requires protection from coalescence. With regards to Strategic Gap Study Area 6, it is noted that the Gap Review study states that this gap is provided to ensure there is no coalescence between Stubbington and Titchfield along Titchfield Road. Whilst this northern most extent of this study area may serve this purpose, the central and southern parts of the Study Area 6 play no role whatsoever in preventing coalescence. This is recognised in Paragraph 13 of Chapter 4: Strategic Gaps SG 1: The Meon Gap of the Gap Review Study. Nonetheless, the Study recommends that the Gap is retained in this area due to: high levels of tranquillity, its role in providing separation of Portsmouth and Southampton, and to recognise the potential longer-term settlement expansion southwards from Titchfield and South Westwards from Hook. Based on the Council's Gap Review methodology, these are not adequate reasons to include this land within the gap.

A more logical delineation of the gap, which would ensure that no more land than necessary is included within it, could be to end its southernmost extent at Crofton Manor Equestrian Centre where the transition from countryside to urban (as part of Stubbington) becomes apparent. As recognised in the Gap review study, much of the land to the south of the Equestrian Centre is subject to protection under draft Policy DS3 (as discussed below), and ecological constraints which provide adequate protection against inappropriate development in this area. A gap is therefore not necessary.

General Comments on Policy DS2

Notwithstanding our comments above, in our considered view, Policy DS2 is too restrictive. There may be a point within the plan period, for example where the Council is unable to demonstrate a sufficient five year housing land supply, where additional housing may be required over and above those sites identified in the Plan. The Council has persistently struggled to demonstrate a sufficient five year housing land supply in recent years so flexibility in the Policy is required.

As demonstrated through the Council's Regulation 18 draft Plan, a sustainable location for such development may be in the Strategic Gap between Stubbington and Fareham. As such, the Policy should include additional wording to allow for appropriate and sustainable development in the Strategic Gap in such circumstances where housing supply needs to be increased.

The Policy also seeks to prevent development in Strategic Gaps that may significantly affect its 'integrity' and the 'distinctive nature of settlement characters'. This is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. The reference to 'integrity' and the 'distinctive nature of settlement characters' should be deleted from the Policy. The function of a Strategic Gap is to prevent the coalescence of separate settlements, which can be achieved through assessment of the impact of a proposed development on the physical and visual separation of settlements. The other policy criteria are superfluous.

In light of the above, it is considered that the Strategic Policy DS2 - Development in gaps and delineation of the Gap as shown on the draft Policies Map, should be redrawn as set out above. If this is not the case the Policy cannot be said to either justified or effective and is therefore unsound.

Strategic Policy DS3: Landscape

Policy DS3: Landscape identifies a number of Areas of Special Landscape Quality (ASLQ), including the Meon Valley. This is new Policy that does not form part of the adopted Local Plan. The first part of this Policy seeks to significantly restrict development in the Meon valley area. However, considering that the Council has successfully defended the Meon Valley area from a number of hostile planning applications in the recent past without this Policy in place, the justification for it is questionable. Given the prohibitive nature of Policy DS3, the development potential of Site 5 (Cuckoo Lane) for housing and new school provision, will unlikely be realised unless the site is allocated for development in the Local Plan and/or the site is excluded from the Meon Valley ASLQ designation.

HOUSING POLICIES

Strategic Policy H1 Housing Provision

As mentioned in the Duty to Co-operate section above, the Council is applying the Government's former draft Standard Methodology to arrive at its LHN (403 dpa) as opposed to the current Standard Methodology (514 dpa). The draft Standard Methodology is not Government Policy, it is only a consultation draft. The Government has recently (16th December 2020) released revised LHN figures that indicate that the Council's baseline LHN will increase to 514dpa. This increase LHN to exactly the same figure as per the current Standard Methodology. This newly published data clearly undermines the Councils premature decision to use the lower LHN figure. It is also noted that when the current and new LHN figures for Gosport and Southampton are considered both Councils are facing an increase in LHN of 106 dpa and 315 dpa, respectively. This is significant as both of these Authorities may need to look to Fareham to accommodate unmet housing needs. This will place even greater pressure on Fareham Borough Council to increase its housing requirement set out in Policy H1. For completeness, Portsmouth's LHN remains unchanged between the two data sets.

Notwithstanding, our concerns that the Council has failed the legal test with regards to the duty to cooperate, Policy H1 cannot be assumed to be sound as undershoots current and emerging LHN. The Plan cannot therefore be considered consistent with national policy and it is not positively prepared. Should the Council seek to amend its housing requirement (for example using the current Standard Methodology) and make consequential changes to its supply sites, re-consultation on a revised Regulation 19 Plan will be necessary.

Policy H1 includes an estimated 1,224 windfall dwellings. The Council's Housing Windfall Projections Background Paper (June 2020) does not provide a detailed breakdown of which sites are being considered as windfall. The Council's figures cannot therefore be scrutinised. Until such time as the Council publishes this detail underpinning the windfall allowance, this element of the supply should not be counted towards the Council's housing requirement.

The Policy also looks to implement a stepped housing requirement, which backloads housing delivery towards the latter part of the Plan period. This approach is at odds with the NPPF's objective to boost the supply of housing and appears not be justified by the expected rate of delivery of sites as site out in the summary housing trajectory in Appendix B of the Plan. For example, in the first period (2021/22 and 2025/26) the Council proposes a requirement of 2,250 dwellings (averaging 450 dwellings per annum). However its housing trajectory suggests that 3,085 dwellings will be delivered, which is equivalent to 617dpa. As such, Policy H1 should be expressed as an average requirement; it should not be stepped.

The Policy also sets out that approximately 428 homes will be delivered on specified brownfield sites and/or regeneration opportunities in Fareham Town Centre. In some cases deliverability, viability availability (i.e. in existing use) is not assured (notably sites FTC2-5). Whilst Local Plans should be aspiration, they should also be deliverable. Allied to above, a further 1,327 homes are identified on Housing Allocation sites (i.e. allocation prefixed with a HA reference). However, a number of these sites are rolled forward allocations from the current adopted Local Plan, and in some cases (i.e. HA29 and HA30) are site that formed part of the Western Wards growth are that were originally identified

in the 1970's, but have failed to be delivered. As such, it is questionable whether the Council has properly assessed deliverability / developability of some of the sites comprising its supply. It is advisable therefore that the quantum of housing expected from some of the questionable supply sites should not be counted against the housing requirement in the Plan, and alternative sites (such as those set out in the Omission Sites section) should be identified to ensure the Council's housing requirements are met. In additional to the above, the deliverability issues associated with Welborne are well documented. Recently it is understood that due to delays in the site coming forward, the Council has lost external funding to deliver critical highway improvement works. This further underscores the challenges associated with this site. The Council would be well advised to take a highly cautious approach when seeking to include housing supply from Welborne. The draft Plan currently includes 4,020 dwellings as part of the housing supply. In light of the above, this figure is considered to be highly optimistic and should be revised downwards.

Notwithstanding, our concerns regarding the Council's choice of LHN, this figure should be regarded as the starting point for developing the Plan's housing requirement. Councils are advised through national planning policy/ guidance to consider whether any adjustments should be made to the LHN figure to account for other factors such as economic growth (which appears to be absent from the Plan) and unmet need from neighbouring authorities (as discussed above). With regards to affordable housing, the Council commissioned a Housing Needs Survey as part of its previous Regulation 18consultation draft Plan in 2017. At the time, the Survey suggested that there is a net affordable housing need of 302 dpa (i.e. nearly ¾ of the overall annual requirement). Whilst the Standard Methodology accounts for affordability (or lack thereof in Fareham's case), actual affordable housing need indicates that a further uplift to its LHN may be necessary.

Policy HP4 Five-Year Housing Land Supply

Policy HP4 states that development 'may be' permitted where a development meet all the criteria in policy HP4. The Policy should be reworded to positively state that a development *'will be'* permitted if it meets the policy criteria. When determining planning applications, the decision maker is required to read the Local Plan as a whole; there is no reason for the Policy to be equivocal on this matter.

With regards to criterion (b) the policy states that a development should be '…integrated with the neighbouring settlement'. Does this mean a physical link between the development and the adjoining settlement or that a development should be integrated in design terms? This needs to be clarified.

Criterion c) seeks to prevent development in strategic gaps that may significantly affect its integrity. As per our comments in respect of Policy DS2, this is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. It is also noted that Policy DS2 sets out different policy requirement with regards to the protection of Strategic Gap (i.e. proposals should not affect the physical and visual separation of settlements). This has the potential to create an internal conflict within the Plan as it is unclear which policy requirements (either HP4 or DS2) would take precedent where the Council unable to demonstrate adequate five year supply. It is suggested therefore that the wording for Criterion c) is deleted or replaced with a cross reference to Policy DS2 (including Permission's suggested amendment to this DS2).

Policy HP5 Provision of Affordable Housing

With respect to the percentages of affordable housing sought at sites, Policy HP5 should include a viability review mechanism to provide flexibility. This will assist with the viability of schemes should there be a fall in market over the lifetime of the Plan and/or in circumstance where unknown development costs are introduced (nitrate mitigation costs associated with the HRA requirements are a case in point having seriously affected the viability of schemes over the past year or so).

As set out in the supporting text to this Policy (paragraph 5.32), the Council publishes on its website the identified affordable housing need by area of the Borough. The Council's website shows considerably different housing need for each area. The affordable tenure mix is therefore too prescriptive and does not reflect the Council's own evidence base. It is advisable therefore that the

Council replaces criteria i-ii with a statement confirming that affordable housing mix and tenure will be negotiated with the Council evidence base set out its webpage used as the starting point.

Further underscoring our concerns with the nature of the tenure mix, the Council should be aware of the potential practical challenges associated such a small percentage of Affordable Home Ownership. The Policy could be interpreted by officer so that Affordable Home Ownership is provided at 10%, which would be a challenge for reasons set out below. Registered Providers are becoming ever specialised with some only dealing with the shared ownership side and others the rented side. Requiring such a small percentage of Affordable Home Ownership products through this Policy may create challenges in terms the viability of tender bids for this type of unit. In addition, Affordable Home Ownership, including shared ownership schemes, have been shown to be an effective means of getting people on the property ladder. As the Council's own evidence shows 10% is considerably below what is actually needed.

The final element of Policy HP5 addresses the market rent of Affordable Rented units, which will be judged as 80% of market rent or the relevant Local Housing Allowance (LHA), whichever is lower. The NPPF only make provision for rent to be set at 80% of market. It does not state that market rents should be benchmarked against LHA. The reference to LHA should be deleted to ensure that HP5 is in conformity with national policy.

It is also noted in Paragraph 5.42 of the supporting text to HP5 that the Council may need review the Affordable Housing Supplementary Planning Document (SPD) to address changes to the affordable housing and mix. SPDs should not be used to review issues that have a direct impact on viability. This should be tested through the Local Plan review process.

Policy HP7 Adaptable and Accessible Dwellings

The PPG sets out a number of tests against which Councils should consider when seeking to introduce M4(2) and M4(3) policies into its Local Plans. The Council's Specialist Housing Background Paper (September 2020) has been produced which shows how the Council claims to have met these tests.

In terms of need, the Background Paper sets out the population with Long Term Health Problem or Disability based on census data. However, this measures population, not households, so should not be assumed to an accurate proxy for need. It should also be noted that some people who state that they may have a Long Term Health Problem or Disability as part of a Census response may not have an illness that would affect mobility and would not therefore not necessarily require M4(2) or M4(3) dwellings. The evidence base should be updated to reflect the above.

With regards to the provision of Category 3 specifically, the Council's evidence of need is weak being based on a national wheelchair usage that may not reflect the level of need in Fareham Borough. Furthermore, with regards to Category 3 affordable housing, from a practical point of view, Registered Providers are less willing to take on wheelchair dwellings as they can be difficult to occupy. If there is no suitable occupier then the unit could be sat empty for a significant period while a suitable occupier is found. During this time the unit is not generating any income, and could have been used to house a family that is in need at the time.

As the Council correctly identifies, a large proportion of older homeowners will seek to remain within their own homes with care provided in situ. Should these owner occupiers need to downsize or relocate they will be able to utilise the equity built up within their dwellings to access products which meet their specific. This may be sheltered or extra care accommodation. Within recent years, as this market has developed, the industry has responded with a number of private sheltered accommodation schemes approved within Fareham. In this context, the Local Plan also looks to facilitate the delivery of specialist housing through Policy HP8 and through specific housing allocations made in the Plan (HA42 – HA43). The Background Paper does not appear to have factored in the supply of specialist homes that may come forward be on allocated sites and windfall sites permissible under Policy HP8.

With regards to the second test relating to location of specialist housing, as set out HP8, this type of accommodation is best located in accessible locations. Given the mobility challenges which some older people face, town and district centres, with their conveniently located services such as shops and health facilities, are ideal locations for older persons housing. Fareham town centre is a highly accessible location where a significant quantum of flatted housing is proposed with the benefit of a reduced affordable housing policy requirement. District Centres are also highly accessible locations where there is a potential for older persons housing could be delivered. The Council should therefore consider restricting this Policy requirement to areas of high accessibility.

Policy HP9 Self Build and Custom Homes

Policy HP9 sets out a policy requirement for 10% of all units on sites over 40 dwellings to provide plots for sale to address local self or custom build need. It is noted, however, that at Paragraph 5.8 of the Council's Self and Custom Build Housing Background Paper (September 2020) it is stated that that the Council has met its past and future self-build requirements – this has been achieved without the need for a specific policy. It is also noted that the adopted Welborne Plan requires some 1% of its housing to be for self / custom build. Set against the current identified need of 35 net plots it would seem excessive to require a policy to further increase self / custom build supply. This could result in significant over provision of a product for which there is no clear market demand. In light of the above, the justification for Policy HP9 is therefore questionable. The policy does include provision for plot to be developed for non-self-build ,should they not be taken up, however, this Local Plan has made no assessment about the extent to which this would affect cash flow and the viability of developments. It is Persimmon's view therefore that this Policy should be deleted.

Notwithstanding our overarching concerns regarding the justification for this policy, there are a number of practical considerations that the Plan fails to adequately acknowledge. Criterion a) for example, sets out that self or custom build plots should be serviced. The Policy needs to clarify what is meant by 'serviced'. Does serviced this relate highway access, gas, water, electricity and/or broadband, and to which point should the plots be serviced? Turning to criterion c) it is not clear who would be responsible for setting out the design parameters. Placing a requirement to conform to set parameters could put off some prospective self / custom builders. The requirement to provide self and custom build plots may also have a number of practical and management issue, such as:

- Phasing and completion of the wider site.
- Section 106 contributions due to the exemption that applies to self-build housing.
- Delivery of housing in accordance with paragraph 59 of the NPPF to boost significantly housing supply, where supply on an ad hoc basic by self-builders is likely to be slow compared with the remainder of the site or even not take place at all.
- The reserve matters period running out and needing to be extended.
- Ad-hoc builders turning up outside specified hours of work.
- Storage of materials as there is limited room on plot and storage spills onto the market housing part of the site.
- Purchasers having to stop building due to unemployment/lack of funds.
- Purchaser dissatisfaction where building continues on a site which was expected to finish when they moved in.

<u>CLIMATE CHANGE</u>

Strategic Policy CC1 Climate Change

This Policy states that the 'Council will promote mitigation and adaptation to climate change through…' It is unclear whether the criteria will be sought as part of development proposals, or whether the criteria relate to development delivered by the Council. This requires clarification. If it is the former, the Policy should make clear that the criteria are not requirements but should only be met where it is possible to do so.

Policy CC2 Managing Flood Risk and Sustainable Drainage Systems

Policy CC2 requires all developments to be designed in accordance with the CIRIA C753 SuDs Manual or equivalent national or local guidance. The SuDS manual is, however, only guidance. In Persimmon's experience, strict adherence to the guidance can be problematic as the design of a SUDS system also need to consider design, aesthetics, engineering etc. It is recommended therefore that the wording for this bullet point is prefixed with 'Where possible,' to provide the necessary flexibility.

NATURAL ENVIRONMENT

Policy NE2 Biodiversity Net Gain

Policy NE2 sets out a requirement for site to deliver 10% net gain for biodiversity. The Local Plan viability assessment assumes a cost of £500 per dwelling. This development cost is based on limited evidence and seems low, particularly for greenfield sites (as opposed to brownfield equivalents) which are likely to require significant more extensive measures to achieve a 10% net gain. In many cases, the requirement to achieve BNG is likely to negatively impact on the developable area, resulting in a loss of revenue that negatively impacts on viability, rather than be a cost associated with each individual units per se. In Persimmon's view, the viability evidence to support the introduction of this Policy is inadequate. As mentioned above, meeting BNG at 10% can require considerable land take; on some sites Persimmon has been involved in, BNG has required around 50% of the gross site area. It is not clear whether or to what extend the Council has factored in this 'land hungry' BNG requirement as part of its housing allocations capacity estimates. It is also noted that BNG should be achieved across a site, it is not a requirement to be met at the individual plot level (although this might form part of the BNG solution). As such, supporting text Paragraph 32 is misleading and should be deleted.

Policy NE4 Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent

This is new Policy which sets out Fareham's policy approach to dealing with excessive nutrient (nitrate) loading on protected European sites of ecological importance. However, the Policy is light on detail with insufficient guidance as to how applicants will be able to demonstrate conformity. Given Persimmon's significant experience in dealing with such matters, the Company is aware of how this Policy can be implemented in practice, but for less informed developers/applicants this may be more challenging.

Notwithstanding the above, the Company is aware that the primary means of determining whether a development proposal will be able to demonstrate nutrient neutrality is by producing a nutrient budget using the Natural England Methodology. Given that the Natural England Methodology provides a key evidence base and is fundamental to the implementation of Policy NE4, it is critical that this document is examined in detailed alongside the Local Plan. Of particularly concern is that Natural England's Methodology includes a number of onerous stages that result in significantly more mitigation being required than is actually necessary. These provisions include, but are not limited to, housing occupancy rates, internal migration (particularly those households that are occupying new affordable housing) and default permit levels. Furthermore, despite many of steps set out Natural England Methodology taking a precautionary approach to nitrate assessment, an arbitrary buffer of 20% increase in nitrate loading is added at the end of the calculator. This buffer is not required and will further exacerbate the issue of overproviding mitigation land that is not necessary. Lastly, it is noted that the Partnership for South Hampshire has updated the Integrated Water Management Study (IWMS). The IWMS provides a key evidence base underpinning the nitrate assessment work, but the Natural England Methodology does not take into account this new evidence.

Policy NE5 Solent Wader and Goose Sites

Policy NE5 sets out the Council approach to protecting area which are used by Solent Waders and/or Brent Geese. The Policy makes reference to such area as shown on the Policies Map. These

designations are, however, informed by an interactive GIS map provided on the Solent Bird Aware website, which forms a critical evidence base to the development of Policy NE5. It is therefore concerning that, on the same webpage as the bird habitat GIS mapping, members of the public can download a form to report bird sightings. It is not clear whether or to what extent these reported sighting are authenticated / scrutinised by a qualified ecologist. There appears to be wide scope for land to be incorrectly identified as a bird site leading to unnecessary cost being expended to mitigate site, and in the worst cases complete sterilisation of that land. This is certainly the case with a number of sites that are with Persimmon Homes' interests (as detailed later in these representations). There is a concern therefore that the mapping evidence base underpinning Policy NE5 is flawed.

The Policy also does not set provision with regards to bird surveys. The methodology for bird sites allows sites to be identified as habitat even if they are not actually being used by birds. It would seem logical that the policy makes provision for applicant to undertake ecology survey and assessment of bird sites in order to demonstrate the absence or presence of a species. We would recommend that one year's survey data should be sufficient, with further surveys only required if the some activity has been identified at a site.

The Council will also be aware that it is the Solent Bird Aware mapping (not the Policies Map) that is used by consultees (Natural England and the Council's own in-house ecologist), to determine whether a development will impact on any protected bird habitat areas, to avoid any confusion in the future, and to ensure the Policies Map remains in date, it is suggested the Policy Map deletes these designations.

With regards to the criterion a) 'Core and Primary Support Areas' the Policy requires that development on such sites should result in an overall net gain to the Solent Wader and Brent Geese Network. BNG is a requirement of Policy NE2; the concept for which is established in the NPPF. However, Persimmon are unaware of any such requirement in national policy or the evidence base underpinning this policy, for a net gain for specific species, including protected birds.

Policy NE6 Trees, Woodland and Hedgerows

Point a) of this Policy advises that the 'unnecessary loss' of non-protected trees, hedgerow and woodland should be avoided. It is unclear what 'unnecessary loss' means in practice.

Point b) of the Policy should be a new sentence, and what is meant by the term 'unavoidable' in this context should be clarified.

Policy NE8 Air Quality

Criteria a) of this policy requires electricity charging infrastructure to be provided as part of new development (excluding Welborne). It is unclear why this Policy is not to be applied to Welborne. Presumably this is because of the impact of such provision on viability. Viability issues associated with EV charging provision are, however, not limited to Welborne.

The Local Plan Viability study incudes development cost associated with EV charging as part of £10,000 per plot contingency. Paragraph 5.3.8 of the Study states that, *'it is unclear at stage of writing if or when any of these measures will be required, so [the study takes] a very cautious and conservative approach….'* With regards to the EV charging, Policy NE8 requires such provision; there is no uncertainly as to what is expected of a development proposal. As such, the Viability Study should consider this issue in greater detail and not combine this policy requirement with other unknown cost demands on development. Combining these 'unknowns' a single contingency means that is not possible to scrutinise in detail whether the assumptions made with respect to EV is reliable.

We would highlight that the cost for providing EV charging points is around £500-£600 but this does not include additional costs associated with providing additional sub-stations on lager development sites so that all charging points are capable of being used concurrently (alongside all other energy

demands on a development), and the potential to provide enhanced electricity supply (i.e. off-site upgrades) over and above that required for the units that could challenge a scheme's viability.

As current drafted, this element of the Policy is not justified.

TRANSPORT AND OTHER INFRASTUCTURE

Strategic Policy TIN1 Transport Infrastructure, Policy TIN2 Highway Safety and Road Network and Strategic Policy TIN4: Infrastructure Delivery

These policies concern development contributions to the delivery of new infrastructure. However, it is considered the funding for such infrastructure may, in many instances, be a matter for CIL.

Notwithstanding, the above, if such Infrastructure is a requirement to make the development acceptable in planning terms, then such contribution need to meet the relevant tests set out in the CIL Regulations. It is no longer appropriate for blanket contribution to be sought by planning authorities. The Policy should be clear on this matter.

With specific reference to TIN2 it is unclear why the Council has chosen not to show the alignment of the Stubbington by-pass on the Policies Map given its strategic importance. This Policies map should be updated to show this route.

DESIGN

Policy D1 High Quality Design and Place Making

Policy D1 makes reference to a number of principles of policy and urban design, but also makes reference to guidance contained in the supporting text. For clarity and avoid any confusion over what is policy and what is supporting, text, it is suggested that this cross reference to the supporting text contained in the policy wording is deleted.

The Council should also review the policy to remove any duplication with other policies in the Plan, for example the section relating nature.

Consideration should also be given as whether the policy needs to be so detailed given that the Council has comprehensive guidance on design set out in its adopted Design SPD.

Policy D3: Coordination of Development and Piecemeal Proposal

This Policy seeks to avoid ransom situations. However, The Council will be aware of case law that prevents it from interfering on private property rights with regard to depressing or prevent returns to a landowners.

Policy D4: Water Quality and Resource
The second part of this policy requires developers to meet the Optional Technical Housing Standard for Water Efficiently (i.e. 110L/person/day). Meeting these Standards should be optional, not required. Whilst the Natural England Nutrient Methodology for the Solent area requires development to meet these standards as a means of addressing nitrate loading, there may be instances where nutrient neutrality can be achieved without doing so. The justification for requiring proposals to meet this standard are inadequate.

D5 Space Standards

The housing standards review introduced the optional space standards which local authorities could adopt by way of reference in their local plans. However, a prerequisite to the adoption of the space standards are the following tests set out in the planning practice guidance (Paragraph: 020 Reference ID: 56-020-20150327).

"Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- ***need** – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- ***viability** – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- ***timing** – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.'*

In order to meet the policy test for the inclusion of the space standards there is a requirement for the council to establish the need for the adoption of the national space standard. To this end, the Council has published a Specialist Housing Background Paper (September 2020). Para 6.7 of Background Paper states most dwellings that have been consented or are awaiting determination are consistent with the 2015'Technical housing standards –nationally described space standard. The Background paper, makes references to the larger plots not meeting this standard, with an example being made of site ref 14/19. However, on the whole most dwellings considered in the Council's Background Paper, including large units, are meeting the Optional standards. From a need perceptive, it would seem as though there is little justification for the introduction of this Policy.

In terms of first part of the viability test, the Council's Local Plan Viability Study indicates that development viability would not be negatively impacted by the introduction of the standards. This Study, however, is completed at a relatively high level, which makes it difficult to conclude whether this part of the test has been complied with. With regards to the second part of the test, no assessment has been carried out by the Council to demonstrate that the requirement for new development will not negatively impact affordability within the market.

As set out in paragraph 6.10 of the Background Paper, the Council has decided not to set a transition period for the adoption of the national space standards as it is of the view its introduction would not affect viability. For reasons set out above, we do not concur with this assessment, and suggest that a three year grace period is introduced to allow sites that are under a fixed contract to be brought forward. It is also noted that, the Council are looking to apply the draft policies in this Plan, including the requirement for national space standards prior to the examination or adoption of the plan. This contrary to the approach set out in the planning practice guidance. It is not practical to expect development proposals that are currently being considered to suddenly meet space standards.

In light of the above, Policy DS5 is not justified and should be deleted for reasons of soundness.

Local Plan Appendices

Appendix B set out a summary housing trajectory for the sites identified in the Plan. This is inadequate to properly assess the delivery expectation made by the Council with respect to individual sites. To enable proper scrutiny of the trajectory, the Council's housing trajectory should be broken down by individual sites. This is particularly important because the Council has consistently over-estimated the delivery timescales for key sites. For example, Welborne, which was originally identified in the Core Strategy (2011), was expected to commence delivery in 2014/15. The site has still not achieved an implementable planning persimmon, and commenced of development is still some way off.

4. Omission Sites

The following section provides an overview of the sites in Fareham Borough that are in Persimmon's interests, but have not be identified for allocation. These site are largely located on the periphery Stubbington and are within the ownership of the Dunley Estate. The Table below summarises the Dunley land holdings including capacity. The sites are shown on the enclosed Location Plans provided at Appendix 2.

Site Number	Address	Gross Area Acres (Hectares)	Site Capacity Estimate*
1	Land East of Burnt House Lane	23.53 (9.52)	240 - 320
2	Land West of Peak Lane	46.25 (18.72)	TBC
3	Land North of Titchfield Road	4.83 (1.95)	40 -50
4	Land South of Titchfield Road	2.78 (1.12)	10 - 30
5	Land West of Cuckoo Lane	52.76 (21.35)	150-200
6	Land at Oakcroft Lane	41.04 (16.20)	209
	Total	**171.19 (69.28)**	**649 - 809**

*Based on net developable area, not gross area.

Sites 1-3 and Site 6 fall within the South of Fareham SGA that was identified as part of the most recent Regulation 18 draft Plan. The remaining sites (Sites 4 and 5) are located outside of the SGA. The following section addresses each site in turn.

In support of the Draft Local Plan Regulation 19 Plan, the Council updated its Strategic Housing and Employment Land Availability Assessment (SHELAA) in September 2020. This replaces the previous study which published in December 2019. The conclusion of the SHELAA as related to each of the sites shown in the Table above are considered.

Site 1: Land East of Burnt House Lane

This site is located to the eastern edge of the Stubbington. Persimmon has undertaken some initial capacity testing in relation to Site 1, including an initial highways assessment and masterplanning. The outcome of this work indicates that the site is capable of delivering around 240 to 320 new homes. This accounts for on-site constraints including the provision of a noise attenuation bund, and strategic planting to the eastern and northern boundaries of the site. Adjacent to this site is the Meoncross School, which seeking alternative arrangements for playing pitches close to the school (the existing pitches are currently leased and do not adjoin the school) and additional car parking to avoid parents parking on the nearby residential streets. Persimmon is in discussion with the school about how development at the Burnt House Lane may assist in addressing the school's immediate needs. In the longer term, however, given that the school is unable to expand within its existing site, consideration is being given as to whether the facility could be relocated to the Cuckoo Lane site (Site 5) to the west of Stubbington. Permission are strongly of the view that the site is sustainable and suitable for development and it is capable of being brought forward as a standalone allocation site, or as part of a wider masterplan with the South of Fareham SGA, should the Council seek to revisit this project.

The SHELAA 2019 concluded that Site 1 (SHELAA Ref: 1040) was deliverable housing site. However, in the Council SHELAA 2020 the Council considers the site to be undeliverable due a) to a significant visual impact undermining the integrity of the Strategic Gap, and b) the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The

Council ascribes a capacity of 125 dwellings to the site. It is unclear how the Council has reached the conclusions in the new SHELAA given its assessment of the 2019 SHELAA undertaken just nine months prior. Notwithstanding this, as set in these representations, it is Persimmon's view that the Strategic Gap should be redrawn to exclude this site. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the bird site to development is not unachievable. A strategy of improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 2: Land West of Peak Lane

This site is located to the north of the by-pass and extends across much of the gap towards the urban edge of Fareham in the north. Given its location and context, the development potential of this site is considered to be limited. However, the land could be an effective nitrate mitigation and/or bird protected habitat site that mitigation solution that could be used to address the potential impact development on other sites within Permission interests and/or other sites in the Borough the require mitigation solutions.

Site 3: Land North of Titchfield Road

This site is located to the north-west of Stubbington. Whilst this site formed part of the previous SGA, it is clearly distinct from and separate from it. This site is small scale that is well-contained in landscape terms, surrounded by existing built development and is deliverable in the short-term as stand-alone site that can be brought forward either as part of outside of the SGA masterplanning process should the Council seek to revisit this project. Initial capacity assessments of Site 3 indicates that it is capable of delivering around 40-50 new homes.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3190) was a deliverable housing site. However, in the SHELAA 2020 considers the site to be undeliverable due it being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 20 dwellings to the site. It is unclear how the Council has reached these conclusions regarding the suitability of the site given its assessment of the site undertaken just nine months prior. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the site to development is not unachievable. This approach to improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 4: Land South of Titchfield Road

This small site is located to the north-west of Stubbington. It bounded to the north-east and north-west by existing housing fronting Titchfield Road and the Crofton Equestrian Centre. The site's relationship with the wider Meon Valley landscape is limited by the woodland to the south of the site. The woodland to the south and its associated watercourse (which is also within Dunley Estate ownership) is recognised as an important ecological resource. Sensitive site design, however, could provide a means of ensuring the ecological interests at this adjoining site are protected and enhanced. Initial site capacity assessment indicated that the site is capable of delivering between c. 10-30 new homes. Were the Council minded to allocate the site for residential development, it could provide an important contribution towards its small-medium site housing allowance as required by Paragraph 68 of the NPPF.

Site 5: Land West of Cuckoo Lane

This site adjoins the settlement boundary of Stubbington to its north-eastern boundary. It is characterised by a substantial arable field that is well-contained in the north by the built form of Stubbington and substantial woodland. Initial capacity testing of this site, which has allowed for a substantial ecological buffer to the woodland, strategic planting to contain the site from the wider Meon Valley, land for a new school and new parkland further south, indicates that it is capable of delivering around 150-200 new homes.

This site is assessed in the SHELAA as being undeliverable due to being located within a *'highly sensitive landscape (based on the Fareham Landscape Assessment) and within an Area of Special Landscape Quality. Significant ecological constraints associated with the adjacent SPA/SSSI affect the suitability of the site.'* The SHELAA ascribes a capacity of 240 dwellings to the site. Whilst the ecological and landscape challenges associated with this site are recognised, they are not insurmountable. Although not a consideration for the SHELAA per se, the site provides the opportunity to deliver substantial ecological and recreation benefits, alongside community benefits, including new education provision and allotments.

Site 6: Land at Oakcroft Lane

Similar to Sites 1 and 3, the Oakcroft Lane site can be delivered outside of or as part of the SGA process (should the Council revisit this project). However, as demonstrated through the planning application, the site is deliverable now as a standalone development site. Technical issues associated with the development have been resolved and Persimmon are currently awaiting determination of the application by the Council. The site is capable of delivering 209 new homes alongside a considerable area of space to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3141) was a deliverable housing site. However, in the SHELAA 2020 the Council considers the site to be undeliverable due to the site to be undeliverable due to the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 200 dwellings to the site. It is unclear how the Council has reached these conclusions given its assessment of the site undertaken just nine months prior, and considering the site-specific mitigation strategy for protected birds has the support of Natural England and the Council's ecologist via the planning application process.

Appendix 1: Oakcroft Lane Site Layout

Rev	Date	Revision Details	Dr	Ch
E	22.04.20	Bypass junction amended	br	db
D	25.02.20	see planning cover note	br	db
C	05.11.19	see planning cover note	br	db
B	20.09.19	see planning cover note	br	db
A	22.07.19	see planning cover note dated 23 July	br	db

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Job Title
Oakcroft Lane, Stubbington

Drawing Title
Site Layout

Job No	Drawing No	Rev
220	A-02-015-SL	E
Drawn	Checked	Date
BR	DB	March '19

Scale
1:1000 @ A1 / 1:2000 @ A3

metres 20 40 60 80 100

Status
PLANNING

Persimmon Homes. No dimensions to be scaled from drawing except for the puposes of Planning Applications. The contractor should check all dimensions on site. It is the contractors responsibility to ensure compliance with Building Regulations. No drawings should be copied or modified without permission from Persimmon Homes.

File Location: s:\south coast\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Appendix 2 Omission Site Location Plans

Site 1 Location Plan: Burnt House Lane, Stubbington

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Site 2 Location Plan: West of Peak Lane, Stubbington

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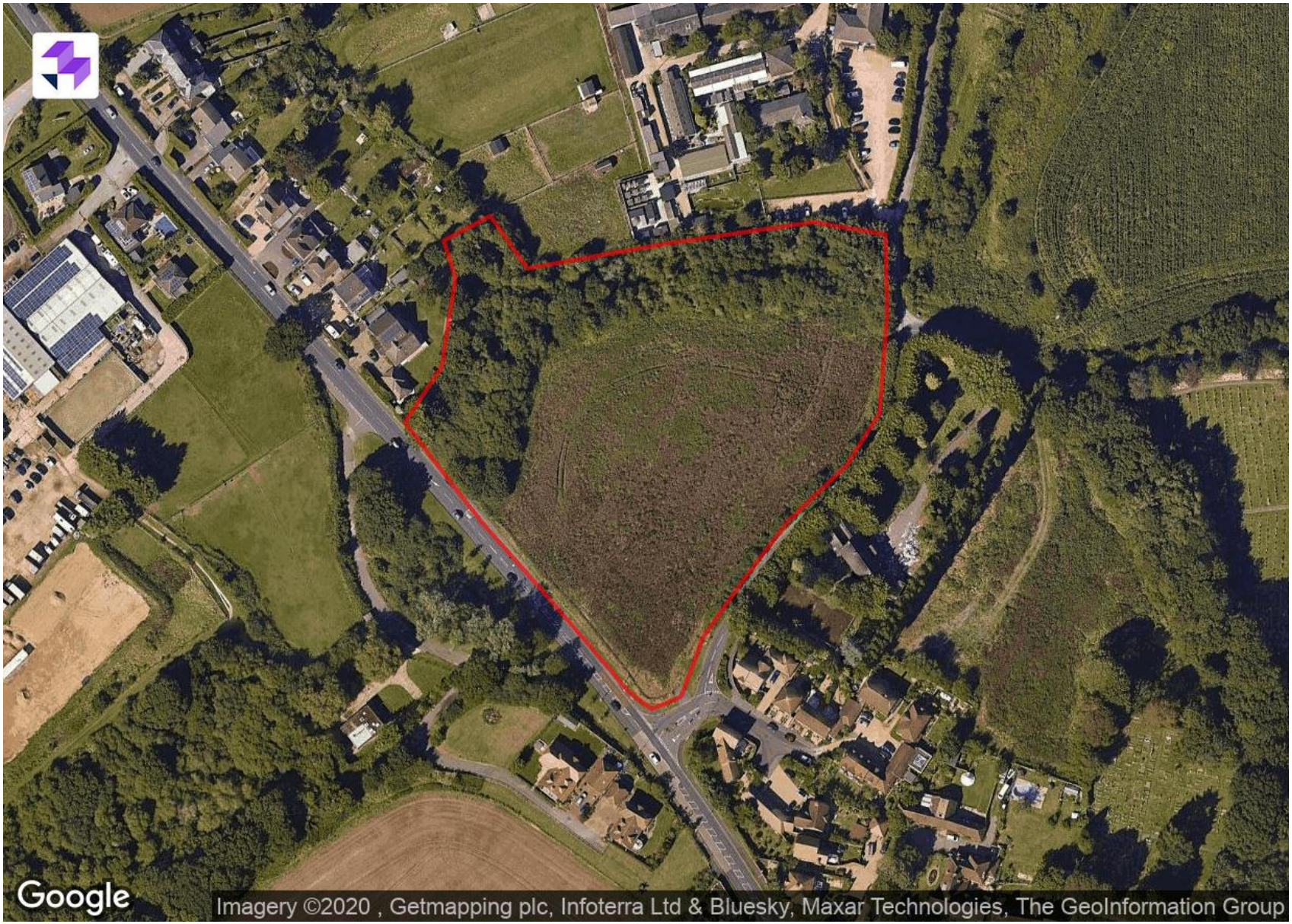

Site 3 Location Plan: North of Titchfield Road, Stubbington

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Site 4 Location Plan: South of Titchfield Road, Stubbington

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Site 5 Location Plan: West of Cuckoo Lane, Stubbington

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OFFICIAL PARTNER

Rev	Date	Revision Details	Dr	Ch
A	22.07.19	see planning cover note dated 23 July	br	db

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Portsmouth CITY COUNCIL

Planning Policy,
Planning and Economic Development

Portsmouth City Council
Civic Offices
Guildhall Square

Phone: [redacted]

Ref:

Gayle Wotton,
Planning Strategy Manager
Civic Offices,
Civic Way,
Fareham,
PO16 7AZ

17 December 2020

Dear Gayle,

Re: Fareham Borough Council - Local Plan 2037: Portsmouth City Council response

Thank you for consulting Portsmouth City Council on the emerging Fareham Local Plan. The City Council would like to make the following comments:

Approach to Housing Need

1. While the Fareham Borough Council's (FBC) 'Regulation 19' Publication Plan has been out to consultation the Government has announced a revised standard methodology for assessing local housing need, following the *Changes to the current planning system* consultation published in August 2020. For both Fareham and Portsmouth this results in the previous standard method numbers being retained (514 and 855 per annum respectively[1]) rather than the proposed lower figures put forward for consultation by Government in August (estimated to be 403 and 730 per annum respectively). The development strategy proposed by the Reg 19 verison of the Fareham Borough Council Local Plan 2037 is based on the 420 per annum figure.

2. Portsmouth has a finite capacity to accommodate new development due to its geographical constraints; changes to Portsmouth's housing target are therefore directly reflected in the cities unmet housing need. Paragraph 4.5 of the FBC's Publication Plan references the City Council's formal request for Fareham to accommodate 1,000 dwellings of Portsmouth's unmet need; Fareham's contribution in its housing supply for the plan period of 847 dwellings to the unmet need of all neighbouring authorities' is noted and welcomed. However, under the December 2020 methodology, the City Council has a total unmet need of over 3,000 dwellings. The City Council would therefore wish to maintain the request to FBC to potentially accommodate up to 1000 dwellings as a portion of Portsmouth's unmet need. The City Council is also conducting other Duty to Cooperate discussions on the matter

[1] MHCLG *Indicative local housing need* (December 2020 revised methodology) available from: https://www.gov.uk/government/consultations/changes-to-the-current-planning-system

with neighbouring authorities in the Portsmouth Housing Market Area. Gosport and Havant Borough Councils have both indicated capacity limitations. However, the City Council recognise that the distribution of housing need is broader than the PCC and FBC authority areas, and will require consideration and co-operation at the sub regional scale.

3. In response to FBC's previous Local Plan consultation (Local Plan Supplement, March 2020), the City Council welcomed the proposal for two Strategic Growth areas (North of Downend, and South of Fareham) in Fareham Borough's Local Plan, which were indicated at that time as having the potential to meet unmet development needs from the Borough's neighbouring authorities. The City Council indicated that North of Downend would be particularly suitable for accommodating unmet need from Portsmouth given its closer geographical proximity to the city and transport links via the M27/ A27, Portchester railway station and the proposed Bus Rapid Transit (BRT) line.

4. The Publication Plan has not taken the two Strategic Growth Areas forward, due to the anticipated reduction in FBC's housing target from Government. Given the potential revision in housing need targets (published 16.12.20), this would justify FBC's reconsideration of the inclusion of such sites to help meet FBC's housing need and well as unmet need from other neighbouring authorities in the Portsmouth Housing Market Area, including PCC.

5. PCC and FBC will continue to work collaboratively to address strategic planning matters, both through the Partnership for South Hampshire (PfSH) and, where necessary, on a bilateral basis. The PfSH authorities' are currently undertaking a piece of work (as part of the review of the 2016 Spatial Strategy) to identify sufficient suitable sites to accommodate unmet housing need across the sub region, with specific focus on Housing Market Areas. This will include ensuring there are sufficient sites in the Portsmouth Housing Market Area (which contains both Portsmouth and a large part of Fareham). The City Council welcome the inclusion of land at Down End and development in part of the Stubbington Gap in the PfSH Strategic Development Opportunity Area work as part of the range of strategic site options being considered. The City Council supports the specific reference to the on-going joint work with the PfSH authorities in paragraph 1.3 of the Plan.

Employment

6. In regard to employment, Portsmouth and Fareham's authority areas' form part of a wider market area, with commuters moving between the city and the surrounding towns including Fareham and the M27 corridor. PCC supports the allocations for employment land in Policy E1: Employment Land Provision, particularly the sites at Daedalus which of sub-regional importance to the local market.

7. The City Council would encourage HBC to consider how the Local Plan could help to resist the loss of employment space (e.g. a future Article 4 Direction), as well as the loss of other allocated uses that fall under Use Class E where necessary. If allocated employment land is lost to residential uses this could lead to an increase in unsustainable travel patterns and greater pressure on the wider area. We would welcome further discussion with FBC, and other Councils in Portsmouth Housing Market area and/ or PfSH area, on this matter to establish a common approach.

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Portsdown Hill

8. Portsdown Hill is an important part of the landscape in South East Hampshire, for its open space, landscape and heritage value as well as the views of and from the hill. The City Council supports the identification of Portsdown Hill as an Area of Special Landscape Quality under the FBC Publication Plan Policy DS3, and notes the evidence produced to support the allocation in the *Technical Review of Areas of Special Landscape Quality and Strategic Gaps* (Sept 2020).

9. The City council would welcome any further opportunities for joint working on the strategic approach to Portsdown Hill, together with Winchester District Council and Havant Borough Council, including as a consultee on development proposals.

Environment

10. The City Council welcomes the inclusion of NE1 - Protection of Nature Conservation, Biodiversity and the Local Ecological Network, Policy NE6: Trees, Woodland and Hedgerows, Policy NE9: Green Infrastructure which together help protect key species and habitats and promote green space coverage within south Hampshire.

11. Portsmouth are currently developing a green infrastructure network for the city, including the identification of a number of existing and proposed 'green corridors' to link up open spaces across Portsmouth, encourage active travel, enhance biodiversity and support resilience to climate change. A first draft of the proposed network was published in PCC's Green Infrastructure Background paper in February 2019; it includes the identification of several potential 'green corridors' that would meet the boundary with Fareham's authority area: Portsdown Hill Road and Southampton Road (A27). The City Council would welcome any discussion on how these proposed corridors could be extended beyond the City Council area, and/ or support for these linkages in the FBC Local Plan if possible. The identified ecological network opportunities (shown the map in Appendix C of the Publication Plan) along Portsdown Hill Road and the A27 within the FBC authority area are noted.

12. The City Council is committed to continuing to work with FBC and the other members of the PfSH Water Quality Working Group as necessary on short, medium and long term 'nutrient neutral' mitigation solutions for housing development within the Solent catchment. Current discussions indicate that mitigation solutions are likely include the identification and securing of suitable off-setting land in the Solent catchment, predominately outside the Portsmouth urban area.

13. The City Council is also mindful of the likely forthcoming requirement to provide at least 10% biodiversity net gain on development sites, as part of the anticipated Environment Act. While the City Council is currently undertaking further work to explore how such requirements could be effectively applied within an urban environment and to identify off-site opportunities for biodiversity creation and/ or enhancement within the city, there is the potential for a shortfall in net gain provisions (subject to the final provisions of the Environment Act) within the plan period. Securing land for nitrate mitigation presents one such opportunity to seek multiple environment benefits for the sub region (biodiversity net gains, carbon off-setting, Suitable Alternative Greenspaces (SANGs) for recreational disturbance,

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habitat compensation of coastal defence schemes etc). The City Council are committed to furthering these discussions with Fareham BC and the other PfSH authorities on this matter, and to consider the potential for environmental off-setting on both a sub-regional and a site by site basis as appropriate.

Education

14. The City Council continues to maintain close links with Hampshire County Council as Education Authority due to cross border pupil movement. Development in close proximity to the FBC and PCC authority borders can impact the availability of school places across authorities. The timing and size of development should therefore be closely monitored to ensure the continued availability of school places during the life of both Local Plans.

Transport

15. The City Council welcomes the reference in paragraph 10.3 of support for proposals that promote sustainable transport links through Fareham Borough to Portsmouth and Southampton. The city also supports the reference to the development of the rapid transit networks between the two authorities and linking to others in the sub region in paragraph 10.20.

If you wish to discuss any of the matters raised in our response, please do not hesitate to contact me.

Kind regards,

Rachel Cutler

Acting Planning Policy Manager

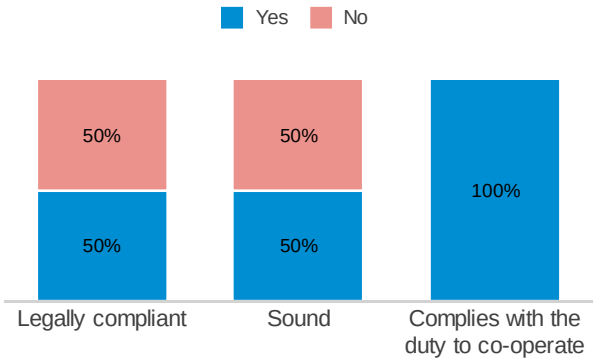
[redacted]

DRAFT

Policy | NE1 - Protection of Nature Conservation, Biodiversity and the Local Ecological Network

2 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	2	2	2
Yes	1 50%	1 50%	2 100%
No	1 50%	1 50%	0 0%



Respondent: Mrs Wendy Ball (2311-221619)

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Also NE6. It is very necessary that sites of nature conservation are protected and enhanced. Geodiversity and biodiversity, including the ecological network, must be conserved. Trees, woodland (especially ancient woodland) and hedgerows provide habitats and biodiversity helping to mitigate climate change and, therefore, must be protected and enhanced. The Stubbington Study Centre is of particular value since, not only does it provide refuge for nature but also provides education for the younger generation.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Respondent: Mr Steve Godwin (1812-581012)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Inadequate compliance regarding position regarding excessive levels of Nitrates in the Solent area which has rightly prevented planning applications until resolved. The legal basis of the planned offset solution should be properly considered/challenged as the offset solution does not solve the problem. I have made representations to Sean Woodward and Stella Braverman in this regard. The response from my MP was inadequate and shows this as a political fudge.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Solve the nitrate problem

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Solve the nitrate problem

Your suggested revised wording of any policy or text:

Until the nitrate problem is resolved this policy should not be adopted or implemented.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Fareham Local Plan 2037 Consultation **December 2020**

Response from the Woodland Trust

The Woodland Trust ("the Trust") is the UK's leading woodland conservation charity, and wants to see a UK that is rich in native woods and trees, for people and wildlife. We aim to achieve this by restoring and improving woodland biodiversity and increasing people's understanding and enjoyment of woods and trees.

We own over 1,275 sites across the UK, covering over 23,580 hectares and we have around 500,000 members and supporters. The Trust is recognised as a national authority on woods and trees and a protector of the benefits and values that they deliver for society.

We welcome the opportunity to comment on the Fareham Local Plan 2037 publication draft.

Contact name:

Bridget Fox
Regional External Affairs Officer - South East
[redacted]

- I am willing for my contact information to be shared.
- The Woodland Trust is willing to give evidence at the Examination in Public.

Please find below the Trust's comments on individual policies.

Policy CC1: Climate Change

We welcome the priority given to tackling climate change. This policy sets strategic policy aims including c) integrating Green and Blue infrastructure, and refers to the intention to improve tree canopy cover. However, it fails to set any specific policy requirements or targets that will deliver this policy and so risks being unsound in practice. In order to be sound, we recommend a more specific and robust policy wording.

This should include policy in support of new tree planting and woodland creation. A rapid increase in the rate of woodland creation has been proposed by the UK's Committee on Climate Change, to provide a key mechanism to lock up carbon in trees and soils, provide an alternative to fossil fuel energy and resource-hungry building material, and importantly to stem the declines in biodiversity. We recommend setting a target for borough-wide tree canopy cover as part of this policy.

We further recommend setting a target for tree canopy cover on individual development sites, ideally of 30 per cent, to be pursued through the retention of important trees, appropriate replacement of trees lost through development, ageing or disease and by new planting to support green infrastructure.

Proposed amendment

Expand c) as follows:
c) Integrating Green and Blue Infrastructure into the design of developments through approaches such as mandatory biodiversity net gain; a minimum of 30% tree canopy cover, which will help to reduce CO2 concentrations and mitigate the urban heat island effect; and the use of Sustainable Drainage Systems which helps reduce the risk of flooding.

Reason

The independent Committee on Climate Change recommends increasing woodland cover in the UK from 13% to a minimum of to 15% by 2035 and 18% by 2050, to ensure the country achieves net zero carbon emissions. Development sites are make an important contribution to this target. By setting a 30% canopy cover target for development sites as part of wider Green Infrastructure and net gain requirements, local authorities can help deliver the necessary overall increase to 18%.

Further information can be found in the Trust's Emergency Tree Plan (2020) [1].

[1] https://www.woodlandtrust.org.uk/media/47692/emergency-tree-plan.pdf

Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

This policy wording is permissive rather than explicitly ruling out development that adversely affects protected sites. We fear that this risks being unsound in failing to afford adequate protection to ancient woodland and veteran trees.

We welcome the explanatory wording in paragraph 9.15 "Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are reasons of overriding public interests and a suitable compensation strategy" and would like to see that incorporated directly into the policy.

Proposed amendment

In order to make the policy sound, we ask that it be strengthened it, based on the on the wording recommended by the Woodland Trust, either by adding this wording to NE1 or alternatively to Policy NE6 Trees, Woodland and Hedgerows.

i. *Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons.*

ii. *As ancient woodland and ancient or veteran trees are irreplaceable, discussions over possible compensation should not form part of the assessment to determine whether the exceptional benefits of the development proposal outweigh the loss.*

iii. *Ancient wood pasture and historic parkland should receive the same consideration as other forms of ancient woodland. The protection of the whole habitat is necessary even though tree cover may be comparatively sparse. Development on open space between trees in an area of ancient wood pasture or historic parkland should not be permitted.*

Reason

The National Planning Policy Framework (NPPF) (paragraph 175c) states: "When determining planning applications, local planning authorities should apply the following principles: …… c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists".

We recognise the intense pressure to identify and bring forward new sites for housing and employment uses. This pressure makes it all the more important that vital protections for ancient woodland and veteran trees are upheld.

Ancient woods are irreplaceable. They are our richest terrestrial wildlife habitats, with complex ecological communities that have developed over centuries, and contain a high proportion of rare and threatened species, many of which are dependent on the particular conditions that this habitat affords. For this reason, ancient woods are reservoirs of biodiversity, but because the resource is limited and highly fragmented, they and their associated wildlife are particularly vulnerable.

Where it is deemed that there is going to be unavoidable residual damage or loss to ancient woodland, the measures taken to compensate for this must be of a scale and quality commensurate with loss of irreplaceable habitat. Where ancient woodland is to be replaced

by new woodland, this should aim to create 30 hectares of new woodland for every hectare lost.

Further information is available in the Trust's *Planners' Manual for ancient woodland (2019)*[2].

[2] https://www.woodlandtrust.org.uk/media/3731/planners-manual-for-ancient-woodland.pdf

Policy NE6 Trees, Woodland and Hedgerows

This policy wording is permissive rather than explicitly ruling out development that adversely affects protected sites. We fear that this risks being unsound in failing to afford adequate protection to ancient woodland and veteran trees.

It is also insufficiently robust in specifying the level of replacement where woodland and trees are removed in order to deliver net gain in line with policy NE2. The explanatory wording in paragraphs 9.84 and 9.85 indicate a welcome presumption against loss of existing trees and woodland, in particular ancient woodland and veteran trees, but are insufficiently robust in our view.

Where it is deemed that there is going to be unavoidable residual damage or loss to ancient woodland, the measures taken to compensate for this must be of a scale and quality commensurate with loss of irreplaceable habitat. Where ancient woodland is to be replaced by new woodland, this should aim to create 30 hectares of new woodland for every hectare lost.

For other trees, we recommend setting a proposed ratio of tree replacement, with a ratio of at least 2:1 for all but the smallest trees and ratios of up to 8:1 for the largest trees. We would further encourage the specification where possible of UK sourced and grown tree stock for new planting, to support biodiversity and resilience.

Proposed amendments

Amendment 1

In order to make the policy sound, we ask that it be strengthened it, based on the on the wording recommended by the Woodland Trust, either by adding this wording to NE6 or alternatively to Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network.

i. *Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons.*
ii. *As ancient woodland and ancient or veteran trees are irreplaceable, discussions over possible compensation should not form part of the assessment to determine whether the exceptional benefits of the development proposal outweigh the loss.*
iii. *Ancient wood pasture and historic parkland should receive the same consideration as other forms of ancient woodland. The protection of the whole habitat is necessary even though tree cover may be comparatively sparse. Development on open space between trees in an area of ancient wood pasture or historic parkland should not be permitted.*

Reason

The National Planning Policy Framework (NPPF) (paragraph 175c) states: “When determining planning applications, local planning authorities should apply the following principles: …… c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists”.

We recognise the intense pressure to identify and bring forward new sites for housing and employment uses. This pressure makes it all the more important that vital protections for ancient woodland and veteran trees are upheld.

Ancient woods are irreplaceable. They are our richest terrestrial wildlife habitats, with complex ecological communities that have developed over centuries, and contain a high proportion of rare and threatened species, many of which are dependent on the particular conditions that this habitat affords. For this reason, ancient woods are reservoirs of biodiversity, but because the resource is limited and highly fragmented, they and their associated wildlife are particularly vulnerable.

Further information is available in the Trust's *Planners' Manual for ancient woodland (2019)*[3].

Amendment 2

We propose amending the final lines of Policy NE6 to read

"The removal of protected trees, groups of trees (including veteran trees), woodland (including ancient woodland) or hedgerows will only be permitted in wholly exceptional circumstances. Where it is deemed that there is going to be unavoidable residual damage or loss to ancient woodland, the measures taken to compensate for this must be of a scale and quality commensurate with loss of irreplaceable habitat. Where ancient woodland is to be replaced by new woodland, this should aim to create 30 hectares of new woodland for every hectare lost. Where protected trees, woodland and hedgerows are subject to removal, a replacement of an appropriate number, species and size in an appropriate location will be required, at a level that will deliver net gain in tree canopy cover."

Reason

The current policy fails to specify adequately the level of replacement required to meet statutory biodiversity obligations including the emerging requirement to deliver biodiversity net gain. In addition, the policy fails to ensure increased tree canopy cover at a time when such increases are a goal of national and local policy.

Further information is available in the Trust's guidance on *Local Authority Tree Strategies* (2016) [4].

[3] https://www.woodlandtrust.org.uk/media/3731/planners-manual-for-ancient-woodland.pdf
[4] https://www.woodlandtrust.org.uk/publications/2016/07/local-authority-tree-strategies/

Policy NE10: Protection and Provision of Open Space

We support the policy that residential development will be required to provide open and play space to meet the needs of new residents. In addition, we recommend including standards for access to natural green space and woodland for existing and new developments.

Proposed amendment

To expand the final lines of policy NE10 as follows:

"Residential development will be required to provide open and play space to meet the needs of new residents, including access to natural green space and woodland in line with the Accessible Natural Greespace and Woodland Access Standards. Where possible, development shall address any additional identified deficiencies in open space highlighted within the most recent Open Space study."

Reason

Without specific standards, the policy risks being ineffective and therefore unsound.

Natural England's Accessible Natural Green Space Standard recommends that all people should have accessible natural green space:

- Of at least two hectares in size, no more than 300m (five minutes' walk) from home.
- At least one accessible 20-hectare site within 2km of home.
- One accessible 100-hectare site within 5km of home.
- One accessible 500-hectare site within 10km of home.
- A minimum of one hectare of statutory local nature reserves per 1,000 people.

The Woodland Trust has developed a Woodland Access Standard to complement the Accessible Natural Green Space Standard. This recommends that:

- That no person should live more than 500m from at least one area of accessible woodland of no less than 2ha in size.
- That there should also be at least one area of accessible woodland of no less than 20ha within 4km (8km round trip) of people's homes.

Further information is available in the Trust's guidance *Residential developments and trees (2019).*[5]

[5] https://www.woodlandtrust.org.uk/media/1688/residential-developments-and-trees.pdf

Policy HA27, Rookery Avenue, Sarisbury.

As the draft policy notes, this site is adjacent to ancient woodland at Gull Coppice. Where development sites are adjacent to ancient woodland, we recommend that as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. A larger buffer may be required for particularly significant engineering operations, or for after-uses that generate significant disturbance.

Proposed amendment

Add the following to *f) … Proposals should seek to enhance the Gull Coppice SINC, while maintaining a 50m protective buffer.*

Reason

In line with the NPPF protection for ancient woodland, buffers shield ancient woodland from damaging edge effects such as encroachment, fragmentation and pollution. If a 50m buffer is not accepted at this location, then we would still recommend specifying a minimum 15m buffer, in line with Natural England's guidance.

Well-planned buffers can offer recreation opportunities as well as contributing to biodiversity net gain. The preferred approach is to create new habitat, including native woodland, around existing ancient woodland. This will help reverse the historic fragmentation of this important habitat. The consequent increase in ecological connectivity between areas of ancient woodland will create the resilient landscapes recommended in *Making Space for Nature* published by Defra (2010).

Further information is available in the Trust's *Planners' Manual for ancient woodland (2019)*[6].

END

[6] https://www.woodlandtrust.org.uk/media/3731/planners-manual-for-ancient-woodland.pdf

The countryside charity
Hampshire

E [redacted]

Working locally and nationally for a beautiful and living countryside

15th December 2020

FAO: planningpolicy@fareham.gov.uk

Fareham Local Plan 2037 Publication
Regulation 19 Consultation

Dear Sirs,

Please find attached comments from CPRE Hampshire regarding the Regulation 19 Fareham Local Plan 2037 consultation.

Firstly, a general point; CPRE Hampshire is extremely pleased to see that Fareham BC have approached their new Local Plan from a landscape-based perspective, a process which we wholly support. Furthermore, we fully endorse Fareham BC's inclusion of a Climate Change policy, which must underpin all other policies and spatial planning.

Furthermore, we are pleased to see that Fareham have adopted housing numbers based on the latest available housing projections from the ONS, the 2018-based projections, which show a considerable reduction in estimated local need.

However, we remain disappointed that there seems to be no mention of a potential new South Hampshire **Green Belt** in the Reg 19 consultation. In an earlier consultation by Fareham BC in July 2019, there were a number of mentions of this option, notably in Section 10c regarding the Meon Valley, where it said "The Council will also be working with PUSH to consider the potential for greenbelt land across local authority areas, and there could be scope for this area to become part of a South Hampshire greenbelt." As CPRE Hampshire has long campaigned for a sub-regional area of restraint in order to encourage urban regeneration and prevent sprawl, this was very much welcomed. Sadly, this does not seem to have been included in the Reg 19 document, and we consider its exclusion to be a significant wasted opportunity, as the NPPF allows local authorities to designate Green Belt as part of the Local Plan process. It has been agreed that the PfSH authorities are to consider a new Green Belt as part of their forthcoming Statement of Common Ground and we would have hoped to see Fareham BC leading the way.

CPRE Hampshire has completed Response forms for individual policies which are attached below this letter, but in summary our headline comments are as follows:

Development Strategy

Strategic Policy DS1 Development in the Countryside: CPRE Hampshire agrees with these principles but notes that a South Hampshire Green Belt could aid considerably in achieving these goals.

Strategic Policy DS2 Strategic Gaps: We note the decision to re-define strategic gaps (the Meon and Fareham-Stubbington gaps) and suggest that a new Green Belt could achieve this. An area could easily be defined to encompass the Meon Valley, which could link to an area of larger Green Belt to the north of the Borough in Winchester District.

Strategic Policy DS3 Areas of Special Landscape Quality: CPRE Hampshire agree with Fareham BC's analysis of the Borough's varied landscapes and supports any intention to define them as Areas of Special Landscape Quality, illustrated in Figure 3.3. However, CPRE Hampshire suggests that some of these could be further protected if they also formed part of a wider South Hampshire Green Belt, in particular the Upper Hamble Valley, the Meon Valley, the Forest of Bere and Portsdown Hill.

Climate Change

Strategic Policy CC1 Climate Change: CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. The aspirations in Policy CC1 are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. We consider that this is a missed opportunity. However, we feel that Criterion a) does not go far enough. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes "Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle." It must be a fundamental tenet of the Fareham Local Plan that NO development should be permitted that relies on the car as its main means of access.

Nothing less than a drastic change to spatial strategy and a move away from South Hampshire's historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture. The adoption of a South Hampshire Green Belt would assist this by encouraging urban redevelopment, and preventing sprawl into the countryside where modal change to walking, cycling and public transport is very much more difficult to achieve.

Housing

Policy H1 Housing: CPRE Hampshire recognises that the current guidance from MHCLG requires the calculation of local housing need (LHN) based on figures from the 2014-based household projections, although a recent MHCLG consultation suggested a new methodology. Whatever the methodology, CPRE Hampshire supports Fareham BC in using the most up-to-date household figures based on the 2018-based projections. We also welcome the removal of Policy HA2 from the Reg 19 Local Plan.

Policy HA1 Warsash: CPRE Hampshire does not believe that the proposed development around Warsash can be consider truly sustainable, reliant as it is on the car as the main means of transport. We are concerned about the lack of a masterplan and believe the proposed framework does not fulfil a place making function.

Policy HP4 Five-Year Housing Land Supply: CPRE Hampshire has significant concerns about the unintended consequences of this policy, specifically its linkage with DS1, and believe that it may lead to site selection looking outside the Urban Area in the first instance.

Policy HP6 Exception Sites: The potentially inadvertent use of the word OR in Criterion c) could allow significantly large exception sites to be allowed, as long as they remain below the threshold of 5% of the size of the adjacent settlement. There should be a fixed upper limit.

Natural Environment

Strategic Policy NE1 Protection of Nature Conservation, Biodiversity and the Local Ecological Network: CPRE Hampshire supports the use of ecological network mapping to conserve nature and protect biodiversity and as a tool for influencing spatial planning.

Policy NE2 Biodiversity Net Gain: CPRE Hampshire supports the requirements for 10% biodiversity net gain on all development.

Policy NE4 Water Quality effects on the SPAs, SACs and Ramsar sites of the Solent: CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse the proposed policy until the legal issues have been resolved.

Policy NE6 Trees, Woodlands and Hedgerows: CPRE Hampshire agrees with any policy that supports the preservation or enhancement of trees, woodlands and hedgerows.

Policy NE8 Air Quality: CPRE Hampshire supports the requirements for air quality improvement but considers more could be achieved if development were only to be permitted in locations around mass public transport hubs, rather than being car dependent.

Policy NE9 Green Infrastructure: CPRE Hampshire agrees that green infrastructure is important to the wider ecological network and to the health and wellbeing of residents but suggests that it would be better protected in perpetuity were it to be formalised as part of a new Green Belt.

Transport and Other Infrastructure

Strategic Policy TIN1 Sustainable Transport: CPRE Hampshire recognises that Fareham BC aspire to have 'good growth' with existing and proposed transport corridors influencing choice of development, but we feel the policy does not go far enough. The Council should feel empowered to reject development which is not already located around, or can provide, public mass transit hubs, in particular the rail network.

The principles of development and transport as set out in the Transport for New Homes checklist should be followed - https://www.transportfornewhomes.org.uk/the-project/checklist-for-new-housing-developments/.

Design

Strategic Policy D1 High Quality Design and Placemaking: The design quality of future developments starts with overall masterplanning and landscape context as well as specific building details. Fareham has seen a proliferation of poorly designed car dependant nondescript developments over recent years, and it is critical that major improvements are made for the future.

Yours faithfully,

Caroline Dibden

Vice-President
CPRE Hampshire

The countryside charity
Hampshire

A1 Is an Agent appointed:

No, an agent is not appointed

A2 Please provide your details below:

Title:	**Mrs**
First Name:	**Caroline**
Last Name:	**Dibden**
Job Title:	**Vice-President**
Organisation:	**CPRE Hampshire, the countryside charity**
Address:	[redacted]
Telephone:	
Email Address:	

POLICY DS1: Development in the Countryside

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.29 – 3.36

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS1: Development in the Countryside

B1c Which part of the Policies Map?

Areas of Special Landscape Quality and Strategic Gaps

a) East of Welborne,
b) the Strategic Gap along the Meon, and
c) to the north-west of the borough.

2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire STRONGLY SUPPORTS the overall approach taken by Fareham BC in the Fareham Local Plan 2037 for a spatial strategy based on countryside, which is justified as it is in accordance with the aspirations as set out in the NPPF for development to be brownfield first, and for countryside to be protected for its intrinsic value and beauty, and for protection of Best and Most Versatile agricultural land. It is also supported by the Government's 25-year Environment Plan and for the recommendations as set out by the Climate Change Committee.

Furthermore, CPRE Hampshire SUPPORTS the Vision for the Fareham Local Plan 2037 which states that Fareham BC seek to retain its identity, and the identity of individual settlements within the Borough, through measures that seek to retain the valued landscapes and settlement definition.

We also SUPPORT Strategic Priority 2 which seeks to maximise development in the urban area and away from the wider countryside, valued landscapes and those of special quality and spaces that contribute to settlement definition.

CPRE Hampshire believes that the Vision and Strategic Priority 2 would both be better achieved if a new Green Belt was designated, due to its permanence and effectiveness. We submitted to Fareham BC and to PfSH a report by NEF Consulting on the potential socio-economic and environmental benefits of a Green Belt: https://www.cprehampshire.org.uk/our-campaigns/south-hampshire-green-belt/. This demonstrates the considerable financial benefits as well as to health and wellbeing, climate change and natural capital of protecting the green space near to population centres, in perpetuity, something that only Green Belt is designed to achieve.

Looking at the specific policy wording, CPRE Hampshire believes that criterion (e) of **Policy DS1** is unsound, specifically in the way it permits development in the countryside that is compliant with Policies **HP4, HP5 and HP6**. Permissions that might be compliant with these polices appear to be in direct contradiction with the other criteria in **Policy DS1**, and the policy is therefore internally inconsistent.

HP4 relates to the Five Year Housing Supply (5YHLS) and allows residential development outside the urban area boundary where the Council is unable to demonstrate a 5YHLS. It is believed that the Government intends to remove 5YHLS test in the planning reforms, so this policy may be redundant and should be reworded to future proof its deletion. However, that notwithstanding, the main problem is that the wording of Policy HP4 and its linkage with **DS1** could unintentionally lead to countryside locations taking priority over alternative, more sustainable, urban or brownfield locations.

HP5 relates to the provision of affordable housing on sites of 10 or more, and its linkage to **DS1** could unintentionally suggest that Fareham BC accepts in principle the development of ANY affordable housing site outside the urban area boundary. The risk is that the linkage could potentially enable large scale housing development in the countryside as long as it could be demonstrated that 40% affordable housing would be achieved.

HP6 relates to small rural affordable housing exception sites, and whilst CPRE Hampshire supports the provision of rural affordable housing, the concern is that the linkage with **DS1** could inadvertently lead to a series of separate applications which in combination amount to significant levels of development in the countryside. The cumulative impact on the separation of settlements resulting from a number of sites each individually sub- 1 hectare or <5% of the adjacent settlement must be considered, but at the moment the policy has no mechanism for dealing with this potential eventuality. See separate comments on **Policy HP6** as regards the use of the word *OR*.

CPRE Hampshire SUPPORTS criteria i) to v) of **Policy DS1** and believe they provide a sound underpinning of the principles aspired to by Fareham BC.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Fareham BC should look at the areal extent of a possible South Hampshire Green Belt as part of this Local Plan, as it has been confirmed by Leader Cllr Woodward that they wish to see such a designation to protect the countryside and gaps.

Remove the linkage of **Policies HP4, HP5 and HP6** with **Policy DS1**.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Including a proposed South Hampshire Green Belt would be in accordance with the aspirations as set out by the Council in council meetings, PfSH meetings and in press releases.

Removing the linkage of **Policies HP4, HP5 and HP6** with **Policy DS1** would remove the internal inconsistency by removing the possibility of inadvertent development in the countryside.

B4c Your suggested revised wording of any policy or text:

Remove the linkage of **Policies HP4, HP5 and HP6** from Policy **S1 (e).**

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for Local Plans to take the countryside into account when devising spatial development strategy, and we would like to appear at the Hearings to support Fareham BC in choosing this approach. Our expertise lies in spatial strategy and reconciling development requirements with the environmental constraints of countryside, and its uses and purposes.

POLICY DS2: Development in Strategic Gaps

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.43 to 3.46, Para 3.10

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS2: Development in Strategic Gaps

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC to designate strategic gaps between Fareham / Stubbington and the Western Wards (Meon Gap) and between Fareham / Bridgemary and Stubbington / Lee-on-the-Solent (Fareham- Stubbington Strategic Gap). However, a study carried out on behalf of CPRE Hampshire in January 2019, by consultants West Waddy, showed that historically strategic gaps in South Hampshire have failed to adequately prevent coalescence of settlements. This report was shared with Fareham BC as a member of the Partnership for South Hampshire, and can be submitted as part of our evidence on this matter to the examination hearings.

"An Assessment of the Effectiveness of Settlement Gap Policies in South Hampshire in preventing Urban Sprawl & the Coalescence of Settlements" – January 2019, West Waddy.

The conclusions show that through appeals and permissions the gaps designated in South Hampshire (including Fareham) have been significantly reduced over time, and are thus an ineffective policy and thus unsound. Para 3.10 confirms that this has been the case in Fareham.

The findings of this report show that "In the national context, South Hampshire is fairly unique among the large urban areas in England in having no designated Green Belt, with reliance instead being placed upon Gaps designated in Local Plans to prevent the coalescence of settlements."

Furthermore "given the major urban extensions currently being proposed and the past history of erosion of Gaps through subsequent permissions being granted, a strong argument can be made that the current Gap policies across the sub-region are failing in their remit to prevent coalescence and sprawl, which is ultimately likely to lead to currently separate settlements forming one large South Hampshire conurbation and expanding out into the adjoining areas of countryside. The exceptional circumstances therefore exist to demonstrate that a new stronger policy backed by explicit Government advice is needed to prevent this happening and the tool for this is a Green Belt, which is already in use around most large urban areas in England. South Hampshire is the exception in having no such designation."

CPRE Hampshire has submitted to Fareham BC and to PfSH a report by NEF Consulting on the potential socio-economic and environmental benefits of a Green Belt: https://www.cprehampshire.org.uk/our-campaigns/south-hampshire-green-belt/

Notwithstanding the above comments regarding a new Green Belt, CPRE Hampshire SUPPORTS the removal of the earlier proposed Strategic Growth Area SGA, previously entitled HA2 (in the Reg 18 consultation version) from the now proposed Fareham-Stubbington Strategic Gap. The previous inclusion of the SGA was clearly subject to objections by neighbouring Gosport BC, which would have undermined any Duty to Co-operate and thus soundness. It was also objected to by many CPRE members and is therefore of concern to us.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Fareham BC should look at the areal extent of a possible South Hampshire Green Belt as part of this Local Plan, as it has been confirmed by Leader Cllr Woodward that they wish to see such a designation to protect the gaps between settlements.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Including a proposed South Hampshire Green Belt would be in accordance with the aspirations as set out by the Council in council meetings, PfSH meetings and in press releases, and would lead to a much more rigorous policy to prevent coalescence which is Fareham BC's stated aim.

A need for a South Hampshire Green Belt was confirmed by Cllr Woodward in the Fareham BC Executive Committee at 6pm on Monday 7th December 2020. Its omission from the Reg 19 Local Plan consultation is thus not in accordance from the council's own publicly announced policy.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for a new South Hampshire Green Belt, and we would like to appear at the Hearings to further explain our justification and why Fareham merits the exceptional circumstances required to designate a new Green Belt. We have a petition which has been signed by nearly 15,000 people asking Fareham BC (alongside Eastleigh BC, Winchester CC and Test Valley BC) to designate a Green Belt as part of its Local Plan process.

POLICY DS3: Landscape

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.48 to 3.58

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS3: Landscape

B1c Which part of the Policies Map?

All Areas of Special Landscape Quality

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE fully SUPPORTS the approach taken by Fareham BC in respect of analysing and including Areas of Special Landscape Quality as part of its development strategy and as Strategic Policy S3. This is in accordance with the aspirations outlined in the NPPF to value landscape for its intrinsic character and beauty of the countryside, as outlined in NPPF Para 170 a) and b).

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for Local Plans to take landscape into account when devising spatial development strategy, and we would like to appear at the Hearings to support Fareham BC in choosing this approach. Our expertise lies in spatial strategy and reconciling development requirements with the environmental constraints of, and impacts upon, the wider landscape.

POLICY H1: Housing Provision

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 4.1 to 4.20

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy H1: Housing Provision

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

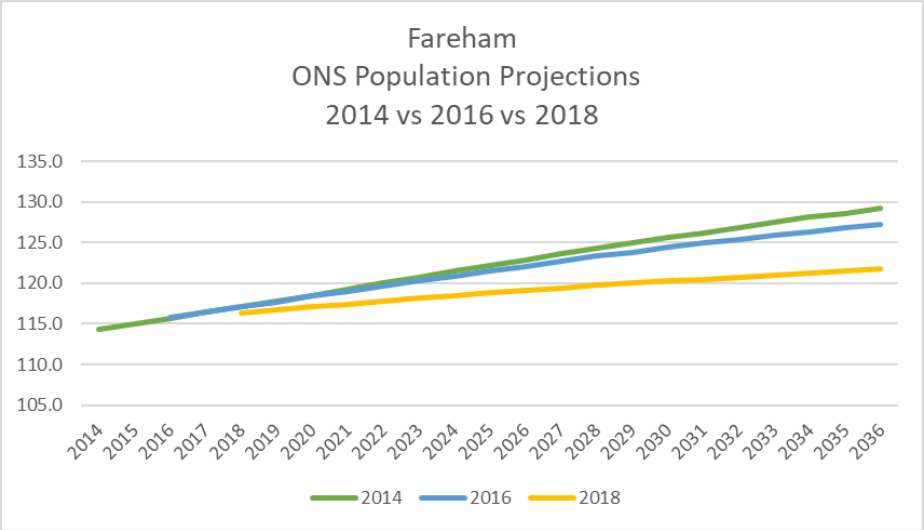
B3 Please provide details you have to support your answers above

The approach taken by Fareham BC to calculating housing need for this Reg 19 version is based upon the MHCLG consultation on a new standard method in August 2020, which showed Fareham's housing need to be lower (403 dpa) than using the previous standard method (514 dpa). CPRE Hampshire SUPPORTS the use of the latest base data on household projections (the 2018-based projections from the ONS) as it conforms with Para 31 of the NPPF "The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals."

As can be seen from the graph below, the most up-to-date population projections (in 000's) for Fareham evidences the trend towards a lower requirement, and this would translate into a lower household projection. The impact of Covid-19, and corresponding economic fallout, on migration patterns will remain unclear for some time, and it is therefore sensible to use a cautious approach to planning and development.

However, for Fareham to agree to take unmet need from Portsmouth is premature, predating as it does the revised statement of common ground from PfSH, and therefore Policy H1 is unsound.

It is also clear that there remains a significant reliance on delivery of housing at Welborne, which is subject to a separate plan. Delays to infrastructure finding at Welborne could have an impact on Fareham's overall strategy for delivery of its housing needs in the plan period.



B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Remove the requirement to take housing from Portsmouth CC.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a recognised authoritative voice on Hampshire's housing numbers, the standard methodology and has been involved in this aspect of Fareham's Local Plans since the time of the South East Plan in 2005, and the formation of PfSH (Partnership for South Hampshire).

CPRE Hampshire is part of an expert group in the National CPRE network on housing numbers, and would like to appear at the hearing sessions to SUPPORT the use of the most up-to-date household projections.

POLICY HA1: North and South of Greenaway Lane, Warsash

B1 Which part of the Local Plan is this representation about?

	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA1 North and South of Greenaway Lane, Warsash

B1c Which part of the Policies Map?

Figure 4.1

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire has significant concerns about the piecemeal development already seen, and proposed, in the Warsash area. Population growth in the 10 years 2009-2019 has reached 9% in Warsash and the western wards, while Fareham itself has only grown by 4%. As Warsash has no access to the rail network, this pattern of development could not be considered sustainable. It therefore fails the soundness tests.

An indicative framework as shown in Figure 4.1, but this does not meet the requirements for a masterplan, and it is not adequate for long-term planning to integrate the various separate sites and applications by a series of different developers. Policy HA1 will fail to meet any government aspirations for placemaking as set out in the NPPF Chapter 12, Paras 124 to 130, and is therefore unsound.

Para 124 of the NPPF states “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

Para 125 of the NPPF states "Design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics." It is apparent from discussion with CPRE Hampshire members that there has not, to date, been any meaningful involvement of local communities.

It is clear that the settlement policy boundaries have been moved to accommodate the applications pending for Warsash. This is not consistent with a plan-led approach but is simply reactive to a developer-led situation, and takes no account of the area's defining features.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

More analysis of the sustainability criteria for the overall development strategy, such as access to public transport is required before sites such as HA1 are confirmed. Has every opportunity for brownfield development around rail networks been ruled out?

Much more consultation with the local community is required before the proposed HA1 framework meets NPPF prerequisites.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has worked for some years with local campaign group Save Warsash and the Western Wards, and a number of our members will be affected by the proposals for such a large allocation of housing to one small settlement. We would like to take part in the hearing sessions to represent their concerns for initial choice of an unsustainable site, loss of countryside and open space in Warsash, and poor design due to lack of a masterplan.

POLICY HP4: Five-year housing land supply

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 5.22 to 5.28

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy HP4: Five-year housing land supply

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

Policy HP4 states "If the Council cannot demonstrate a five-year supply of land for housing against the housing requirement set out in Policy H1, additional housing sites, outside the Urban Area boundary, may be permitted where they meet all of the following criteria….." The problem with this policy is that inadvertently it encourages the first choice of sites to be "outside the Urban Area". CPRE Hampshire is sure that this is not what Fareham BC intends, and in any event it would not be in accordance with the councils own aspirations for a brownfield first approach, nor in accordance with the NPPF Para 137, and is therefore unsound. A sequential approach should be used, even in the event of a lack of a five-year housing land supply.

The problem is exacerbated by the linkage of **Policy HP4** with **Policy DS1**, particularly **DS1 Criterion (e)** as discussed above**.**

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HP4 should be rewritten to include a sequential approach, which "makes as much use as possible of suitable brownfield sites and underutilised land" as per Para 137 (a) of the NPPF.

The linkage of **Policy DS1 (e)** and **Policy HP4** should be removed.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be in accordance with the NPPF.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is part of an expert group in the National CPRE network on housing numbers, and the five-year housing land supply, and would like to appear at the hearing sessions to discuss its impact on the Fareham Reg 19 Local Plan.

POLICY HP6: Exception Sites

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 5.43 to 5.51

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy HP6: Exception sites

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The second part of **Policy HP6, Criterion (c)**, would allow exception sites with a limit of 1 hectare *OR* a proviso that the scheme does not exceed 5% of the size of the adjacent settlement. The problem is the word OR, as this could lead to large sites adjacent to large settlements being permitted as they would still be beneath the 5% cut-off. For example, Fareham town is a large settlement, of some 20,000 households, and so an exception site of up to 5% could itself number 1,000 dwellings. CPRE Hampshire is sure that this is not what was intended by Fareham BC as the aspiration is for small sites on urban boundaries.

The problem is exacerbated by the linkage of **Policy HP6, Criterion (c)**, with **Policy DS1**, particularly **DS1 Criterion (e)** as discussed above**.**

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HP6 should be rewritten to include a sequential approach, which "makes as much use as possible of suitable brownfield sites and underutilised land" as per Para 137 (a) of the NPPF.

Criterion c) should be reworded to remove the reference to *OR* 5% of the size of the adjacent settlement and have a fixed upper limit of what is meant by 'small sites' as identified in the justification text (Para 5.46).

The linkage of **Policy DS1 (e)** and **Policy HP6** should be removed.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Any ambiguity on what a "small site" means would be removed giving clarity for applicants and for FBC.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of affordable housing, such that it is located and designed appropriately, and would like to appear at the hearing sessions to discuss the impact of Policy HP6 on the Fareham Reg 19 Local Plan.

STRATEGIC POLICY CC1: Climate Change

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 8.1 to 8.10

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy CC1: Climate change

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		**NO**
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire generally SUPPORTS the approach taken by Fareham BC to Climate Change. But we believe that **Policy CC1, Criterion (a)** does not go far enough to encourage/enforce a truly sustainable pattern of development and is unlikely to lead to a meaningful reduction of emissions from private car use.

Section 19(1A) of the Planning and Compulsory Purchase Act 2004 requires that a local authority's development plan documents must: (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.

The NPPF Para 148 further includes the requirement that "the planning system should support the transition to a low carbon future in a changing climate", should "shape places in ways that contribute to radical reductions in greenhouse gas emissions" and Footnote 48 "in line with the objectives and provisions of the Climate Change Act 2008."

CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. The aspirations in **Policy CC1** are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. We consider that this is a missed opportunity. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes "Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle." It must be a fundamental tenet of the Fareham Local Plan that NO development should be permitted that relies on the car as its main means of access.

Nothing less than a drastic change to spatial strategy and a move away from South Hampshire's historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture.

Policy CC1 is therefore not legally complaint unless the large part of Fareham's spatial strategy is geared to development around mass public transport hubs and avoiding sites which are car-dependant. It is clear that sites such as Policy HA1 would fail to meet this condition.

CPRE Hampshire recommends the checklist provided by Transport for New Homes, which sets out an objective approach to planning new housing areas without dependence on cars: https://www.transportfornewhomes.org.uk/wp-content/uploads/2019/10/checklist.pdf

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

CPRE Hampshire recommends strengthening **Policy CC1, Criterion (a)** to enable a spatial strategy more likely to meet the requirements set out in Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and the NPPF, by including a requirement for mass public transport hubs to be the first approach for development, and to enable Fareham to refuse car-dependent applications.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be in accordance with Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and the NPPF Para 148.

B4c Your suggested revised wording of any policy or text:

(a) A development strategy that minimises the need to travel by allocating sites and generally directing development to locations **near to mass public transport hubs**, with better services and facilities, or where they are capable of being improved.

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning housing, such that it is located and designed appropriately around public transport hubs to minimise emissions and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy CC1** in this regard.

POLICY NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.5 to 9.27

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

B1c Which part of the Policies Map?

The Local Ecological Network map in Appendix C

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The approach taken by Fareham BC is sound, and CPRE Hampshire SUPPORTS the requirement for nature to be conserved and ecological networks to be protected as per the forthcoming Environment Act.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning development, such that it is located and designed appropriately to conserve and enhance the biodiversity of the area and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE1** in this regard.

POLICY NE2: Biodiversity net gain

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.28 to 9.44

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE2: Biodiversity net gain

B1c Which part of the Policies Map?

The Local Ecological Network map in Appendix C

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The approach taken by Fareham BC is sound, and CPRE Hampshire SUPPORTS the requirement for biodiversity net gain as per the forthcoming Environment Act.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning development, such that it is located and designed appropriately to see a net gain in biodiversity of the area, and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE2** in this regard.

POLICY NE4: Water quality effects on the SPAs, SACs and Ramsar sites of the Solent

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.50 to 9.54

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE4: Water quality effects on the SPAs, SACs and Ramsar sites of the Solent

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		**NO**
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse the proposed policy until the legal issues have been resolved.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire's remit covers protection and enhancement of both land and seascape, including Hampshire's iconic chalk streams and rivers, and the Solent. In the absence of an outcome on the legal matters, the hearing session may be the first opportunity to evaluate the effectiveness and legality of the proposed policy.

POLICY NE6: Trees, woodland and hedgerows

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.79 to 9.89

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE6: Trees, woodland and hedgerows

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE6** is sound. The Climate Change Committee has called for a 40% increase in the extent of hedgerows by 2050 to help tackle the climate emergency, and we would thus like to see more hedgerows planted and restored in Fareham BC.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

NO Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

POLICY NE8: Air quality

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.98 to 9.118

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE8: Air quality

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE8** is sound.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

NO Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

POLICY NE9: Green infrastructure

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.119 to9.125

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE9: Green infrastructure

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE9** is sound. However, we believe that a link with **Policy HE1** should be included within **Policy HE9** itself, rather than just within the supporting text in **Para 9.122**. CPRE Hampshire further believes that much better Green Infrastructure provision could be safeguarded over the long term if it were to be incorporated within a South Hampshire Green Belt.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of green infrastructure alongside planning development, such that it is located and designed appropriately, in order to benefit biodiversity, natural capital, but also residents' health and wellbeing. We would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE9** in this regard, and to discuss whether a South Hampshire Green Belt could ensure green infrastructure is protected in perpetuity.

POLICY TIN1: Sustainable transport

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 10.1 to 10.11

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy TIN1: Sustainable transport

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy TIN1** to be a good starting point. CPRE Hampshire recognises that Fareham BC aspire to have 'good growth' with existing and proposed transport corridors influencing choice of development, however we feel **Policy TIN1** does not go far enough. The Council should feel empowered to reject development which is not already located around, or can provide, public mass transit hubs, in particular the rail network. The policy as it stands does not give Fareham BC a sufficiently robust mechanism for achieving this. It is therefore unlikely to comply with the aspirations to meet climate change objectives as set out in **Policy CC1** or for air quality in **Policy NE8**.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

The principles of development and transport as set out in the Transport for New Homes checklist should be followed - https://www.transportfornewhomes.org.uk/the-project/checklist-for-new-housing-developments/.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

The policy would then comply with climate change and air quality objectives.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning housing, such that it is located and designed appropriately around public transport hubs to minimise emissions and impacts on climate change. We would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy TIN1** in this regard.

POLICY D1: High quality design and place making

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 11.1 to 11.36

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY D1: High quality design and place making

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire welcomes the approach taken by Fareham BC towards high quality design in **Policy D1** but would like to see the inclusion of the words countryside and landscape into **Criterion (i)**. The omission of these words makes it inconsistent with **Strategic Policies DS1 and DS3** and therefore unsound.

The design quality of future developments starts with overall masterplanning and landscape context as well as specific building details. Fareham has seen a proliferation of poorly designed car dependant nondescript developments over recent years, and it is critical that major improvements are made for the future.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include the words countryside and landscape into **Criterion (i).**

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

This would then be in accordance with **Strategic Policies DS1 and DS3**.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire has many members in Fareham who are keenly interested in the design of future developments and would like to see major improvements over previous failures in design quality, which has historically resulted in large spawling estates of car-dependant nondescript housing.

Representations | Robert Marshall

1812-4594

Respondent details:

Title:	Mr
First Name:	Robert
Last Name:	Marshall
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	Fareham Society
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policy: HP1 - New Residential Development

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This Policy is unsound in so far that it contains no restriction on the size of replacement dwellings or house extensions. Overlarge replacement dwellings and extended dwellings can detract from the undeveloped rural character and appearance of the countryside. Thus the Policy as worded fails to have regard to NPPF para. 170 which seeks to ensure that ensure that new development contributes to and enhances the natural and local environment. This is of particular importance given that the extensively built-up nature of the Borough means that the rural areas are highly valued as a counterpoint. Moreover, the quality of the rural area is high, with much of it designated in this plan as an Area of Special Landscape Quality (ASLQ). Thus it is all the more important that the intrinsic character and beauty of the countryside is recognised and valued landscapes protected.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The proposed Policy merely seeks that replacement dwellings be of an appropriate character to their location. This is insufficient in itself to adequately control such development, and nor does it take account of extensions. The modification that is necessary is to impose, in addition, a floorspace limitation upon replacement dwellings and extended dwellings.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b The suggestion is, in addition, to require replacement dwellings to have a floorspace increase no larger than 30% over and above the existing dwelling. To ensure that the Policy only applies where the added floorspace of an extension would have an adverse visual impact floorpace provided within the existing building envelope would not be taken into account in determining the percentage increase.

Your suggested revised wording of any policy or text:

B4c The Policy should be reworded to add b) it is for a replacement dwelling which is of an appropriate character to the location and in any event no greater than 30% larger than the existing dwelling c) it is for an extension that would result in an increase in floorspace which is of an appropriate character to the location and in any event no more than a 30% increase in floorspace over and above the existing dwelling. Explanatory text should be added to say that "for the interpretation of this Policy floorspace figures should be measured externally, for extensions any addition within the existing building envelope shall not be taken into account in determining the percentage increase, and in determining whether a replacement dwelling or extended dwelling is of an appropriate character to the location regard shall be had of the need to avoid harm though the cumulative effect of such development and the impact of past development will be taken into account.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's view are discussed and an opportunity is given to respond to the views of others.

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2) Policy: HP2 - New Small-scale Development Outside Defined Urban Areas

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound because the impact of development of this scale, and potentially in depth, beyond the settlement boundary would harm the rural character and appearance of the countryside. It has the potential to substantially consolidate the built form in these areas (see figure 5.1 in the emerging plan), the cumulative impact of which would blur the important distinction between the countryside and the urban area. It fails to have regard to NPPF para. 170 which seeks to ensure that new development contributes to and enhances the natural and local environment. This is of particular importance given that the extensively built-up nature of the Borough means that the rural areas are highly valued as a counterpoint. Moreover, the quality of the rural area is high, with much of it designated in this plan as an Area of Special Landscape Quality (ASLQ. Thus it is all the more important that the intrinsic character and beauty of the countryside is recognised and valued landscapes protected.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. To make the plan sound this Policy should be deleted from the Plan. To ensure that some residential development could take place beyond the settlement boundary a Policy similar to Policy DSP6 of the adopted plan could be used. This allows limited frontage infill of up to 2 dwellings. This would have less impact on the character and appearance of the countryside and thus accord with the NPPF.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would ensure that replacement and extended dwellings would meet the NPPF objective in para 170.

Your suggested revised wording of any policy or text:

B4c. The suggested rewording: "New residential development will be permitted outside the defined urban settlement boundaries (as identified on the Policies Map) where it comprises one or two new dwellings which infill an existing and continuous built-up residential frontage, where: a) The new dwellings and plots are consistent in terms of size and character to the adjoining properties and would not harm the character of the area; b) It does not result in the extension of an existing frontage or the consolidation of an isolated group of dwellings; and c) It does not involve the siting of dwellings at the rear of the new or existing dwellings.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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3) Policy: HP3 - Change of Use to Garden Land

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound in so far that it fails to have regard to a key factor, ancillary buildings on garden land, that can lead to such changes of use detracting from the character and appearance of areas beyond the development boundary. Thus, the Policy as worded fails to have regard to NPPF para. 170 which seeks to ensure that ensure that new development contributes to and enhances the natural and local environment. This is of particular importance given that the extensively built-up nature of the Borough means that the rural areas are highly valued as a counterpoint. Moreover, the quality of the rural area is high, with much of it designated in this plan as an Area of Special Landscape Quality (ASLQ). Thus it is all the more important that the intrinsic character and beauty of the countryside is recognised and valued landscapes protected.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. To make the Policy sound refence must be made to the impact of ancillary buildings.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would ensure that garden extensions would meet the the NPPF objectives in para 170.

Your suggested revised wording of any policy or text:

B4c. Amend HP3b to say “It, along with ancillary buildings allowed as permitted development will not detract from the existing landscape”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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4) Policy: HP6 - Exception Sites

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 The Policy on rural exception sites is unsound as its wording and that of the explanatory text clearly indicates that it refers to rural areas. This District although it contains countryside is not categorised as a rural authority and has no rural communities. It thus does not have all the particular housing and social issues that need to be addressed in such areas.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The Policy on rural exception sites should be deleted from the plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b It would remove an irrelevant Policy on rural exception sites.

Your suggested revised wording of any policy or text:

B4c Not applicable

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the vies of others.

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5) Policy: HP8 - Older Persons' and Specialist Housing Provision

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound in so far that it opens up the possibility of such accommodation being provided in the countryside beyond the settlement boundary. Such development is often large in scale and such would detract from the character and appearance of the countryside. Re-development opportunities do arise within the urban area and older person/specialist housing provision should be treated no differently than normal flatted development. Thus, the Policy as worded fails to have regard to NPPF para. 170 which seeks to ensure that ensure that new development contributes to and enhances the natural and local environment. This is of particular importance given that the extensively built-up nature of the Borough means that the rural areas are highly valued as a counterpoint. Moreover, the quality of the rural area is high, with much of it designated in this plan as an Area of Special Landscape Quality (ASLQ). Thus, it is all the more important that the intrinsic character and beauty of the countryside is recognised and valued landscapes protected.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a To make the Policy sound the possibility of older person/specialist accommodation outside the urban boundary should be deleted.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b This would ensure that there is no contravention of the requirements in para 170 of the NPPF..

Your suggested revised wording of any policy or text:

B4c. Revise the last sentence in the Policy simply to say “New older persons or specialist housing shall be provided within the Urban Area boundary.”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed an an opportunity is given to respond to the view of others.

6) Policy: HP10 - Ancillary Accommodation

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound, in part, on 3 counts. First, much of the explanatory text is so essential to the satisfactory operation of the Policy that it should be within the Policy itself. Second, the Policy should specifically require ancillary accommodation to be close to the principal dwelling. This is to prevent later pressure, which may be difficult to resist, for such accommodation to be turned into separate dwellings contrary to the aim of the NPPF in providing well designed places. And in rural areas the potential for ancillary buildings to become separate dwellings would be contrary to NPPF para. 170 which seeks to ensure that new development contributes to and enhances the natural and local environment. It would also thereby, in rural areas, give rise to car dependent housing contrary to the NPPF environmental objective of seeking to use natural resources prudently and moving to a low carbon economy. Third, explanatory paragraph 5.82 needs to be more clearly worded to make it clear that it is saying that an unrelated unit of accommodation is in effect a new dwelling and will not be regarded as Ancillary Accommodation under this Policy.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. Move much of the explanatory test into the main Policy and amend the Policy to require to require ancillary accommodation to be close to the principal dwelling.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would prevent the harm outlined in B3 above.

Your suggested revised wording of any policy or text:

B4c. Amend HP10a to “a) It is within the curtilage of the principal dwelling and close it;” Add to HP10: f) The ancillary accommodation shall remain within the curtilage of, and in same ownership as, the principal dwelling. A planning condition will be imposed to prevent the use of the ancillary accommodation as a separate dwelling. g) the principal dwelling shall remain larger than the ancillary accommodation. Explanatory paragraph 5.83 altered to “an unrelated unit of accommodation is in effect a new dwelling and will not be regarded as ancillary accommodation under this Policy.”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

7) Policy: HA45 - Rear of 77 Burridge Road

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound in so far that the necessary mitigation required given the site's location on and partly adjoining a SINC would require the developer or occupier to have ownership of, or some rights over, the SINC. There is no evidence from the past history of the site that this is so. The site's allocation would thus conflict with NPPF requirements on conserving and enhancing the natural environment by protecting and enhancing sites of biodiversity in a manner commensurate with their identified quality in the development plan.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. To make the plan sound the allocation should be removed

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. By preventing conflict with NPPF requirements on conserving and enhancing the natural environment.

Your suggested revised wording of any policy or text:

BC4c Not applicable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

8) Policy: R1 - Retail Hierarchy and Protecting the Vitality and Viability of Centres

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This is unsound in so far that the second paragraph of the Policy refers to main town centres uses being permitted within defined town centres. The whole of the designated Fareham Town Centre is so widely drawn that it includes important residential areas and large open spaces unsuitable for town centre uses. Such uses outside the designated Primary Shopping Area would conflict with the NPPF requirement of achieving well-designed places and better places in which to live.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The policy should be reworded so that it applies to the more limited designated Primary Shopping Area, where such uses would be acceptable.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b By preventing main town centre uses in areas where they would no longer acceptable.

Your suggested revised wording of any policy or text:

B4c The second paragraph should be amended to say “Where planning permission is required, main town centre uses, as defined in the National Planning Policy Framework (NPPF), will be permitted within the defined Primary Shopping Area of Fareham Town Centre, district and local centres.”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of ohers.

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9) Policy: R4 - Community and Leisure Facilities

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound in so far that it does not deal with the limitations that should apply to any of these uses, such as sports venues and open space, that may be applied for outside settlement boundaries. Such uses, if large scale and containing substantial buildings, can be especially intrusive in the countryside. Thus they should only be allowed if they are small scale uses and the associated buildings are also small scale. Without this limitation such development would detract from the character and appearance of the countryside. Thus, the Policy fails to have regard NPPF para. 170 which seeks to ensure that new development contributes to and enhances the natural and local environment. This is of particular importance given that the extensively built-up nature of the Borough means that the rural areas are highly valued as a counterpoint. Moreover, the quality of the rural area is high, with much of it designated in this plan as an Area of Special Landscape Quality (ASLQ). Thus, it is all the more important that the intrinsic character and beauty of the countryside is recognised and valued landscapes protected.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The Policy should specify that such uses are generally acceptable only within the development boundaries but that any that may be considered acceptable beyond those boundaries, such as sports venues and open space, must be small scale uses with small scale buildings.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b By preventing the harm identified above.

Your suggested revised wording of any policy or text:

B4c A criteria e) should be added “Such facilities should generally be permitted only within the development boundary, and any uses outside those boundaries such as sports venues and open space shall, as well as complying with the other criteria above, need to be small scale use with small scale buildings”.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity given to respond to the views of others.

10) Policy: E1- Employment Land Provision

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This Policy is sound in all but one respect on the two Daedalus allocations. This is a strategic allocation originally brought forward in adopted Core Strategy CS12. This said that development will be permitted on the site where, amongst other things, it delivers, or facilitates the delivery of high quality development including a) employment development that retains and strengthens the marine and aviation employment clusters, particularly those that require direct access to an operational airfield. This accords with the Council's vision for the site and the Lambeth Smith Hampton background paper to the emerging Local Plan refers to this and says that the advanced manufacturing such as that pursued at Daedalus is a sector regarded as one of the most significant opportunities for the UK to rebalance and reinvigorate the economy. The emerging Policy does not promote the idea of such advanced manufacturing for the site, and without doing so there is a danger that this valuable site could be lost to commercial uses less valuable to the economy. This would run counter to the requirement in the NPPF of building a strong and competitive economy and that each area should build on its strengths especially where Britain can be a leader in innovation.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The Policy should be revised to include the wording similar to that of Core Policy CS12 referred to above.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4bThis would ensure that the Policy met the objective of the NPPF on the building of a strong and competitive economy.

Your suggested revised wording of any policy or text:

B4c See B4a above.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

11) Policy: NE8 - Air Quality

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This Policy is unsound in so far that the main text of the Policy does not make it clear that explanatory text paragraphs 9.108 – 9.110 set out what may be required to meet the Policy requirement. This may lead to developers, especially small-scale developer, to be unaware of the requirements and prevent them being taken on board and discussed with the LPA. This runs counter to the intentions of Government policy (PPG on Air Quality (2019)) which says that it is important that applicants engage early on with the local planning authority and environmental health departments to establish the need for and scope of any assessment to support an application.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The Policy should guide applicants for small scale schemes to the relevant explanatory text.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b It would ensure that developers of minor development take on board relevant requirements and discuss them with the LPA.

Your suggested revised wording of any policy or text:

B4c Amend the second sentence of the Policy to read “Minor development should reduce its impacts on air quality and have regard to explanatory text paragraphs 9.108 – 9.110.”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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12) Policy: NE9 - Green Infrastructure

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This Policy is unsound in so far as there is no indication that it would be effective. To be effective applicant’s and Council case officers would need an easy and ready way of knowing where future and proposed Green Infrastructure existed. For this a single compendium of such space is required, indicating where they exist, to obviate the necessity for looking at the myriad of resources referred to.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a A compendium, capable of being updated, should be provided of Green Infrastructure in the District. The Policy should then be amended to make reference to this.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b By ensuring that applicants and Council case officers are aware of the location of Green infrastructure so as to ensure it is safeguarded.

Your suggested revised wording of any policy or text:

B4c By adding to the Policy “all Green infrastructure covered by this Policy may be found on the Council’s compendium of such spaces.”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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13) Policy: NE10 - Provision and Protection of Open Space

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This Policy is unsound in so far as it does not in the Policy text set out, or refer to, the minimum open space and play space requirements for new development set out in explanatory text paragraph 9.134 table 9.1. Thus the Policy might encourage applicants to argue for lesser space standards than what are clearly the minimum acceptable. Given this the Policy would not ensure satisfactory space standards and the NPPPF intentions that planning policies should enable and support healthy lifestyles through the provision of safe and accessible greenspace (NPPF para91) would not be met.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The text of the Plan should set the space standards set out in Table 9.1 as the minimum requirement to be met.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b By ensuring NPPF objectives on promoting healthy communities would be met.

Your suggested revised wording of any policy or text:

B4c By amending the penultimate sentence of the last paragraph of this Policy to read “Residential development will be required to provide open and play space that will satisfactorily meet the needs of new residents. Table 9.1 below is a minimum space standard and developments will be required to meet higher levels of open and play space provision where that is necessary to make the development acceptable.” The final sentence to be retained.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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14) Policy: FTC1 - Palmerston Car Park

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This proposed allocation is unsound on 2 grounds. First, there would be an unacceptable loss of town centre car parking spaces well located to meet the needs of the town centre shopping area and the shops in West Street. Second, the proposed indicative yield of 20 dwellings would lead to housing forward of the building line to detriment of the character and appearance of the area generally and the adjoining Osborn Conservation area to the north of Osborn Road. The Osborn Road Conservation Area Character Assessment Feb 2006 describes the area as comprising a series of Victorian villas set in large gardens. It describes the development pattern as being unique in Fareham and says that its setting includes the land opposite the Conservation Area to the South of Osborn Road, which thus includes the allocation site. Where modern development to the south of Osborn Road has been undertaken it has been well set back from the road and screened by mature planting. The provision of residential development forward of the building line would seriously detract from the character and appearance of the Conservation Area. On the first ground the proposed allocation would be harmful to the vitality of the town centre and West Street and as such conflict with the NPPF. Whilst the NPPF supports some housing in Town Centres for the role it plays in their vitality, this is with the caveat that it should be on appropriate sites, and this is not such a site (NPPF para 85.f) Harm on the second ground conflicts with NPPF policies on protecting Heritage Assets.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The allocation should be withdrawn from the Plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would prevent the conflict with the NPPF referred to above.

Your suggested revised wording of any policy or text:

B4c Not applicable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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15) Policy: FTC2 - Market Quay

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This allocation is unsound as the site is considered incapable of accommodating the extent of mixed-use development referred to. There are also reservations over the maximum suggested height of development given the prominence of the site off a major traffic roundabout and the extent to which the site rises in height from south to north and is seen from short, medium and long-distance viewpoints. No sketch site briefs have been provided to indicate otherwise. Given the importance of this town centre site, and the multiplicity of uses suggested a detailed development brief is essential to guide future development of the site to ensure a site that functions well and enhances this part of the town centre. However, the Policy does not set out this requirement. Given the above the allocation as proposed would fail to ensure that future development of the site would meet the NPPF requirements for achieving well designed places set out in paragraphs 124-127.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. In the absence of evidence to support the building heights proposed reference to specific building heights should be removed. And it should be stated that the Council will support a mixed-use development incorporating some of the uses set out. The allocation should specify that a comprehensive development of the site will only take place in accordance with a detailed development brief.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would ensure that development of this important town centre site is undertaken in a way that complies with the NPPF objective of achieving well designed places.

Your suggested revised wording of any policy or text:

B4c. The supporting text to the allocation should say that “The Council will support a mixed-use development incorporating some of the uses set out in the bullet points and subject to development being in accordance with a development brief (to be subject to public consultation) that sets out how the site will function and enhance this part of the town centre and have regard to the prominence and visibility of the site.” Reference in the bullet points to commercial/leisure floorspace and housing numbers should be removed, along with reference to building heights.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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16) Policy: FTC3 - Fareham Station East

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This is a sustainable location for housing given its proximity to Fareham railway station, bus routes and shops etc. and an element of retail and café uses would also fit in well. However, the site has the following constraints to development: Much of the site comprises the railway station car park and this is essential in encouraging rail travel. The Policy refers to retention of sufficient car parking to serve the railway station without saying how much this is. The fire station may need to be retained on site if it can’t be relocated; Sufficient space is required to ensure a good public realm at the station approach. The adjacent gravel yard would potentially be a bad neighbour in terms of noise and dust – and this has not been taken into account. No evidence has been put forward to show that the maximum 5 storey height would not be too high. It has not been shown how, in light of the above, the proposed development at the scale outlined could be satisfactorily achieved. Given the above the allocation as proposed would fail to ensure that future development of the site would to meet the NPPF requirements for achieving well designed places set out in paragraphs 124-127.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. This is not an allocation that can be agreed to at this stage as there is no evidence, by way of a development brief, that the site could be developed as proposed in a satisfactory way. The allocation should be delated from the plan

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. By preventing development of the site until a development brief has been prepared to show that development could be undertaken satisfactorily given all the constraints referred to.

Your suggested revised wording of any policy or text:

B4c.Not applicable .

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others

17) Policy: HA26 - Beacon Bottom East

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This site is sound in relation to its proximity to public transport and shops. However, the proposed site allocation is unsound given the indicative yield on 9 dwellings. Undetermined application F/19/1061/FP for this number of houses on the site indicated houses would so close the highway as to the detrimental to the character and appearance of the area and harmful to the setting of the adjoining locally listed cottage. A tall western boundary hedge would have unacceptably shaded the gardens of many houses on the site. Given how small the site is revised layouts are unlikely to overcome this harm. There would thus be conflict with NPPPF requirements that: planning should ensure that developments add to the overall quality of the area and be sympathetic to local character (NPPF para 127); and on the prevention of harm to Heritage Assets (paras 193/4)

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The allocation should either be withdrawn from the Plan or alternatively the indicative yield deleted or substantially reduced in number.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b Prevent the harm outlined in B3 above.

Your suggested revised wording of any policy or text:

B4c. See above - potentially the removal of the indicative yield or its revision downwards.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

18) Policy: HA36 - Locks Heath District Centre

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This allocation is unsound as it would result in the loss of car parking for the Locks Heath District Centre. A detailed assessment of this Centre was carried out in the Fareham Retail and Commercial Leisure Study: Update Report Litchfields 2020, a background paper to the Local Plan. This report refers to a large area of free surface parking adjacent to the Centre and says that this is one of its strengths. This is unsurprising because this centre, built in 1983, lies in an area known as the Fareham Western Wards developed in the 1970/80's and which, typical of that period, is highly car dependant. The loss of a substantial portion of the car park would thus be detrimental to the Centre's health and vitality. This would be contrary to Strategic Policy R1 of the emerging Local Plan which says that any development that would significantly harm the vitality and viability of a defined centre will not be permitted. It would also be contrary to the NPPF which seeks to ensure the vitality of town centres and which, although recognising the role that housing can play in such areas, says that this must be on appropriate sites.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The allocation should be removed from the Local Plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would prevent the harm outlined above to the health and vitality of the centre

Your suggested revised wording of any policy or text:

B4c Not applicable

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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19) Policy: HA36 - Locks Heath District Centre

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This allocation is unsound as it would result in the loss of car parking for the Locks Heath District Centre. A detailed assessment of this Centre was carried out in the Fareham Retail and Commercial Leisure Study: Update Report Litchfields 2020, a background paper to the Local Plan. This report refers to a large area of free surface parking adjacent to the Centre and says that this is one of its strengths. This is unsurprising because this centre, built in 1983, lies in an area known as the Fareham Western Wards developed in the 1970/80's and which, typical of that period, is highly car dependant. The loss of a substantial portion of the car park would thus be detrimental to the Centre's health and vitality. This would be contrary to Strategic Policy R1 of the emerging Local Plan which says that any development that would significantly harm the vitality and viability of a defined centre will not be permitted. It would also be contrary to the NPPF which seeks to ensure the vitality of town centres and which, although recognising the role that housing can play in such areas, says that this must be on appropriate sites.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The allocation should be removed from the Local Plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would prevent the harm outlined above to the health and vitality of the centre.

Your suggested revised wording of any policy or text:

B4c Not applicable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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20) Policy: HA37 - Former Locks Heath Filing Station

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This allocation is unsound as it would result in the loss of car parking for the Locks Heath District Centre (although the allocation simply refers to the site as a former petrol filling station it also encompasses a significant parking area for the Centre). A detailed assessment of this Centre was carried out in the Fareham Retail and Commercial Leisure Study: Update Report Litchfields 2020, a background paper to the Local Plan. This report refers to a large area of free surface parking adjacent to the Centre and says that this is one of its strengths. This is unsurprising because this centre, built in 1983, lies in an area known as the Fareham Western Wards developed in the 1970/80's and which, typical of that period, is highly car dependant. The loss of a substantial portion of the car park would thus be detrimental to the Centre's health and vitality. This would be contrary to Strategic Policy R1 of the emerging Local Plan which says that any development that would significantly harm the vitality and viability of a defined centre will not be permitted. It would also be contrary to the NPPF which seeks to ensure the vitality of town centres and which, although recognising the role that housing can play in such areas says that this must be on appropriate sites.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The allocation should be removed from the Local Plan

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would prevent the harm outlined above to the health and vitality of the centre.

Your suggested revised wording of any policy or text:

B4c Not applicable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of othes.

21) Policy: HA38 - 68 Titchfield Park Road

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This is a sound site for housing in locational terms. However, the site appears too small to accommodate the indicative yield of 9 dwellings without unacceptable tree loss and harm to the living conditions of those directly to the north. There would thus be conflict with NPPPF requirements that: planning should ensure that developments add to the overall quality of the area and be sympathetic to local character (NPPF para 127); and on the social objective of ensuring a well- designed environment.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The allocation should either be withdrawn from the Plan or alternatively the indicative yield deleted or substantially reduced in number.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b Prevent the harm outlined in B3 above.

Your suggested revised wording of any policy or text:

B4c. See above - potentially the removal of the indicative yield or its revision downwards.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

22) Policy: HA42 - Land South of Cams Alders

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This allocation is unsound as the Proposals Map seems to show most if it in a SINC and close to Fort Fareham, an ancient monument. Development of the site would be harmful to the ecological interest of the SINC and potentially harmful to the setting of the ancient monument. It would also detract from the pleasant wooded aspect of the southern boundary of Cams Alders which, with land on nearby Fort Fareham, provides an attractive area for casual recreation. As such the allocation would conflict with the objectives of the NPPF on ecology, the protection of Heritage Assets and on securing attractive spaces.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The allocation should be removed from the Plan

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b By preventing the harm found above.

Your suggested revised wording of any policy or text:

B4c Not applicable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

Fareham Borough Council Local Plan (Reg.19) Proposed Submission Version Consultation

Hampshire County Council Response – 18 December 2020

Hampshire County Council does consider the local plan to be sound and legally compliant. The County Council welcomes the opportunity to respond on this consultation and sets out its comments firstly on the Transport Assessment and then on specific local plan policies in its capacity as the local highways authority, local education authority and in its role as an adult services provider with a focus on specialist care.

The County Council then sets out its comments on specific site allocations in its capacity as the local highway authority, local minerals and waste planning authority and also as the local education authority with responsibility for school place planning.

Policy HA2: Newgate Lane South (removal as a housing allocation)

Hampshire County Council is the Local Highway Authority (LHA) for all roads in Hampshire except for motorways and trunk roads and the LHA response is concerned with the potential highway and transportation impacts of the land use proposals set out by the borough council on the local road network. HCC's primary concern as highway authority is the efficient use, management and maintenance of the local highway network. Ensuring that all new development mitigates its impact on the Hampshire network is the function of the highway authority.

The LHA submitted comments in December 2017 and February 2020 in response to the draft local plan regulation 18 consultations. As part of both responses the LHA submitted an objection to policy HA2 (Newgate Lane South). This objection is not resubmitted due to the removal of policy HA2 as an allocated housing site from the revised development strategy in the Publication Plan.

Transport Assessment

At the time of the previous draft local plan consultation in January 2020 the evidence base did not include a completed Transport Assessment (TA) to replace the interim TA published in support of the 2017 draft local plan consultation therefore the local highway authority submitted a holding objection. The TA has now been finalised and forms part of the Publication Plan evidence base.

The LHA supports the methodology used by FBC in preparing a borough-wide TA and the use of the strategic model known as the Sub Regional Transport Model (SRTM) to assess the wider transport impacts of the strategic disposition of proposed development across the Borough.

The Fareham Local Plan - SRTM modelling report (2020) sets out the Baseline, the Do minimum (with local plan development) scenario and the Do Something (with mitigation) model runs and forms part of the transport evidence base. As part of the strategic transport modelling the LHA understands that a total of 2,150 dwellings was attributed to the proposed Strategic Growth Areas (SGAs) and included in the Do minimum scenario. This means that the strategic modelling was carried out using a higher housing number than is currently proposed in the Publication Plan. The LHA recognises that the strategic modelling with the higher housing number represents a worst-case scenario and that the limitations of the SRTM do not allow for localised impacts at junctions to be attributed to specific development sites. Consequently, it is not possible for the SRTM to isolate the transport impacts of the SGAs on the highway network. Therefore, the LHA accepts the outputs from the strategic modelling report and has not requested an additional model run of the SRTM to reflect the removal of the two SGAs and subsequent lower housing number.

The SRTM modelling report indicates that the incremental impact of all the site allocations including the SGAs is forecast to affect links and junctions across the highway network and particularly along the A27 corridor through Fareham borough. The future resilience of the A27 corridor is a concern for the LHA which is why the LHA is undertaking a transport study for the A27 corridor which the County Council will seek to adopt as future strategy. The strategy will seek to incorporate a multi modal approach that facilitates a modal shift away from private car use. Future transport assessments of development sites along the A27 corridor should take this into account and have regard to the emerging transport strategy.

A key aspect of the A27 corridor strategy will be the application of the 'Link and Place' approach to street planning and design. This approach recognises a street functions as both a link (that is movement by all modes of transport including pedestrians) and a place (destination in itself) and will help determine policy priorities between competing users with a greater emphasis on the function of places. This 'link and place' approach is being developed as a Hampshire County Council policy which will be fully imbedded in the next Local Transport Plan for Hampshire (Local Transport Plan 4).

The TA assessed the cumulative impacts of the site allocations and demonstrates that the significant transport impacts of the local plan development on the highway network can be mitigated through proposed highway interventions. The TA specifically highlights the junction at Parkway/Leafy lane which is north of the M27 junction 9 and serves the Whiteley business estate in the adjoining district of Winchester City Council. The Parkway/Leafy Lane junction is predicted to be significantly impacted by local plan development traffic (with long queues along Leafy Lane) and meets the criteria for requiring mitigation.

However, this junction does not warrant a Do Something mitigation scheme for increased junction capacity. This is because the Leafy Lane arm of the junction leads to a residential area with a 20mph zone reinforced by vertical speed reduction measures. The policy approach by the LHA is to reduce rat-running along Leafy Lane between

Fareham and Whiteley. Therefore, an alternative highway scheme which strengthens the current situation of suppressing flows along Leafy Lane should be the mitigation scheme to be taken forward. The LHA will need further discussions with both Fareham Borough Council and Winchester City Council to establish the form of any mitigation scheme if it is required.

The Do Something modelling for the TA proposed five mitigation schemes for increased junction capacity and modelled only the highway impacts of increased motorised vehicle traffic. There are other solutions for mitigating the transport impacts from local plan development which are more in line with the emerging policy agenda on decarbonising transport from Government and Hampshire County Council. These mitigation options would generally follow a sequential approach to assess their impact on the local road network and the role they can play in traffic reduction and reducing transport emissions starting with measures to avoid the need to travel, active travel measures, public transport (SE Hampshire rapid transit) and finally localised junction improvements. This wider and sequential approach to mitigation will need to be applied to all site-specific transport assessments.

Development Strategy

The LHA acknowledges that the Publication Plan proposes a lower housing number than in the previous draft local plans. This lower housing number is in response to a lower level of housing growth proposed by Government in its consultation in August 2020 on a new standard methodology for calculating the annual housing need. The LHA recognises that FBC need to await the outcome of the Government's consultation before the Publication Plan with the lower housing number can proceed to adoption in line with the FBC's revised Local Development Scheme (September 2020).

The consequence of a reduced housing number is a change to the development strategy and the removal of several housing sites. The LHA supports the removal of housing site HA2 Newgate Lane South. The LHA submitted an objection to policy HA2 in the previous draft local plan consultations.

The LHA also supports the removal of the Strategic Growth Area policy from the Publication Plan. The South of Fareham and North of Fareham Strategic Growth Areas were included in the draft local plan consultations and the LHA submitted a holding objection.

Climate Change

Fareham Borough Council as Local Planning Authority has a legal duty to help meet the requirements of the Climate Change Act 2008. The LHA wishes to be reassured that the borough Council has satisfied itself that the Publication Plan goes far enough in supporting the Government and Hampshire County Council policies on climate change that have emerged during the local plan preparation process. This is in view of the Hampshire County Council's recently adopted climate change strategy and targets to be

carbon neutral by 2050 and resilient to a two degree rise in temperature. For Hampshire to meet these targets, which are in line with Government legal requirements, land-use planning and transport policies at the local district level need to play a strong role and are likely to be most effective at the plan making stage.

The LHA acknowledges the transport evidence submitted in the Strategic Transport Assessment which shows how the traffic impact of the local plan development can be mitigated in traffic and transport terms. The LHA wishes to see demonstrated how the local plan proposals, in relation to transport and how we travel, will contribute to the longer-term goal of achieving carbon neutrality and building resilient networks and systems.

Strategic Policy CC1: Climate Change

The LHA supports the amended climate change chapter and strategic policy CC1 however the supporting text needs more detail with reference to the County Council's adopted Climate Change Strategy (2020) and targets including the resilience of the highway network.

Policy NE8: Air Quality

The local plan correctly identifies road transport emissions as the main source of air pollution which is relevant to the County Council's responsibilities as both highway and public health authority. The LHA supports the local plan commitments to reduce, minimise and mitigate road transport emissions and their impact. However, the Air Quality Policy NE8 needs to be more specific and should be amended to include the policy text 'development should deliver sustainable transport (public transport, walking and cycling) as part of improving air quality'.

Policy TIN1 Sustainable Transport

Given the connection between transport, local plan allocations, air quality and health, there is a lack of commentary or cross reference on air quality management within the Transport Chapter. For example, the supportive text needs to make clear how the transport polices (such as Sustainable Transport TIN1) contribute to both the climate change objectives of reducing CO2 emissions and to the air quality objectives of reducing air pollution.

The LHA recommend amending policy TIN1 on Sustainable Transport to make direct reference to the role of sustainable transport in improving air quality. The supporting policy text also needs to refer to the Air Quality Management Areas / Clean Air Zone designation (on sections of the A27 and A32) and the Air Quality Action Plans in place due to concerns over nitrogen dioxide levels caused by road traffic. Likewise, the Air Quality section needs to refer to the transport chapter and policies and the role they play in mitigating the transport impacts on air quality.

The Transport chapter needs to refer to the Strategic Transport Assessment and the impacts of the local plan traffic on air quality in particular air pollution from the M27, the A32 and A27. This should be cross-referenced with the air quality work carried out as part of the AQMAs and the local plan Sustainability Appraisal. The LHA supports transport mitigation measures of sustainable and active travel modes as an alternative to making private vehicle trips which help overall to reduce emissions harmful to human health and the environment. The LHA would not support any transport mitigation measures which threatened to undermine the success of the current Air Quality Management Areas.

The Transport chapter needs to strengthen the commitment to deliver high quality walking and cycling facilities with reference to the Government's new cycle infrastructure design guidance in Local Transport Note 1/20. Reference to cycle infrastructure design should also be included in the Design chapter.

To contribute to reducing car use, opportunities for enhancing and encouraging active travel to and from school should be encouraged and implemented working closely with Hampshire County Council Children's Services and Highways Departments. The County Council will require the provision of safe walking and cycle routes to schools and existing routes to be enhanced where necessary to improve walking and cycling numbers. Contributions from developers will be sought where necessary including for the production and monitoring of school travel plans (STP's).

PolicyTIN3: Safeguarded Routes

The LHA supports the new policy TIN3 Safeguarded routes in relation to delivering bus rapid transit in Fareham and Portchester. However, the supporting text should refer to the future extensions of the SEHRT network to the west of Fareham towards Segensworth, Swanwick Station, Whiteley and the North Whiteley major development area and to serve the Solent Enterprise Zone at Daedalus and adjacent coastal settlements.

Strategic Policy R4 Community and Leisure Facilities

Hampshire County Council Children's Services consider that it is important that the impact of additional housing is assessed and where necessary developer contributions are provided to provide additional childcare places either through on-site facilities or the expansion of nearby provision. The impact will be assessed on a case-by-case basis.

The County Council also provides an Early Years guidance note on this issue for the Borough Council to consider in their plan making in relation to the future need and housing allocations.

Strategic Priority 8

Hampshire County Council Adult Services welcome the reference to affordable housing and the need to address the specific needs of different groups in the community, including the elderly and people with disabilities. However, it is recommended that reference is made to the need to meet a range of housing needs, including those in need of affordable housing and those in need of specialist housing including the elderly and people with disabilities in Strategic Policy H1: Housing Provision**.**
Consideration should also be given to whether opportunities are available to encourage specialist housing provision in specific site allocations.

Policy HP 5: Affordable Housing

The County Council recommend that Policy HP5 or the supporting text should encourage the provision of housing to meet a range of needs, including specialist housing to meet older persons' needs (such as extra care housing) and those with disabilities.

Policy HP7: Adaptable and Accessible Dwellings

The County Council notes that the Specialist Housing Topic Paper includes reference to the low cost of providing homes to above base accessibility standards. Although there is a correlation between age and mobility, people of all ages may have some mobility impairment, either permanently or temporarily.

The proposed percentages of housing the policy requires to be built to higher accessibility standards is modest and given the rate at which the stock is added to each year it will be a very long time before a significant supply of accessible housing is available in the Borough. With such modest levels of provision, the likelihood of a person who develops mobility impairment will find themselves in a home that can meet their needs is low. Adopting a requirement for a larger proportion of the stock to be built to Cat2 standards in particular would better meet individuals' changing needs and support the creation of sustainable communities by reducing the need to move to find suitable accommodation.

Policy HP 8: Older Persons and Specialist Housing Provision

The inclusion of an enabling policy is welcomed by the County Council; however it is recommended there is specific mention of specialist provision of affordable housing, including extra care housing and housing for those with disabilities. It is noted that specific housing allocations are made only in respect of sheltered accommodation (Policies HA42 / 43 /44). The County Council consider that these sites may also be suitable for other forms of specialist housing, including extra care housing and housing for those with disabilities. It is recommended those policies are amended to reflect this.

The County Council supports the opportunity for exception type development in specific circumstances in this policy and Policy HP6.

Housing Site Allocations

The County Council has considered the housing allocations in its capacity as the local highways authority, local education authority and local minerals and waste planning authority and provides the following commentary.

An initial assessment of the impact on school place planning has been considered based on the level of housing identified, and details are highlighted below for specific sites where there will be an impact on the supply of local school places at primary, secondary and education for pupils with Special Educational Needs and Disabilities (SEND).

The County Council as the local minerals and waste planning authority is pleased to see that some of the comments regarding mineral and waste safeguarding, from the Regulation 18 consultation, have been considered and included within the Regulation 19 proposed submission document. Within the County Council's Regulation 18 response a list of sites that were deemed to require a Mineral Resource Assessment as part of any potential application was provided. It is noted that all the allocated housing sites that the County Council made such comments on have been removed from the Proposed Submission Document as being no longer available or no longer suitable.

Housing Allocation Policy HA1 – North and south of Greenaway Lane – 824 dwellings

The development of 824 dwellings will create additional pressure for school places locally at primary, secondary and special schools. It is welcomed that the need for developer contributions has been identified and they will be sought to provide additional educational infrastructure where required. Pedestrian and cycle paths should be provided to local schools and existing routes enhanced where necessary to promote active travel to and from schools.

Whilst the County Council welcome the inclusion of site-specific requirements for Minerals Assessments across the Proposed Submission Document, based upon the County Council's data, this site does not sit within the Minerals and Waste Consultation Area (MWCA). As such, the County Council do not require that an application for the site be accompanied by a Minerals Assessment, as outlined in site-specific requirement j.

Housing Allocation Policy HA3 – Southampton Road – 384 dwellings

The identification of the need for developer contributions for education and ensuring safe walking/cycling routes to local schools are provided, is welcomed.

Whilst the County Council welcome the inclusion of site-specific requirements for Minerals Assessments across the Proposed Submission Document, based upon the County Council's data, this site does not sit within the Minerals and Waste Consultation Area (MWCA). As such, the County Council do not require that an application for the site be accompanied by a Minerals Assessment, as outlined in site-specific requirement k.

Housing Allocation Policy HA4 – Downend Road East, Portchester – 350 dwellings

It is welcomed that the need for developer contributions has been identified and they will be sought to provide additional educational infrastructure where required. Pedestrian and cycle paths should be provided to local schools and existing routes enhanced where necessary to promote active travel to and from schools.

Whilst the County Council welcome the inclusion of site-specific requirement j, that the site will require a Minerals Assessment prior to any development. The County Council would also like to bring to the Borough Council's attention that this allocated housing site sits within the safeguarded buffer zone of Warren Farm and Down End Quarry, a safeguarded waste site operated by Veolia Environmental Services (UK) Plc.

The safeguarded buffer zone is informed by the safeguarded sites list as defined through 'Policy 26: Safeguarding - waste infrastructure' of the adopted Hampshire Minerals and Waste Plan (2013) (HMWP). The purpose of this policy is to protect current and potential waste sites from pressures to be replaced by other forms of development, including through 'encroachment' where nearby land-uses impact their ability to continue operating.

It is often the case that appropriate buffers and mitigation measures can make potential nearby development compatible. Any mitigation measures would need to be undertaken by the proposed non-minerals or waste development (i.e. the allocated housing development) and reduce potential impacts to and from the safeguarded site to levels that would ensure the safeguarded site could continue its intended waste use.

Usually, the mitigation measures would need to focus on impacts such as noise, dust, visual impact, odour and traffic movements. They can take a variety of forms, including landscape design, tree planting, barriers, building design and orientation and use of different building materials.

The appropriate mitigation measures are best informed through direct discussions with the operator of the safeguarded site as they will be most be aware of operational requirements. However, the County Council is also available for further discussions, as well as facilitation, if required.

With regard to the above site, the County Council would therefore request further wording be added to the site-specific requirements of allocated housing site HA4 as set out below:

"the provision of evidence that the safeguarded site has been considered within any forthcoming planning application, how operator comments have been taken into account and what impacts these comments have had on the proposed development design. Details of any mitigation measures chosen as a result of the analysis should also be included with an application for the site".

In the unlikely event that it is not possible to agree appropriate mitigation measures, the County Council would seek evidence that the waste management capacity can be relocated or provided elsewhere and delivered.

Housing Allocation Policy HA9 - Heath Road

Whilst the County Council welcome the inclusion of site-specific requirements for Minerals Assessments across the Proposed Submission Document, based upon the County Council's data, this site does not sit within the Minerals and Waste Consultation Area (MWCA). As such, the County Council do not require that an application for the site be accompanied by a Minerals Assessment, as outlined in site-specific requirement g.

Policy HA2: Newgate Lane South

The County Council as local highway authority supports the removal of policy HA2 Newgate Lane South.

Strategic Growth Area

The County Council as local highway authority supports the removal of the Strategic Growth Area policy.

Employment Allocations

The County Council has considered the employment site allocations in its capacity as local minerals and waste planning authority and provides the following commentary.

Policy E2 - Faraday Business Park

Whilst a number of the allocated housing sites have had site-specific requirements added to them for Minerals Assessments, allocated employment site E2 - Faraday Business Park has not had any added. In line with the County Council's Regulation 18 response to the local plan consultation, the County Council again request that a site-specific requirement be added to this allocated site policy so that any forthcoming planning application would need to be accompanied by a Minerals Resource

Assessment. The County Council recommend adding the following site-specific wording: The site is within a Minerals Consultation Area. Minerals extraction may be appropriate, where environmentally suitable, subject to confirmation of the scale and quality of the resource.

The County Council would like to take this opportunity to reiterate that any development or significant redevelopments of land may impact mineral resources. As minerals can only be worked where they are found, it is important that viable mineral resources are 'safeguarded' (protected) from needless sterilisation by other development to help to secure a long-term future supply of minerals. Mineral resources are necessary for a vast array of construction activities and their availability is a prerequisite for any housing development. As such, the NPPF requires planning authorities to define Minerals Safeguarding Areas and adopt policies so that, 1) known locations of mineral resources of local and national importance are not needlessly sterilised by non-mineral development, 2) if it is necessary for non-mineral development to take place, the prior extraction of minerals, where practicable and environmentally feasible, is encouraged.

Sent by email to: planningpolicy@fareham.gov.uk

17/12/2020

Dear Sir/ Madam

Response by the Home Builders Federation to the consultation on the Fareham Local Plan

1. Thank you for consulting the Home Builders Federation (HBF) on the Fareham Local Plan. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year.

We would like to submit the following representations on the Local Plan, and we would welcome, in due course, participating in hearings of the Examination in Public.

Duty to Co-operate

2. We note that the Council is part of the Partnership for South Hampshire and has worked closely with these authorities in determining housing needs and examining opportunities as to how these needs could be addressed. The Local Plan outlines at paragraph 4.4 that there are likely to be significant unmet needs arising in Portsmouth and in response to this the Council has identified a further 847 homes to meet needs. Whilst this increase is welcomed, we are concerned that it does not seem to reflect the scale of the unmet needs identified by the Partnership for South Hampshire (PfSH) of over 10,000 homes. So, whilst the Council appears to have co-operated with its neighbours on the issue of housing needs, we are concerned that its contribution is insufficient when considered against the scale of the issue at hand. It would is also the case that this contribution has been made solely as a result of the Council using the standard method as proposed in the most recent Government consultation, and which to date has not been adopted, that significantly reduces the minimum number of homes to be planned for in Fareham. So whilst it would appear that the Council has co-operated with its neighbours in relation to the legal requirements set out in the Localism Act, the outcomes of that co-operation are insufficient to address the cross boundary issue that has been identified – an issue we will come to in relation to policy H1.

Home Builders Federation
HBF House, 27 Broadwall, London SE1 9PL
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Policy H1 - Housing Provision

This policy is unsound as it is inconsistent with national policy

Housing needs

3. The Council are clearly aware that the housing requirement within the policy H1 is inconsistent with national policy as it is based on a standard method that has not been adopted by the Government. Whilst we recognise the Government were out to consultation on an alternative approach it was by no means certain that it would be adopted. The uncertainty as to the standard method has now been addressed with the Government publishing its latest Planning Practice Guidance which states at 2a-004 that the Government has retained the 2014-based household projections as the baseline estimates for household growth within the standard method.

4. The application of the standard method as set out in the most up to date guidance would require the Council to deliver 514 new homes each year. As such the 403 dwellings per annum local housing needs assessment is not consistent with planning policy as it currently stands. We hope a similar degree of haste will be taken in adopting this figure as was taken in moving forward with the lower assessment of needs in Fareham. In addition to this issue, we have three further concerns with regard to policy H1, which are:
    - The policy does not include the Council minimum required level of housing delivery;
    - The degree to which unmet needs in neighbouring areas has been taken into account;
    - Whether economic growth aspiration for the south Hampshire area will be supported to proposed levels of housing delivery; and
    - Plan period and past under delivery.

The housing requirement

5. Policy H1 does not set out the minimum number of homes the Council is required to deliver. Rather it sets out the number of homes that are expected to be delivered by the local plan. It is important that the Council sets out in H1 the minimum number of homes it is required to deliver in order to monitor its performance in meeting this requirement with regard to both the five year housing land supply and the housing delivery test. As set out in table 4.1 of the local plan this figure should be the local housing need figure plus any unmet needs within a neighbouring area that the Council has agreed to take.

Unmet needs

6. Paragraph 60 of the NPPF states that "*any needs that cannot be met within neighbouring areas should also be taken into account when establishing the amount of housing to be planned for*". As we note above the Council has, to some

extent, taken account of unmet needs across the south Hampshire sub-region and in response has stated that it will provide a further 847 homes. However, this is a very modest contribution to what is a very high level of unmet needs in the south of Hampshire. The Council state in paragraph 4.4 of the local plan that, based on the current standard method, unmet needs across the sub region of South Hampshire are in the region of 10,750 dwellings. Whilst we recognise that this will change with regard to the amended standard method and as new plans come forward it is unlikely to reduce substantially given that Boroughs such as Portsmouth, Havant, Gosport and Southampton have tight boundaries which will limit any scope for significant increases in provision. Considering the scale of the unmet needs Fareham's decision to contribute just 847 homes to the current shortfall is insufficient.

7. What is evident from the consultation on the Local Plan 2036 supplement was that the Council clearly considered it possible to deliver well above what is being proposed in the published Local Plan 2037. For example, paragraph 3.5 of the supplement to the Local Plan 2036 outlines an annual housing requirement for the Borough of between 572 and 598 homes per annum between 2020 and 2036. This annual rate of delivery would deliver between 9,000 and 9,500 homes over 16 years. It goes on to identify potential sites that could be allocated to support this higher level of delivery.

8. However, the Council has not considered as part of the preparation of the published Local Plan 2037 whether more could have been done to address unmet needs of other areas. In particular we would have expected a higher level of delivery beyond what is proposed in the published local plan to have been considered within the Sustainability Appraisal. However, this issue of unmet needs and increased delivery beyond what is being proposed in policy H1 is not mentioned in the SA published in November 2020 as part of this consultation. As such the Council cannot say whether or not a higher level of housing delivery, which would have done more to address unmet needs across the sub region was a more sustainable approach compared to the chosen strategy. This is not only a concern regarding the soundness of the Council's approach to unmet needs but also the efficacy of the SA that has been prepared to support this local plan.

Growth strategies

9. Paragraph 2a-010 of Planning Practice Guidance (PPG) outlines that there will be circumstances where it is appropriate to plan for a higher housing figure than that identified through the standard method. One of these is where an authority has agreed to take on the unmet needs of another area as discussed above however other situations are identified where housing need may exceed past trends. These include:
    - Deliverable growth strategies
    - Strategic infrastructure improvements likely to drive an increase in homes

10. The Council is clearly committed to economic growth as stated at paragraph 6.1 of the publication local plan but notes at paragraph 6.7 of the Local Plan 2037 that whilst PfSH is committed to reviewing employment requirements published to support the spatial position statement this will not be intime to support this local plan. Due to the absence of this sub regional assessment of employment growth the Council have undertaken its own assessment of the likely increase in jobs over the plan period. The Business Needs, Site Assessment and Employment Land Study (BNSAELS) states at paragraph 6.23 that between 2018 and 2036 it is estimated that a further 4,600 jobs will be created in Fareham. This equates to annual growth in employment from the current baseline of 48,000 jobs of about 0.5% per annum (pa) which is lower than the 0.8% pa jobs growth forecast in the PfSH SHMA update published 2016[1]. This higher level of growth would see the number of jobs in the Borough grow by around 6,900 over the same period as that assessed in BNSAELS. However, no detail has been provided by the Council as to whether the level of housing delivery within Fareham will meet these employment growth expectations let alone whether the wider jobs growth expectations of the sub region will be met.

11. The Strategic Housing Market Assessment published by PfSH in 2016 indicated that between 2011 and 2030 that 4,630 homes were needed each year between 2011 and 2030 to support the expectation that there would be 86,300 additional jobs across South Hampshire. However, housing delivery during this period as set out in Table H1 of the Spatial Position Statement indicates growth of around 4,536. Whilst the shortfall is relatively small across the whole sub region, given that the Council have noted at paragraph 4.5 that both Portsmouth and Gosport will struggle to meet their needs going forward it will be important, prior to submission, for the Council to consider with its partners in the PfSH whether sufficient housing will be provided to support these sub regional growth expectations, or whether further allocations are needed in relatively less constrained areas such as Fareham.

12. If insufficient housing is provided in sub-region, we are also concerned that higher levels of in-commuting will be required in order to support the expected levels of employment growth. This would be inconsistent with paragraphs 102 and 103 of the NPPF which require Council's to consider how they can deliver patterns of growth that seek to limit the need to travel. This is an issue that will also need to be considered by the Council and its neighbours prior to submission of the local plan.

Plan period and past under supply

13. There are also other impacts from the application of the standard method that have not been taken into account by the Council. In particular the Council have not grappled with the issue of under supply from the point at which the standard method was introduced in 2018. Planning Practice Guidance states in relation to

[1] Page 56 of the 2016 SHMA

this:

"*Strategic policy-making authorities will need to calculate their local housing need figure at the start of the plan-making process. This number should be kept under review and revised where appropriate*".

14. As the Council commenced preparation of this local plan in 2017 it is important that and the Council consider housing completions from the introduction of the standard method compared with the level of local housing need from that point. We recognise that the Standard Method takes account of backlog but only in so far as the affordability ratio will have worsened in the years prior to the calculation and does not take account of under provision since then. In these terms, the shortfall between the assessed level of housing need by reference to the Standard Method and actual completions has to be taken into account going forward.

Year	Number of completions/ projected completions	Local housing need	Shortfall
2018/2019	290	520	230
2019/2020	263[2]	520	257
2020/2021	132[3]	520	388

15. The table above indicates in the three years since the Standard Method was first published, the cumulative shortfall in housing completions is expected to be 875. No consideration is given to these unmet needs in the published plan and even if the lower figure of 403 was taken as the level of local housing need, the shortfall would be in excess of 500 new homes.

16. As housing delivery in the Borough has been below both its requirement in the Core Strategy and the measure of local housing need derived from the Standard Method the Council are wrong to have selected a plan period and housing strategy that takes no account of this. It is the antithesis of positive planning and as such we would suggest that the plan period be revised to start from 2019/20 which is the base date from which the affordability evidence is taken.

Housing land supply

17. The HBF would not wish to comment on the merits or otherwise of individual sites selected for allocation but it is critical that the Council's assumptions on lapse rates, non-implementation allowances, lead in times and delivery rates contained within its overall housing land supply, five-year housing land supply and housing trajectory are correct and realistic. These assumptions should be supported by parties responsible for the delivery of housing and sense checked by the Council using historical empirical data and local knowledge. We note that the Council has

[2] Fareham BC Authority Monitoring Report 2018/19 (February 2020)
[3] Fareham BC Five-year housing land supply position report (June 2020)

included a housing trajectory at appendix B of the local plan as required by the NPPF. However, for the purposes of transparency and effective scrutiny of this trajectory it is necessary for the Council to set out in its evidence base trajectories for each of the sites that make up supply across the plan period. We could not find this evidence, and in our experience, it is both helpful to the inspector examining the plan as well as those making representations.

18. We note and welcome the contingency between the Council's requirement and the number of homes it expects to be delivered over the plan period. It is important that there is a significant contingency to take account of any delays in the delivery of key sites or overestimates in the amount of windfall expected in any plan to ensure that development needs are meet in full. As such should the eventual standard method adopted by the Government see housing needs increase in Fareham, we would expect to see this level of contingency within the Council's land supply maintained. Similarly, the Council would probably need to allocate further sites of one hectare or less to ensure it meets the requirement set out in paragraph 64 of the NPPF.

Conclusions on H1

19. The policy is not sound as considered on the basis that:
    - It uses a standard method for assessing housing need that is still out to consultation and potentially subject to change. However, we recognise that the situation is in a state of flux at present and as such recommend the plan is not submitted until the Government have finalised any changes to the standard method;
    - It fails to take sufficient account of the scale of the unmet needs identified within neighbouring areas as required by paragraph 60 of the NPPF;
    - Does not consider whether housing growth will be sufficient to support its economic growth expectations and the impact this would have on in commuting and the need to promote sustainable patterns of growth as required by paragraph 103 of the NPPF.

HP2: New Small-Scale Development outside the Urban Areas

The policy is not sound as it is not consistent with national policy.

20. The HBF's preference would be for the Council to identify appropriate sites and allocate them within the local plan. This would provide the certainty that small developers seek with regard to bringing such sites forward. However, in lieu of allocation the overarching principle of this policy and its aim to support small and medium sized housebuilders and those seeking self-build plots is supported.

21. But we would suggest that at present the policy is not consistent with national policy as it could lead to sites not making the most efficient use of land as required by paragraph 122 of the NPPF. There will be situations where such sites on the edge of urban areas could be developed for more than 4 units without any adverse

impacts. We would therefore suggest that the threshold be increased to 10 units in order to reflect the definition of minor development as well as being consistent with the Government's approach to affordable housing contributions on small sites as set out in paragraph 63 of the NPPF.

Recommendation

22. Part 5a of policy HP2 be amended as set out below:
    a. Of not more than 4 10 units; and

Policy HP4: Five-year housing land supply

Part d of this policy is inconsistent with the NPPF

23. The HBF supports this policy, however we would suggest that the phase "*in the short term"* in part d is unnecessary as the meaning of deliverable with regard to local plans is clearly defined in the glossary of the NPPF. The inclusion of the phrase short term could cause unnecessary confusion for applicants and decision makers.

Recommendation

That the phrase "*in the short term"* is deleted from part d of policy HP4.

HP5 – Provision of affordable housing

The policy is unsound in its consideration of the percentage requrment for affordable home ownership and with regard to its treatment of older peoples housing which is unjustified

24. Firstly, the policy requirement regarding affordable home ownership is inconsistent with paragraph 64 of the NPPF which expects 10% of all homes on major development involving housing provision to be available for affordable home ownership. Footnote 29 then confirms that these homes are then included as part of the affordable housing contribution. For example, on a site of 100 homes paragraph 64 of the NPPF would requires at least 10 homes to be available for affordable home ownership, equating to 25% of the affordable housing delivery on a greenfield site. The Council's policy at present only requires 10% of all affordable housing to be available for affordable home ownership. The Council's policy would require such development to deliver 4 homes for affordable home ownership – just 4% of total delivery on that site. This inconsistency with national policy should be amended.

25. Secondly, whilst we welcome the decision to vary rates within the Borough to reflect viability, we are concerned that despite the evidence the Council will still, seemingly, require specialist development for older people to support the delivery of affordable homes. In section 6.6 of the Viability Study it is clear that both

sheltered housing and extra care housing for older people are not viable at any level of affordable housing. It is therefore surprising that the policy has not removed the requirement for such accommodation to contribute towards the provision of affordable housing.

Recommendation

26. That policy HP5 to be amended as follows:
    - To reflect paragraph 64 of the NPPF
    - To state that specialist residential accommodation for older people be exempt from providing affordable housing.

HP9 – Self and Custom Build Homes

The policy is unsound as it has not been justified

27. Whilst the HBF support the encouragement of self-build housing through the local plan, we do not consider the requirement for sites of over 40 to set aside 10% dwellings to be delivered through serviced plots for self and custom house building to be justified or consistent with national policy.

28. Firstly, the evidence with regard to the demand for, and supply of self-build plots would suggest that a significant proportion of demand for self-build in Fareham will be met through windfall sites. As the Council note in paragraph 5.8 of the Self and Custom Build Background Paper the demand for self-build plots arising within the first base period of the self-build register was addressed through windfall and it would seem that a similar result will occur within the second base period. Therefore, to suggest that 10% of all development over 40 units are required as self-build is not justified as it would seem that the Council through normal development management process is supporting sufficient plots to come forward without recourse to the impositions being proposed in policy H9. In addition, policy HP2 will also support the delivery of additional sites that will clearly be attractive to both self and custom build housing. Whilst the Council may not want to be dependent on windfall development if this approach is meeting identified demand then there is no need to require such plots to be provided on other sites.

29. Secondly, we welcome the Council's review of the self-build register. From this review it is clear that of the 79 people on the register only 56 people are actively pursuing the possibility of building their own home. In addition, only 40 of those said they would consider a plot on a larger self-build development. Even then it is not clear from these answers whether they would be looking for a plot on major housing building site or would prefer a site solely devoted to self-build plots. As such we are concerned that there is not a significant demand for plots on larger housing being developed by housebuilders and that the 10% requirement in HP9 is unjustified.

30. Finally, it is also important to recognise that paragraphs 57-024 and 57-025 of the PPG sets out a variety of approaches that need to be considered – including the use of the Council's own land. This is reiterated in para 57-14 of the PPG which sets out the need for Council's to consider how they can support the delivery of self-build plots through their housing strategy, land disposal and regeneration functions. We would suggest that rather than place additional burdens on house builders for the provision of self-build plots it should utilise its own land or seek to engage with landowners to identify suitable sites on which to deliver serviced self-build plots. Indeed, it would appear from paragraph 5.14 of the Self and Custom Build Background Paper that such an approach has worked in Fareham.

Recommendation

31. That policy HP9 is deleted.

Policy NE2: Biodiversity Net Gain

32. The Council have included the Government's suggestion that new development should improve the biodiversity on their site to show a 10% net gain over the pre-development baseline within this policy. Whilst we recognise that this is the Government's current position favoured position it is likely that there will be transition period to allow the development industry to adapt to the proposed changes. As such we would suggest that the Council remains consistent with paragraph 170 of national policy to seek net gains in biodiversity and not include the requirement to show a 10% net gain. A policy without a specific percentage requirement would be consistent with current policy and should the relevant legislation be enacted as currently proposed such a policy would be sufficiently flexible to support a 10% requirement and any transition period.

Recommendation

33. That the 10% requirement be deleted.

Policy NE8: Air Quality

The policy is unsound as it is not justified

34. The HBF is supportive of encouragement for the use of electric and hybrid vehicles via a national standardised approach implemented through the Building Regulations to ensure a consistent approach to future proofing the housing stock. It is the industry's preference for a national approach to the provision of charging points rather than local authorities setting their own standards. We consider this is necessary to allow research and development and supply chains to focus upon responding to agreed national targets, and for training providers to plan their programmes to equip the labour force to meet these new requirements. It is fundamentally inefficient to create a plurality of standards.

35. The Government has recognised in recent consultations the possible impact of any requirement to provide electric vehicle charging points on housing supply, where the requirements are not technically feasible. The Government's recent consultation proposed introducing exemptions for such developments. The costs of installing the cables and the charge point hardware will vary considerably based on site-specific conditions in relation to the local grid. The introduction of EVCPs in new buildings will impact on the electricity demand from these buildings especially for multi-dwelling buildings. A requirement for large numbers of EVCPs will require a larger connection to the development and will introduce a power supply requirement, which may otherwise not be needed. The level of upgrade needed is dependent on the capacity available in the local network resulting in additional costs in relation to charge point instalment.

36. Where such costs are high the Government are proposing that any potential negative impact on housing supply should be mitigated with an appropriate exemption from the charge point installation requirement based on the grid connection cost. The consultation proposes that the threshold for the exemption is set at £3,600. In the instances the additional costs are likely to make developments unviable, it is the Government's view that the EVCP requirements should not apply and only the minimum Energy Performance of Buildings Directive requirements should be applied.

37. As such we would suggest that the requirement for EVCPs should be deleted because the Government's proposed changes to Building Regulations will provide a more effective framework for the delivery of charging points for electric vehicles.

Recommendation

38. Part A of the third paragraph within policy NE8 is deleted.

D4: Water Quality and resources

The policy is unsound as it is not consistent with national policy.

39. The final sentence of policy D4 is inconsistent with paragraph 16 of the NPPF which requires policies to be unambiguous and evident as to how the decision maker should react. The policy as written could lead to applications being refused by decision makers on the basis that a development does not achieve a standard that is higher than the maximum requirement that can be applied through the adoption of the optional technical standards.

Recommendation

40. The final sentence of this policy is deleted.

D5: Internal Space standards

The policy is unsound as it has not been justified

41. Policy D5 requires development to meet national spaces standards as a minimum. Whilst the HBF share the Council desire good quality homes delivered within Fareham we also consider that space standards can, in some instances, have a negative impact upon affordability issues and reduce customer choice. In terms of choice, for example, some developers will provide entry level two, three and four-bedroom properties which may not meet the optional nationally described space standards but which would allow on lower incomes can afford a property which has their required number of bedrooms.

42. Given the poor affordability of property in the area and the tight constraints on development it is therefore important that the Council can provide, in line with PPG, robust evidence that there is a need to introduce the optional space standards – that these standards are a must have rather than a nice to have policy. However, as the Council note in paragraph 11.59 of the publication local plan most new homes in Fareham are built to a size that is consistent with the nationally described space standards. The only inconsistency they note is that the smallest bedroom often fails to meet the space standards. This evidence does not suggest that there is a pressing need for the introduction of space standard within Fareham but does indicate that requiring larger bedrooms could reduce the number of smaller homes with three or four bedrooms.

43. The HBF is not aware of any evidence that market dwellings in Fareham that do not meet the NDSS remaining unsold or that those living in these dwellings consider that their housing needs are not met. There is no evidence that the size of houses built are considered inappropriate by purchasers or dwellings that do not meet the NDSS are selling less well in comparison with other dwellings. The HBF in partnership with National House Building Council (NHBC) undertake an annual independently verified National New Homes Customer Satisfaction Survey. The 2019 Survey demonstrates that 91% of new home buyers would purchase a new build home again and 89% would recommend their housebuilder to a friend. The results also conclude that 93% of respondents were happy with the internal design of their new home, which does not suggest that significant numbers of new home buyers are looking for different layouts or house sizes to that currently built.

44. Given that there is little to suggest that development below space standards is an endemic concern within Fareham we would suggest that policy D5 is deleted from the plan. This would give the Council greater flexibility to maximise the number of sites that are developable as well as extending consumer choice to more households.

Conclusion

45. At present we do not consider the plan to be sound, as measured against the tests of soundness set out in paragraph 35 of the NPPF, for the following reasons:

- Failure to give sufficient consideration to the housing needs of neighbouring areas and the consequences on the delivery of sustainable development across south Hampshire;
- Housing needs have not been assessed in accordance with standard methodology as set out in PPG;
- Policy H2 inconsistent with national policy with regard to making the most effective use of land;
- Policy HP5 fails to include exemption for older people's housing in line with the Council's viability evidence;
- Requirement for 10% of plots on sites over 40 units be allocated for self-builders is unjustified;
- The adoption of the nationally described space standards in policy D5 has not been adequately justified.

We hope these representations are of assistance in taking the plan forward to the next stage of plan preparation and examination. Should you require any further clarification on the issues raised in this representation please contact me.

Yours faithfully

[redacted]

Mark Behrendt MRTPI
Planning Manager – Local Plans
[redacted]

Keely, Lauren

From: David Mugford [redacted]
Sent: 29 November 2020 19:47
To: Consultation
Subject: Fareham Local Plan 2037

Follow Up Flag: Follow up
Flag Status: Flagged

For Fareham Planning Department.

I must first recognise how much thought and work has gone into the Plan, and it reads well. Congratulations to the authors, who know their subject in such detail. Most of it I agree with, without reading every word, but comments have been invited.

Strategic Priorities. Para 2.21 (5). I think a vibrant future for the town centre might be positive with increased housing, ie FTC1, FTC2 and FTC6, but all these developments remove some existing parking space, or add to a car parking problem. If there is no new parking, where will out of town shoppers park their cars? Perhaps hidden within the text is an assumption that FBC can do nothing to halt changes to the retail trade: from increased IT shopping, click and collect, and the demise or closure of retail chains and local businesses. This was happening before the Covid19 outbreak, but has become much worse. So will people come from outlying communities like Stubbington, as they will not be able to buy what they want in Fareham anyway. I believe FBC will have to consider lowering business rates to counter balance lower footfall, or give help with high rents to encourage more local shops and businesses. Maybe entertainment options might bring some life to the centre. Whiteley is the main shopping centre for Fareham now, which unfortunately comes under Winchester. I would suggest that para 2.21 needs greater vision if the town centre is to survive, albeit in a different form than today.
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David Mugford
[redacted]

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Keely, Lauren

From: David Mugford [redacted]
Sent: 29 November 2020 19:47
To: Consultation
Subject: Fareham Local Plan 2037

Follow Up Flag: Follow up
Flag Status: Flagged

For Fareham Planning Department.

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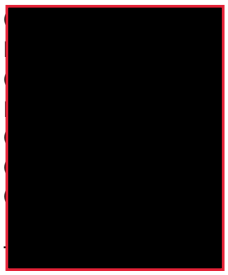
Date: 18 December 2020
Our ref: 333521
Your ref: N/A

Planning Strategy Team
Fareham Borough Council

BY EMAIL ONLY



Dear Sir/Madam,

Regulation 19 Local Plan Consultation (6th November – 18th December 2020)

Thank you for your consultation dated 06 November 2020 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the Council's approach to achieving sustainable development through its Local Plan, particularly through its suite of Natural Environment policies that include protection of internationally, nationally and locally designated sites, the enhancement of the local ecological network and the requirement for biodiversity net gain.

Our comments on the Regulation 19 Local Plan and supporting Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA) are made below.

Strategic Policy DS1: Development in the Countryside
It is recommended this Policy also requires proposals to ensure compliance with Natural Environment policies, in particular Strategic Policy NE1 and Policy NE2, to ensure impacts on nature conservation interests are properly considered and addressed, and biodiversity net gain is achieved (for applicable development).

With regards to soils, the local plan outlines that 'the benefits of protecting the Best and Most Versatile (BMV) agricultural land are considered against the need for development'. This Policy requires development proposals to demonstrate they 'Conserve and enhance landscapes, sites of biodiversity or geological value and soils'.

The National Planning Policy Framework sets out that:

> 'Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework[1]; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.'
>
> *1 Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.*

It is recommended that this Policy is amended to give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpin our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver. The plan should safeguard the long term capability of BMV agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future.

Where site allocations are sited on BMV land, the Plan should outline a requirement for the protection of soils during construction where possible, referencing the 'Defra Code of practice for the sustainable use of soils on construction sites'.

Strategic Policy DS3: Landscape
Natural England welcomes the proposed designation of eight Areas of Special Landscape Quality within the Borough, and the requirement for development in these areas to meet stringent criteria that seek to protect and enhance landscape.

Strategic Policy CC1: Climate Change
Natural England advise all Local Plans consider climate change adaption and recognise the role of the natural environment to deliver measures to reduce the effects of climate change, for example tree planting to moderate heat island effects. In addition factors which may lead to exacerbate climate change (through more greenhouse gases) should be avoided (e.g. pollution, habitat fragmentation, loss of biodiversity) and the natural environment's resilience to change should be protected. Green Infrastructure and resilient ecological networks play an important role in aiding climate change adaptation.

Natural England welcomes Strategic Policy CC1: Climate Change that promotes mitigation and adaptation to climate change through various methods including the integration of green and blue infrastructure into the design of developments, adopting higher water efficiency standards, the integration of energy efficiency, renewable and low carbon technologies into all development, and reducing reliance on car travel.

Natural England supports the embedding of policy that will deliver measures to increase sustainability of development over the Plan period. This should also include reducing consumption of raw natural resources, sourcing more renewable or 'green' energy, and reducing waste. Consideration should be given to the collection of financial contributions from development to offset residual carbon emissions elsewhere in the Borough. Consideration can also be given to the retrofitting of existing development with technology that improves energy and water efficiency.

It is recommended that Local Plan policy also seeks measures that help natural habitats across the Borough adapt to the effects of climate change. We would encourage you to refer to the Natural England and RSPB Climate Change Adaptation Manual and look at the step by step approach to identifying the climate resilience of habitats that occur in the Borough. Consideration should be given to addressing issues on habitats and protected sites that will be exacerbated by climate change, such as flooding, drought, reduction of water resources etc.- the Manual can also help identify these.

Consideration can be given to delivering specific projects within the Borough. For example, to maximise climate change adaptation and mitigation through the establishment of a Nature Recovery Network (NRN), and the Local Nature Recovery Strategy in which the NRN would sit, to ensure climate change resilience at their core. Such projects could potentially benefit from carbon offsetting contributions from development over the local plan period.

Such an approach could link into other aspects of the Plan such as water and air quality, nutrient mitigation for Solent European designated sites, delivery of biodiversity net gain, natural flood management, and green infrastructure implementation among others. Natural England would be happy to advise further on this aspect.

Policy CC2: Managing Flood Risk and Sustainable Drainage Systems
Natural England welcome this Policy that requires development ensures flood and surface drainage are properly addressed, and that Sustainable Drainage Systems (SuDS) are designed in accordance with CIRIA C753 SuDs Manual, to be as 'natural' as possible.

It is advised that the policy makes clear that where a development drains to a protected site(s), an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection may be required to ensure water quality impacts are avoided.

Where SuDS are proposed serving as mitigation for protected sites, development should ensure that appropriate resources are put in place to ensure their long-term (in perpetuity) monitoring, maintenance/replacement, and funding.

Policy CC3: Coastal Change Management Areas (CCMAs)
Sea level rise and coastal change are inevitable and bring both challenges and opportunities for people and nature. Sustainable coastal management needs to embrace long-term change and achieve positive outcomes for both.

Policy CC3 identifies that the North Solent Shoreline Management Plan (SMP) policy for the majority of Fareham Borough's coastline is 'Hold the Line', and identifies two CCMAs between Hook spit and Meon Shore, with an identified coastal management policy of 'No Active Intervention'. The Policy will ensure that development in these areas will appropriately consider coastal change. It also will ensure replacement coastal defence schemes 'are consistent with the relevant Shoreline Management Plan and that there will be no severe adverse impact on the environment, the English Coast Path, and the rights of way network'.

We would advise that the Local Plan should also help facilitate the relocation of valued environmental assets away from areas of risk.

Strategic Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network
Natural England welcomes this policy that sets out clearly the hierarchy of nature conservation and the requirement for development to 'demonstrate clearly that the mitigation hierarchy has been followed' in terms of avoiding, mitigating or compensating (as a last resort) impacts on biodiversity. Natural England welcomes the Local Ecological Network (LEN) approach that has been included in the local plan.

It is helpful that the LEN and the Council's Green Infrastructure Strategy have been suggested as tools to provide opportunity for enhancements across the Borough. Please read our comments below in relation to Policy NE2 that regards the choosing of suitable opportunities for biodiversity enhancement.

Policy NE2: Biodiversity Net Gain
Natural England is fully supportive of the inclusion in the local plan of a Policy for biodiversity net gain. It is welcomed that the policy refers to the benefits to Borough residents from the ecosystem services that being close to nature provides, and outlines an expectation that offsite net gain must be sought as close to the development as possible. However in some instances this may be difficult, and Natural England recommends that consideration is given to developing a suite of projects across the LEN that development within the Borough can contribute to thereby ensuring the biodiversity within the Borough is protected and enhanced. For example, partners that manage Local Nature Reserves and Sites of Importance for Natural Conservation in the Borough could submit projects to the local planning authority to enhance the ecological value of these sites. These projects could be funded by development that requires offsite compensation or additional enhancements to achieve biodiversity net gain. This approach can also be used by development with limited opportunities for biodiversity net gain on-site.

The Policy outlines that the Council may prepare and adopt a Supplementary Planning Document (SPD) for Biodiversity Net Gain. Due to the need to ensure net gain is delivered in a suitably

strategic way, and having regard to the timescales of the legislative requirement for net gain and further national guidance, Natural England would support the development of such an SPD and would encourage Policy NE2 to outline this as a clear intention of the Council, in order to provide further guidance and support to aid sustainable development across the borough. Natural England will be happy to advise further to aid the development of such an SPD.

- *Calculating net gain*

Please note that Biodiversity Metric 3.0 is due to be published early 2021, which will supersede Biodiversity Metric 2.0. We advise that the Policy is updated accordingly and that this metric is used to measure gains and losses to biodiversity resulting from development, and implement development plan policies on biodiversity net gain.

Please note that although the Policy includes 'nesting and roosting features' as suggestions for achieving net gain, it is our advice that features such as bird and bat boxes, swift bricks, bee hotels etc should be classed as general biodiversity enhancements that should be included as part of a wider biodiversity enhancement and mitigation plan. Net gain specifically should derive strictly from habitat enhancement and creation, required as calculated using the metric.

- *Wider environmental gains*

The reference to seeking wider environmental gains, for example to address water/air quality, flooding, climate change etc. is welcomed. Opportunities for environmental gains, including nature based solutions to help adapt to climate chance, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g. by sowing wild flower strips, changing cutting regime of open spaces and road verges*) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g. a hedgerow or stone wall or clearing away an eyesore)
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats

*Please see this paper regarding cost-effective and low-maintenance management for species-rich grassland on road verges and the value it can contribute to biodiversity and ecosystem services.

Please note that Natural England and Defra are developing an Environmental Net Gain/metric for Natural Capital Net Gain that can be used in conjunction with the Biodiversity Metric (but not instead of). Further information will be available in 2021.

- *Monitoring of net gain*

Your plan should include requirements to monitor biodiversity net gain. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

LPAs should work with local partners, including the Local Environmental Record Centre and wildlife trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations and providing as much up front information on monitoring will help to streamline the project stage.

Policy NE3: Recreational Disturbance on the Solent Special Protection Areas (SPAs)

Natural England welcome this policy that will require new residential development to address in-combination effects on the Solent SPAs via recreational disturbance. It is recommended the Policy also outlines that other types of development (such as new hotels, student accommodation, care homes etc.) may also need to address recreational disturbance impacts, both alone and in-combination. Such development should be assessed on a case by case basis.

Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
Natural England welcome this policy that will require new development that propose a net increase in overnight accommodation to address in-combination effects on the Solent designated sites via eutrophication from nutrients in wastewater.

Policy NE5: Solent Wader and Brent Goose Sites
Natural England welcome this policy that will require development to address effects on sites identified by the Solent Wader and Brent Goose Strategy (SWBGS) which serve as functionally linked land to the Solent SPAs.

It is recommended that the following wording within the Policy "*Sites which are used by Solent Waders and/or Brent Geese (as shown on the Policies map)*" is amended to read "*Sites which are used by Solent Waders and/or Brent Geese (as identified within the most up to date version of the Solent Wader and Brent Goose Strategy)*" to take account of any changes to sites and their distribution across the Borough, as these updates can be implemented at irregular times. Any further references to the Policies map should be similarly amended to refer to the SWBGS mapping.

Core Areas – due to their essential function within the SWBG network, it is advised these sites are identified for protection by the Policy. Any development that would result in impacts to a Core Area will need to be carefully assessed on a case-by-case basis. There are limited options where the function of a Core site can be fully replicated elsewhere in terms of its suitability and appropriate locality; where such land is available, an assessment of replicability will need to be undertaken through discussions with Natural England and the Local Planning Authority.

Financial contributions – it is welcomed that the Policy outlines that financial contributions proposed as mitigation will be used for the management and enhancement of an 'agreed suitable identified site for Solent Waders and Brent Geese'. Such proposals should demonstrate how such funds will be used to enhance, manage and monitor sites within the wider Solent Waders and Brent Geese network, in perpetuity. It is suggested that the Council works with relevant partners/stakeholders, including cross-boundary partnerships, to develop a strategic project(s), such as a bird reserve, and/or list of projects to enhance, manage and monitor the wider Solent wader and brent goose ecological network, to which contributions can be directed.

Policy NE6: Trees, Woodland and Hedgerows
Natural England welcomes this Policy that seeks to protect and enhance trees, woodland and hedgerows within the Borough. It is recommended that this Policy requires development proposals that affect ancient woodland, ancient trees and veteran trees, to ensure they are in line with standing advice published by Natural England and the Forestry Commission.

Policy NE8: Air Quality
It is welcomed that the Policy recognises that 'poor levels of air quality can also lead to environmental issues'. The Policy includes a need for planning applications to consider if they will have a 'potential adverse effect on biodiversity, especially where it would affect sites designated for their biodiversity value'.

The Policy outlines that the Local Plan HRA concludes the Plan 'would not have a likely significant effect on the internationally important habitats and species present in the area'. As this issue has

been considered within the HRA appropriate assessment, the wording here should be amended to use the correct terminology under the Habitats Regulations, i.e. the HRA concludes the Plan will not result in an 'adverse effect on integrity' (the term 'likely significant effect' is used at the screening stage of the HRA). See further comments on air quality below in regards to the Local Plan HRA.

Policy NE9: Green Infrastructure
Natural England welcomes this Policy that seeks to fully integrate green infrastructure (GI) into development and maximise opportunities to connect to the wider environment. The provision of enhanced green infrastructure and sites of nature conservation value can not only help address some of the mental and physical health problems that are experienced in the Borough's population, but can also benefit society in other ways including improvements to local air and water quality, reducing the risk of flooding, alleviating noise levels and aiding climate change adaptation.

Policy NE10: Protection and Provision of Open Space
This Policy references protection of public rights of way. Natural England advises that the Policy should also seek to secure enhancement of public rights of way and National Trails, as outlined in paragraph 98 of the NPPF. Recognition should be given to the value of rights of way and access to the natural environment in relation to health and wellbeing and links to the wider green infrastructure network. It is welcomed the plan seeks new access opportunities; it should seek to link existing rights of way where possible. The plan should avoid building on open space of public value as outlined in paragraph 97 of the NPPF.

It is welcomed that the Policy makes provision for appropriate quantity and quality of green space to meet identified local needs (as outlined in paragraph 96 of the NPPF) based on Natural England's work on Accessible Natural Greenspace Standard (ANGSt) in assessing the level of accessible natural greenspace; it is also welcomed that it recognises development may be required to 'provide more open space above what is required by the standards to make the development more acceptable'.

Policy D1: High Quality Design and Place Making
Natural England welcomes this Policy that requires the design of developments to integrate existing and new habitats and biodiversity within a coherent and well managed, connected structure. It is advised that landscaping of developments and open spaces seeks to use appropriate native and locally sourced species as far as possible to cater for local wildlife.

Policy D4: Water Quality and Resources
Natural England welcome this policy that seeks to conserve water and improve its quality.

Southern Water's Water Resources Management Plan (WRMP) 2019, that covers the planning period 2020-2070, projects a significant supply demand deficit during periods of drought in the Western Area, and commits to implementing a long term water resources scheme to restore the supply demand balance whilst avoiding and/or mitigating impacts on European sites, including the River Itchen SAC.

It is Natural England's advice that in advance of any permitting of such a suitable long term scheme, uncertainty remains with regards to water resources and the impacts of abstraction on protected sites.

Although it is welcomed that Policy D4 requires a water consumption for new dwellings of no more than 110 litres per person per day, Natural England strongly recommend all new development within the Southern Water supply area adopt a higher standard of water efficiency of 100 litres/per person/day, including external water use and re-use, in line with Southern Water's Target 100 demand reduction programme which is committed to within their WRMP19. Natural England also recommends that the Policy encourages the wise use of water in conjunction with the water companies, for example by developments incorporating grey water recycling systems and efficient appliances

Please see Natural England advice above in relation to Policies NE4 and Policy CC2 with regards to nutrients and surface water treatment via SuDS.

Neighbourhood Plans
Currently there are no Neighbourhood Plans in the Borough, but the Local Plan provides a 'strategic evidence base' which will inform any future Neighbourhood Plans.

It is recommended that any future Neighbourhood Plans which allocate housing should also identify spaces for environmental enhancement, for the purpose of offsetting environmental impacts, e.g. through the designation of Local Green Spaces. Such a local approach could give communities more ownership over such green spaces and provide a more strategic route to addressing common environmental impacts from development in that area, such as air and water pollution, habitat and species loss and increased carbon emissions, and could deliver biodiversity net gain and nutrient offsetting.

Such spaces could include the development of community orchards and play areas, woodlands and nature reserves, and serve a variety of functions that benefit both nature and the local community, for example providing benefits to health and wellbeing, offsetting nutrient discharges from allocated development and providing further scope for carbon sequestration.

Specific comments on Housing Allocation Policies

- HA9 - Heath Road (70 dwellings)

It is acknowledged this allocation site has resolution to grant permission for 70 dwellings. It is recommended this Policy includes the requirement to secure an appropriate level of offsite compensation to address the loss of secondary woodland on site which may in parts qualify as lowland mixed deciduous woodland habitat.

- HA29 - Land East of Church Road (20 dwellings)

Much of this site shows as Lowland Mixed Deciduous Woodland priority habitat on the Ecological Network mapping for Hampshire. Part of the site is designated as a Site of Importance for Nature Conservation (SINC) according to the Policy map. The Policy outlines a requirement for ecological mitigation for the site-specific construction and operational impacts of a development proposal. It is advised the Policy outlines a requirement to secure an appropriate level of offsite compensation to address any loss of priority habitat on site to ensure compliance with Policy NE1.

- HA31 - Hammond Industrial Estate (64 bed care home)

The Policy should ensure the impact of nutrients in wastewater is addressed to ensure compliance with Policy NE4.

- HA37 - Former Locks Heath Filling Station (30 dwellings)

This site is adjacent to an area of Lowland Mixed Deciduous Woodland priority habitat as shown on the Ecological Network mapping. The Policy should ensure that impacts on priority habitats and protected species are taken into account and appropriately addressed.

- HA38 – 68 Titchfield Park Road (9 dwellings)

The site is adjacent to Sylvan Glade SINC, much of which is ancient semi-natural woodland. The Policy should ensure compliance with standing advice on ancient woodland, ancient trees and veteran trees and that impacts on the SINC and protected species are appropriately addressed.

- HA42 - Land South of Cams Alders (60 sheltered housing)

This allocation site is located on 'Fort Fareham Grassland' SINC that supports woodland and meadow communities. It also lies adjacent to Fort Fareham SINC known for supporting wet woodland communities.

As previously advised in our response to the Supplement to the Reg 18 Local Plan (letter dated 23rd April 2020), allocations and development proposals should ensure they engage the mitigation

hierarchy, where impacts on designated ecological sites/features should first be avoided, and where not possible, adequately mitigated. Where this is not possible, any loss of priority habitat should be appropriately compensated. All residual ecological impacts will need to be addressed before any net gain for biodiversity can be achieved.

Natural England recommends that where loss of SINC habitat cannot be avoided, the policy should make clear how requirements set out within the NPPF, NERC Act 2006 and Local Plan Natural Environment policies will be met. It is advised an appropriate level of offsite compensation should be required to address any loss of priority habitat on site to ensure compliance with Policy NE1 .

- E4: Solent 2 (Employment - 23,500 sq. metres)

This employment allocation is located on Whiteley Meadow - Plot 2184 SINC and Ashley Wood, Fareham SINC. The Hampshire Ecological Network Mapping dataset shows much of this area as Lowland Mixed Deciduous Woodland, a priority habitat listed as required under Section 41 of the Natural Environmental and Rural Communities Act 2006. The site is also situated adjacent to the Gull Coppice (South-West Remnant) SINC which comprises ancient semi-natural woodland.

It is acknowledged that this site is an existing allocation within the adopted Fareham Local Plan Part 2 (2015).The current Policy outlines a requirement for this development to protect existing woodland and avoid habitat severance, and appropriate mitigation and compensation for any loss of protected trees. However, it is our view that a significant area of habitat, including mature woodland, is likely to be lost as a result of development. The Policy should ensure that it is compliant with Strategic Policy NE1 with regards to impacts on the local ecological network in this locality. In line with existing national and local policy and legislation, it is Natural England's advice that the mitigation hierarchy of avoid, mitigate and lastly compensate is employed where considering impacts on these habitats, particularly those designated as SINC. Measures should be sought to protect and enhance the local ecological network. Where impacts cannot be avoided or adequately mitigated, a comprehensive compensation package should be required that addresses the loss of all priority habitat on site (rather than just specifying protected trees), that seeks to enhance and connect habitat in the locality.

Comments on the HRA

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the Local Plan in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

We have the following comments on the HRA:

- *Recreational disturbance – New Forest designated sites*

The Local Plan HRA screening assessment outlines that although the Borough falls within the 25km buffer of the New Forest designated sites (via a straight line), the minimum actual travel distance by car is of approximately 30km travel distance (via the M27). In comparison to the number of visits from residents closer to the New Forest, the assessment states 'visits to the New Forest SAC/SPA/Ramsar associated with increased housing development in Fareham Borough contribute a significantly lower proportion of overall visits to the designated sites and it is not considered likely that significant effects associated with recreational disturbance from Fareham housing development would arise'. The HRA screens this impact pathway out from an appropriate assessment on this basis.

It is understood Footprint Ecology are currently conducting further analysis on several aspects of their latest visitor surveys. This analysis will assist the definition of a robust catchment area for recreational impacts. It will help in the preparation of a strategic, cross-boundary approach with neighbouring competent authorities to deliver habitat mitigation for the New Forest SPA/SAC/Ramsar. This work is due to be completed shortly and will provide a useful update to the evidence base against which such impacts from new development from surrounding local authority areas can be assessed.

Therefore, whilst acknowledging that the level of additional impacts from new residents is known to significantly decrease with distance from the New Forest designated sites, Natural England consider at this time there remains some uncertainty with regard to the evidence confirming the level of additional impacts from new residents of Fareham local plan development. We therefore advise this issue is taken forward to the appropriate assessment stage where further work may be carried out to ascertain the level of impacts as accurately as possible.

Where impacts are identified, suitable and proportionate mitigation should be proposed; we recommend the Council works with the New Forest National Park Authority and the other partner authorities to develop a strategic approach to addressing recreational impacts from new development on the New Forest designated sites. Such an approach should include developer contributions towards the New Forest National Park Authority's Habitat Mitigation Scheme to enable the authority to deliver site specific mitigation measures on behalf of applicants.

Natural England will be happy to provide further advice to the Council on this aspect as the evidence base develops.

- *Air quality*

The Local Plan is supported by an Air Quality Habitats Regulations Assessment (Ricardo, Sept 2020). The conclusions drawn in the Local Plan HRA in regards to air quality impacts are based on those drawn within the Ricardo report. Natural England concurs with the conclusions drawn in the report.

The Ricardo report suggests that the Council regularly reviews the Defra airborne NOx forecast levels. This is welcomed as a way to ensure any changes in forecasting and potential consequential changes to conclusions drawn in the report for this pollutant can be appropriately reviewed and addressed during the local plan period.

- *Water quality – nutrients*

The HRA calculates a nitrogen budget for the local plan of 2536.99 kgTN/yr. Appendix III of the HRA outlines various mitigation schemes that can be utilised or progressed as a means to ensure nutrient neutrality can be delivered by new development.

The HRA states within its Summary of Findings that the sites Chichester and Langstone Harbours SPA/Ramsar, Portsmouth Harbour SPA/Ramsar and Solent and Dorset Coast SPA are screened out of an appropriate assessment in relation to water pollution impacts. Much of development within Fareham borough is served by Peel Common wastewater treatment works (WwTW), which is a coastal WwTW that discharges effluent several kilometres out into the Solent. It is our advice that long-shore outfall pipes are likely to have shifted and widened the distribution of nitrogen loading within the effluent across the Solent SAC and SPAs. It is important to recognise the loading from Peel Common WwTW contributes to a number of estuaries and catchments within the Solent (including Portsmouth Harbour, Langstone Harbour, Chichester Harbour, River Meon, Wootton Creek and the Medina Estuary catchments). It is therefore Natural England's view that, because of this wide distribution of nitrogen loading, all designated sites should be screened in.

- *Other comments on the HRA*

Section 7.7.3 – this paragraph refers to the 'SAC' although it is relating to Portsmouth Harbour SPA and Ramsar.

Comments on the SA

We are broadly satisfied that the objectives and indicators within the Sustainability Appraisal cover our key interests, and welcome the identification of the need to conserve and enhance biodiversity, landscape character, and to reduce pollution. We also welcome the need to address minimise the

effects of climate change, and to minimise impacts on best and most versatile agricultural land. Please see some more specific comments below.

- SA5: To Minimise Carbon Emissions and Promote Adaptation to Climate Change

This SA objective to address the effects of climate change is welcomed. It is suggested a further monitoring parameter(s) is included to monitor the implementation of new GI/habitat that can seek to alleviate the pressures of climate change on species and the ecological network whilst also providing other benefits as described further in our advice above; e.g. percentage of new GI/ extent of priority habitat within the ecological network.

- SA7: To Conserve and Enhance Biodiversity

We advise that this SA objective also seeks to conserve and enhance geodiversity within the Borough, in line with national planning policy.

The SA outlines the Plan 'is predicted to lead to negative impacts to ecological receptors in the short to medium term, but many of these impacts are capable of being mitigated. Long-term effects are likely to be both positive and negative, and highly site-specific'. It is acknowledged these effects can be avoided/mitigated by the implementation of several policies including NE1, NE3, NE4 and NE5. It is advised Local Plan Policy requires relevant development to carry out site-level Habitats Regulations Assessments in order to ensure impacts on European sites are suitably addressed.

It is also suggested that further monitoring parameters are incorporated to ensure impacts on internationally, nationally and locally designated sites are monitored throughout the Plan period, e.g. via the number, extent and condition of sites designated for nature conservation. We would advise the use of a green infrastructure standard as an indicator, such as Natural England's Accessible Natural Greenspace Standard (ANGSt). Parameters for measuring the implementation of net gain should be introduced, see further above for our advice on net gain monitoring.

We would be very happy to comment further as the plan process progresses. If you have any queries relating to the detail in this letter please contact me on [redacted]

Yours faithfully

Rebecca Aziz
Sustainable Development Senior Advisor
Thames Solent Area Team

Representations towards the Fareham Borough Draft Local Plan 2036 Publication Draft (Regulation 19) Consultation on Behalf of Persimmon Homes (South Coast)

December 2020

PERSIMMON
Together we make a home

1. Introduction

Persimmon welcomes the opportunity to comment on the Fareham Draft Local Plan 2036 (DLP) Publication (Regulation 19) consultation.

This letter is set out in sections as summarised below:

- Section 2 sets out our response to Duty to Cooperate issues
- Section 3 sets out our policy specific responses
- Section 4 sets out our response in relation to Omission Sites

2. Duty to Cooperate

The Duty to Cooperate places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters, including housing.

Planning Practice Guidance recommends that authorities should produce, maintain, and update one or more Statement(s) of Common Ground, throughout the plan-making process. The Council has unilaterally produced a 'Statement of Compliance with the Duty to Co-operate' which sets out how the Council claims to have addressed the duty to cooperate, including in relation to addressing the unmet housing need of its neighbouring authorities. This is not an agreed Statement. It is noted that there is little to no explanation within the Statement as to what cross boundary discussions have taken place since the Council has significantly altered its approach with regards to housing need (as detailed below). In Persimmon's view, this information is absent because neighbouring authorities, in particular Portsmouth and Gosport, will not be supportive of Fareham's approach.

As mentioned above, the Council's Regulation 19 consultation document is significantly different from the Regulation 18 draft in terms of its approach to housing. This is largely as a result of it applying the lower Local Housing Need (LHN) as derived from the Government's proposed new Standard Methodology, which has not been approved. The Regulation 18 version of the Plan included a number of Strategic Growth Areas that were identified, in part, to meet the housing needs of neighbouring authorities of Gosport and Portsmouth. These Areas have now been deleted, and do not feature in the Publication Plan.

The Council's decision to use the new Standard Methodology LHN in order to take advantage of lower housing numbers is premature, and is at odds with the approach being taken by nearly all other Local Planning Authorities developing Local Plans in the sub-region, including Gosport and Portsmouth.

It is understood that the SGAs would met at least 1,000 dwellings from Portsmouth's unmet needs, alongside a proportion of Gosport's (quantum not published). However, the Publication Plan suggests that unmet need accommodated by the Plan will only equate to 847 dwellings. By Fareham choosing to use the draft new Standard Methodology and reducing its housing site allocations as well, the scope for the Plan to pick up the housing needs of these neighbouring council areas has been significantly curtailed.

It is Persimmon's view therefore that, given the significant change in approach by Fareham Council, the joint working that it has undertaken on housing issues to date has been fundamentally undermined to a point where it can only be concluded that Council has failed the duty to cooperate.

2. Policy Specific Comments

DEVELOPMENT STRATEGY

Strategic Policy DS1 Development in the Countryside

Policy DS1 provides the policy basis for the delineation of settlement boundaries. In the context of our comments below, notably in relation to not meeting housing need, omission sites and the delineation of Strategic Gaps, the Council should amend the settlement boundaries to allow additional development to come forward.

With regards to the criterion d) of Policy DS1, an allowance for new or replacement building, conversion and/or extension of a school is welcomed. However, the Policy appears to limit re-provision to existing sites shown on the Policies Map. As set out in greater detail in the our response to Policy DS2 and the Omission Site section, discussions are on-going with the Meoncross school to facilitate expansion of the car park and/or playing fields in the short term. The potential relocation of the school to other land within Persimmon's interest at Cuckoo Lane over the longer-term is also being explored. As currently drafted, by strictly limiting development to within an existing educational facility, the Policy would prevent such future improvements and the possible relocation of Meoncross School.

Strategic Policy DS2 Development in Gaps

The Council has commissioned Hampshire County Council to review its Strategic Gaps. The County's methodology for this review is set out in the Technical Review of Areas of Special Landscape Quality and Strategic Gaps (September 2020). This applies 'Primary Measures' (i.e. physical and visual separation) and 'Secondary Measures' (i.e. Green Infrastructure Provision) to define the gaps. We support the inclusion of physical and visual separation as a means of determining the gap boundary, but we see no justification for including the secondary measures as this is outside of the scope of the role of a gap. In any case, Green Infrastructure is an issue that is dealt with separately under Policy NE9 of the draft Plan.

The following commentary on this policy considers each of the Strategic Gaps before comments are made on the content of Policy DS2 itself.

<u>The Fareham-Stubbington Gap</u>

As set out in the recommendations of the Gap Review paper (Chapter 4: Conclusions and Recommendations, Paragraph 10): *'there exists some opportunities for development to be absorbed within the Stubbington-Fareham Strategic Gap, subject to scale and future detailed design, without compromising its Gap function…'* It is surprising then that the Council has not examined this potential in greater details as part of its Publication draft Local Plan, particularly given that the most recent Regulation 18 Local Plan consultation proposed a Strategic Growth Area (SGA) within this gap as a means of accommodating growth.

It is also surprising that the Gap Review Paper does not adequately consider the influence of the Stubbington by-pass on the Fareham-Stubbington Gap. Paragraph 3 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap states that*: 'As the Bypass is currently under construction and its alignment marked out, it is possible to see how it might affect the sense of separation between Fareham and Stubbington.'* The report also states that it is too early to understand the full impact that Stubbington Bypass will have on the landscape character and development pressures of the Gap. This second assertion is contested. Given that the by-pass construction has progressed significantly, and that by-pass proposal has been subject to landscape assessment (including through the ES associated with the application), there is sufficient information available to allow for a robust assessment of the impact of the by-pass on the gap and the landscape to be carried out. A review of the landscape and gap evidence should be carried out prior to submission of the Plan for examination.

There can be no doubt that the by-pass will have a considerable influence on the Fareham-Stubbington Strategic Gap - effectively splitting it two. Once the by-pass is complete, it will form a strong defensible boundary, which will make the difference in the character between areas north and south even more apparent than it is already. This difference in the character requires considered in the Local Plan and its evidence base.

Land to the north of the bypass route is considerably more open in character, with large open fields with limited boundary planting providing prominent views north from the bypass toward the southern urban edge of Fareham, which is well defined by Rowan Way. This area is characterised by a strong sense of tranquillity, and is a much more sensitive landscape that is more befitting of Gap designation in accordance with the Council's own methodology. Land to the south of the bypass, however, comprises considerably more urban influences as demonstrated by existing development along Ranvilles Lane / Titchfield Road, the cemetery south of Oakcroft Land and development around May's Lane / Peak land (including where the urban area of Stubbington protrudes into the gap). This observation is supported by the detailed analysis of gap study area 7a (see Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap, para 8) which states that:

'There exists the potential to ***make modifications to the settlement boundary of North Stubbington: to extend the boundary to run along Oakcroft Lane****, as the isolated field that sits aside Crofton Cemetery, does not protrude into the landscape beyond the current Northern and Western edges of Stubbington. Largely sitting behind a mature line of Poplars also helps this isolated field absorb some development (subject to detail design),* ***without risking the integrity of the Gap, as a whole****.'*
(Persimmon's emphasis)

Paragraph 11, Bullet 2 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review evidence reconfirms the limited role that the area to the north west of Stubbington, south of Oakcroft Lane and east of Ranvilles Lane plays as a gap. The Gap study states that this area has *'the ability to absorb development into the landscape exists, without compromising the integrity of the Gap function'.* The Council will be aware of the planning application within this part of the gap (LPA Application Reference: P/20/0522/FP). This application comprises 209 new homes a considerable area of land to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1. The application is a resubmission of a planning application that addresses technical and design issues raised by the Council previously. It is understood that the application is due to be considered by planning committee in January 2021.

One key consideration when reviewing the boundary of a gap is the consideration that no more land should be included in the gap than is necessary (see adopted Core Strategy Policy CS22, Fareham Borough Council Gap Review 2012 and South Hampshire Strategy 2012). This concept is reiterated in the Gap Review Paper as 'minimum land take'. In light of the above, it is Persimmon's view that the gap evidence should be reconsidered with areas north and south of the by-pass assessed separately to take account of the by-pass. For reasons set out above, and in accordance with the Gap Review methodology, it is considered that a review of the evidence would indicate that the land north of the by-pass should be retained as gap and land to the south should be deleted from the gap designation. Retaining a gap to the north would preserve a c. 800m gap between the by-pass and the southern urban edge of Fareham, which is described in the Gap Review Paper as being *'moderate-large gap'* of a 'good distance' that *'gives the traveller time to experience the countryside after leaving one settlement before joining another.'* Retaining a gap of adequate width in this location is particularly important given the role Peak Lane plays in providing a well utilised north-south link between Stubbington and Fareham.

With regards to land to the east of Stubbington, Paragraph 11, of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review indicates that there is very little opportunity to absorb development in this corridor but that advanced planting along the eastern edge of the settlement would be beneficial. Persimmon Homes have interests in this area (as discussed in detail later in these representations). In summary, the proposals include new residential development, significant new strategic planting and open space along the eastern edge of the site. Discussion are on-going with the

Meoncross School to facilitate expansion of the car park and playing fields in the short term and the potential relocation of the school to other land within Persimmon's interests over the longer-term.

In light of the our comments set out above It is considered that the Fareham-Stubbington Strategic Gap should be redrawn so that land to the south and west of the by-pass is removed from the gap.

Whilst not a gap issue per se, the emerging and previous Local Plans, have tended to avoid allocating any significant growth on the periphery of Stubbington. Sensitively redrawing the gap boundary as suggested above will allow for much needed sustainable development housing to come forward to support the housing aspirations of those wish to live in or remain living in Stubbington.

The Meon Strategic Gap

As touched upon above, the function of a Strategic Gap is to prevent the coalescence of separate settlements. Land to the west of Stubbington is identified as a gap but there is no settlement to the west of the Stubbington that requires protection from coalescence. With regards to Strategic Gap Study Area 6, it is noted that the Gap Review study states that this gap is provided to ensure there is no coalescence between Stubbington and Titchfield along Titchfield Road. Whilst this northern most extent of this study area may serve this purpose, the central and southern parts of the Study Area 6 play no role whatsoever in preventing coalescence. This is recognised in Paragraph 13 of Chapter 4: Strategic Gaps SG 1: The Meon Gap of the Gap Review Study. Nonetheless, the Study recommends that the Gap is retained in this area due to: high levels of tranquillity, its role in providing separation of Portsmouth and Southampton, and to recognise the potential longer-term settlement expansion southwards from Titchfield and South Westwards from Hook. Based on the Council's Gap Review methodology, these are not adequate reasons to include this land within the gap.

A more logical delineation of the gap, which would ensure that no more land than necessary is included within it, could be to end its southernmost extent at Crofton Manor Equestrian Centre where the transition from countryside to urban (as part of Stubbington) becomes apparent. As recognised in the Gap review study, much of the land to the south of the Equestrian Centre is subject to protection under draft Policy DS3 (as discussed below), and ecological constraints which provide adequate protection against inappropriate development in this area. A gap is therefore not necessary.

General Comments on Policy DS2

Notwithstanding our comments above, in our considered view, Policy DS2 is too restrictive. There may be a point within the plan period, for example where the Council is unable to demonstrate a sufficient five year housing land supply, where additional housing may be required over and above those sites identified in the Plan. The Council has persistently struggled to demonstrate a sufficient five year housing land supply in recent years so flexibility in the Policy is required.

As demonstrated through the Council's Regulation 18 draft Plan, a sustainable location for such development may be in the Strategic Gap between Stubbington and Fareham. As such, the Policy should include additional wording to allow for appropriate and sustainable development in the Strategic Gap in such circumstances where housing supply needs to be increased.

The Policy also seeks to prevent development in Strategic Gaps that may significantly affect its 'integrity' and the 'distinctive nature of settlement characters'. This is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. The reference to 'integrity' and the 'distinctive nature of settlement characters' should be deleted from the Policy. The function of a Strategic Gap is to prevent the coalescence of separate settlements, which can be achieved through assessment of the impact of a proposed development on the physical and visual separation of settlements. The other policy criteria are superfluous.

In light of the above, it is considered that the Strategic Policy DS2 - Development in gaps and delineation of the Gap as shown on the draft Policies Map, should be redrawn as set out above. If this is not the case the Policy cannot be said to either justified or effective and is therefore unsound.

Strategic Policy DS3: Landscape

Policy DS3: Landscape identifies a number of Areas of Special Landscape Quality (ASLQ), including the Meon Valley. This is new Policy that does not form part of the adopted Local Plan. The first part of this Policy seeks to significantly restrict development in the Meon valley area. However, considering that the Council has successfully defended the Meon Valley area from a number of hostile planning applications in the recent past without this Policy in place, the justification for it is questionable. Given the prohibitive nature of Policy DS3, the development potential of Site 5 (Cuckoo Lane) for housing and new school provision, will unlikely be realised unless the site is allocated for development in the Local Plan and/or the site is excluded from the Meon Valley ASLQ designation.

HOUSING POLICIES

Strategic Policy H1 Housing Provision

As mentioned in the Duty to Co-operate section above, the Council is applying the Government's former draft Standard Methodology to arrive at its LHN (403 dpa) as opposed to the current Standard Methodology (514 dpa). The draft Standard Methodology is not Government Policy, it is only a consultation draft. The Government has recently (16th December 2020) released revised LHN figures that indicate that the Council's baseline LHN will increase to 514dpa. This increase LHN to exactly the same figure as per the current Standard Methodology. This newly published data clearly undermines the Councils premature decision to use the lower LHN figure. It is also noted that when the current and new LHN figures for Gosport and Southampton are considered both Councils are facing an increase in LHN of 106 dpa and 315 dpa, respectively. This is significant as both of these Authorities may need to look to Fareham to accommodate unmet housing needs. This will place even greater pressure on Fareham Borough Council to increase its housing requirement set out in Policy H1. For completeness, Portsmouth's LHN remains unchanged between the two data sets.

Notwithstanding, our concerns that the Council has failed the legal test with regards to the duty to cooperate, Policy H1 cannot be assumed to be sound as undershoots current and emerging LHN. The Plan cannot therefore be considered consistent with national policy and it is not positively prepared. Should the Council seek to amend its housing requirement (for example using the current Standard Methodology) and make consequential changes to its supply sites, re-consultation on a revised Regulation 19 Plan will be necessary.

Policy H1 includes an estimated 1,224 windfall dwellings. The Council's Housing Windfall Projections Background Paper (June 2020) does not provide a detailed breakdown of which sites are being considered as windfall. The Council's figures cannot therefore be scrutinised. Until such time as the Council publishes this detail underpinning the windfall allowance, this element of the supply should not be counted towards the Council's housing requirement.

The Policy also looks to implement a stepped housing requirement, which backloads housing delivery towards the latter part of the Plan period. This approach is at odds with the NPPF's objective to boost the supply of housing and appears not be justified by the expected rate of delivery of sites as site out in the summary housing trajectory in Appendix B of the Plan. For example, in the first period (2021/22 and 2025/26) the Council proposes a requirement of 2,250 dwellings (averaging 450 dwellings per annum). However its housing trajectory suggests that 3,085 dwellings will be delivered, which is equivalent to 617dpa. As such, Policy H1 should be expressed as an average requirement; it should not be stepped.

The Policy also sets out that approximately 428 homes will be delivered on specified brownfield sites and/or regeneration opportunities in Fareham Town Centre. In some cases deliverability, viability availability (i.e. in existing use) is not assured (notably sites FTC2-5). Whilst Local Plans should be aspiration, they should also be deliverable. Allied to above, a further 1,327 homes are identified on Housing Allocation sites (i.e. allocation prefixed with a HA reference). However, a number of these sites are rolled forward allocations from the current adopted Local Plan, and in some cases (i.e. HA29 and HA30) are site that formed part of the Western Wards growth are that were originally identified

in the 1970's, but have failed to be delivered. As such, it is questionable whether the Council has properly assessed deliverability / developability of some of the sites comprising its supply. It is advisable therefore that the quantum of housing expected from some of the questionable supply sites should not be counted against the housing requirement in the Plan, and alternative sites (such as those set out in the Omission Sites section) should be identified to ensure the Council's housing requirements are met. In additional to the above, the deliverability issues associated with Welborne are well documented. Recently it is understood that due to delays in the site coming forward, the Council has lost external funding to deliver critical highway improvement works. This further underscores the challenges associated with this site. The Council would be well advised to take a highly cautious approach when seeking to include housing supply from Welborne. The draft Plan currently includes 4,020 dwellings as part of the housing supply. In light of the above, this figure is considered to be highly optimistic and should be revised downwards.

Notwithstanding, our concerns regarding the Council's choice of LHN, this figure should be regarded as the starting point for developing the Plan's housing requirement. Councils are advised through national planning policy/ guidance to consider whether any adjustments should be made to the LHN figure to account for other factors such as economic growth (which appears to be absent from the Plan) and unmet need from neighbouring authorities (as discussed above). With regards to affordable housing, the Council commissioned a Housing Needs Survey as part of its previous Regulation 18consultation draft Plan in 2017. At the time, the Survey suggested that there is a net affordable housing need of 302 dpa (i.e. nearly ¾ of the overall annual requirement). Whilst the Standard Methodology accounts for affordability (or lack thereof in Fareham's case), actual affordable housing need indicates that a further uplift to its LHN may be necessary.

Policy HP4 Five-Year Housing Land Supply

Policy HP4 states that development 'may be' permitted where a development meet all the criteria in policy HP4. The Policy should be reworded to positively state that a development *'will be'* permitted if it meets the policy criteria. When determining planning applications, the decision maker is required to read the Local Plan as a whole; there is no reason for the Policy to be equivocal on this matter.

With regards to criterion (b) the policy states that a development should be '…integrated with the neighbouring settlement'. Does this mean a physical link between the development and the adjoining settlement or that a development should be integrated in design terms? This needs to be clarified.

Criterion c) seeks to prevent development in strategic gaps that may significantly affect its integrity. As per our comments in respect of Policy DS2, this is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. It is also noted that Policy DS2 sets out different policy requirement with regards to the protection of Strategic Gap (i.e. proposals should not affect the physical and visual separation of settlements). This has the potential to create an internal conflict within the Plan as it is unclear which policy requirements (either HP4 or DS2) would take precedent where the Council unable to demonstrate adequate five year supply. It is suggested therefore that the wording for Criterion c) is deleted or replaced with a cross reference to Policy DS2 (including Permission's suggested amendment to this DS2).

Policy HP5 Provision of Affordable Housing

With respect to the percentages of affordable housing sought at sites, Policy HP5 should include a viability review mechanism to provide flexibility. This will assist with the viability of schemes should there be a fall in market over the lifetime of the Plan and/or in circumstance where unknown development costs are introduced (nitrate mitigation costs associated with the HRA requirements are a case in point having seriously affected the viability of schemes over the past year or so).

As set out in the supporting text to this Policy (paragraph 5.32), the Council publishes on its website the identified affordable housing need by area of the Borough. The Council's website shows considerably different housing need for each area. The affordable tenure mix is therefore too prescriptive and does not reflect the Council's own evidence base. It is advisable therefore that the

Council replaces criteria i-ii with a statement confirming that affordable housing mix and tenure will be negotiated with the Council evidence base set out its webpage used as the starting point.

Further underscoring our concerns with the nature of the tenure mix, the Council should be aware of the potential practical challenges associated such a small percentage of Affordable Home Ownership. The Policy could be interpreted by officer so that Affordable Home Ownership is provided at 10%, which would be a challenge for reasons set out below. Registered Providers are becoming ever specialised with some only dealing with the shared ownership side and others the rented side. Requiring such a small percentage of Affordable Home Ownership products through this Policy may create challenges in terms the viability of tender bids for this type of unit. In addition, Affordable Home Ownership, including shared ownership schemes, have been shown to be an effective means of getting people on the property ladder. As the Council's own evidence shows 10% is considerably below what is actually needed.

The final element of Policy HP5 addresses the market rent of Affordable Rented units, which will be judged as 80% of market rent or the relevant Local Housing Allowance (LHA), whichever is lower. The NPPF only make provision for rent to be set at 80% of market. It does not state that market rents should be benchmarked against LHA. The reference to LHA should be deleted to ensure that HP5 is in conformity with national policy.

It is also noted in Paragraph 5.42 of the supporting text to HP5 that the Council may need review the Affordable Housing Supplementary Planning Document (SPD) to address changes to the affordable housing and mix. SPDs should not be used to review issues that have a direct impact on viability. This should be tested through the Local Plan review process.

Policy HP7 Adaptable and Accessible Dwellings

The PPG sets out a number of tests against which Councils should consider when seeking to introduce M4(2) and M4(3) policies into its Local Plans. The Council's Specialist Housing Background Paper (September 2020) has been produced which shows how the Council claims to have met these tests.

In terms of need, the Background Paper sets out the population with Long Term Health Problem or Disability based on census data. However, this measures population, not households, so should not be assumed to an accurate proxy for need. It should also be noted that some people who state that they may have a Long Term Health Problem or Disability as part of a Census response may not have an illness that would affect mobility and would not therefore not necessarily require M4(2) or M4(3) dwellings. The evidence base should be updated to reflect the above.

With regards to the provision of Category 3 specifically, the Council's evidence of need is weak being based on a national wheelchair usage that may not reflect the level of need in Fareham Borough. Furthermore, with regards to Category 3 affordable housing, from a practical point of view, Registered Providers are less willing to take on wheelchair dwellings as they can be difficult to occupy. If there is no suitable occupier then the unit could be sat empty for a significant period while a suitable occupier is found. During this time the unit is not generating any income, and could have been used to house a family that is in need at the time.

As the Council correctly identifies, a large proportion of older homeowners will seek to remain within their own homes with care provided in situ. Should these owner occupiers need to downsize or relocate they will be able to utilise the equity built up within their dwellings to access products which meet their specific. This may be sheltered or extra care accommodation. Within recent years, as this market has developed, the industry has responded with a number of private sheltered accommodation schemes approved within Fareham. In this context, the Local Plan also looks to facilitate the delivery of specialist housing through Policy HP8 and through specific housing allocations made in the Plan (HA42 – HA43). The Background Paper does not appear to have factored in the supply of specialist homes that may come forward be on allocated sites and windfall sites permissible under Policy HP8.

With regards to the second test relating to location of specialist housing, as set out HP8, this type of accommodation is best located in accessible locations. Given the mobility challenges which some older people face, town and district centres, with their conveniently located services such as shops and health facilities, are ideal locations for older persons housing. Fareham town centre is a highly accessible location where a significant quantum of flatted housing is proposed with the benefit of a reduced affordable housing policy requirement. District Centres are also highly accessible locations where there is a potential for older persons housing could be delivered. The Council should therefore consider restricting this Policy requirement to areas of high accessibility.

Policy HP9 Self Build and Custom Homes

Policy HP9 sets out a policy requirement for 10% of all units on sites over 40 dwellings to provide plots for sale to address local self or custom build need. It is noted, however, that at Paragraph 5.8 of the Council's Self and Custom Build Housing Background Paper (September 2020) it is stated that that the Council has met its past and future self-build requirements – this has been achieved without the need for a specific policy. It is also noted that the adopted Welborne Plan requires some 1% of its housing to be for self / custom build. Set against the current identified need of 35 net plots it would seem excessive to require a policy to further increase self / custom build supply. This could result in significant over provision of a product for which there is no clear market demand. In light of the above, the justification for Policy HP9 is therefore questionable. The policy does include provision for plot to be developed for non-self-build ,should they not be taken up, however, this Local Plan has made no assessment about the extent to which this would affect cash flow and the viability of developments. It is Persimmon's view therefore that this Policy should be deleted.

Notwithstanding our overarching concerns regarding the justification for this policy, there are a number of practical considerations that the Plan fails to adequately acknowledge. Criterion a) for example, sets out that self or custom build plots should be serviced. The Policy needs to clarify what is meant by 'serviced'. Does serviced this relate highway access, gas, water, electricity and/or broadband, and to which point should the plots be serviced? Turning to criterion c) it is not clear who would be responsible for setting out the design parameters. Placing a requirement to conform to set parameters could put off some prospective self / custom builders. The requirement to provide self and custom build plots may also have a number of practical and management issue, such as:

- Phasing and completion of the wider site.
- Section 106 contributions due to the exemption that applies to self-build housing.
- Delivery of housing in accordance with paragraph 59 of the NPPF to boost significantly housing supply, where supply on an ad hoc basic by self-builders is likely to be slow compared with the remainder of the site or even not take place at all.
- The reserve matters period running out and needing to be extended.
- Ad-hoc builders turning up outside specified hours of work.
- Storage of materials as there is limited room on plot and storage spills onto the market housing part of the site.
- Purchasers having to stop building due to unemployment/lack of funds.
- Purchaser dissatisfaction where building continues on a site which was expected to finish when they moved in.

<u>CLIMATE CHANGE</u>

Strategic Policy CC1 Climate Change

This Policy states that the 'Council will promote mitigation and adaptation to climate change through…' It is unclear whether the criteria will be sought as part of development proposals, or whether the criteria relate to development delivered by the Council. This requires clarification. If it is the former, the Policy should make clear that the criteria are not requirements but should only be met where it is possible to do so.

Policy CC2 Managing Flood Risk and Sustainable Drainage Systems

Policy CC2 requires all developments to be designed in accordance with the CIRIA C753 SuDs Manual or equivalent national or local guidance. The SuDS manual is, however, only guidance. In Persimmon's experience, strict adherence to the guidance can be problematic as the design of a SUDS system also need to consider design, aesthetics, engineering etc. It is recommended therefore that the wording for this bullet point is prefixed with 'Where possible,' to provide the necessary flexibility.

NATURAL ENVIRONMENT

Policy NE2 Biodiversity Net Gain

Policy NE2 sets out a requirement for site to deliver 10% net gain for biodiversity. The Local Plan viability assessment assumes a cost of £500 per dwelling. This development cost is based on limited evidence and seems low, particularly for greenfield sites (as opposed to brownfield equivalents) which are likely to require significant more extensive measures to achieve a 10% net gain. In many cases, the requirement to achieve BNG is likely to negatively impact on the developable area, resulting in a loss of revenue that negatively impacts on viability, rather than be a cost associated with each individual units per se. In Persimmon's view, the viability evidence to support the introduction of this Policy is inadequate. As mentioned above, meeting BNG at 10% can require considerable land take; on some sites Persimmon has been involved in, BNG has required around 50% of the gross site area. It is not clear whether or to what extend the Council has factored in this 'land hungry' BNG requirement as part of its housing allocations capacity estimates. It is also noted that BNG should be achieved across a site, it is not a requirement to be met at the individual plot level (although this might form part of the BNG solution). As such, supporting text Paragraph 32 is misleading and should be deleted.

Policy NE4 Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent

This is new Policy which sets out Fareham's policy approach to dealing with excessive nutrient (nitrate) loading on protected European sites of ecological importance. However, the Policy is light on detail with insufficient guidance as to how applicants will be able to demonstrate conformity. Given Persimmon's significant experience in dealing with such matters, the Company is aware of how this Policy can be implemented in practice, but for less informed developers/applicants this may be more challenging.

Notwithstanding the above, the Company is aware that the primary means of determining whether a development proposal will be able to demonstrate nutrient neutrality is by producing a nutrient budget using the Natural England Methodology. Given that the Natural England Methodology provides a key evidence base and is fundamental to the implementation of Policy NE4, it is critical that this document is examined in detailed alongside the Local Plan. Of particularly concern is that Natural England's Methodology includes a number of onerous stages that result in significantly more mitigation being required than is actually necessary. These provisions include, but are not limited to, housing occupancy rates, internal migration (particularly those households that are occupying new affordable housing) and default permit levels. Furthermore, despite many of steps set out Natural England Methodology taking a precautionary approach to nitrate assessment, an arbitrary buffer of 20% increase in nitrate loading is added at the end of the calculator. This buffer is not required and will further exacerbate the issue of overproviding mitigation land that is not necessary. Lastly, it is noted that the Partnership for South Hampshire has updated the Integrated Water Management Study (IWMS). The IWMS provides a key evidence base underpinning the nitrate assessment work, but the Natural England Methodology does not take into account this new evidence.

Policy NE5 Solent Wader and Goose Sites

Policy NE5 sets out the Council approach to protecting area which are used by Solent Waders and/or Brent Geese. The Policy makes reference to such area as shown on the Policies Map. These

designations are, however, informed by an interactive GIS map provided on the Solent Bird Aware website, which forms a critical evidence base to the development of Policy NE5. It is therefore concerning that, on the same webpage as the bird habitat GIS mapping, members of the public can download a form to report bird sightings. It is not clear whether or to what extent these reported sighting are authenticated / scrutinised by a qualified ecologist. There appears to be wide scope for land to be incorrectly identified as a bird site leading to unnecessary cost being expended to mitigate site, and in the worst cases complete sterilisation of that land. This is certainly the case with a number of sites that are with Persimmon Homes' interests (as detailed later in these representations). There is a concern therefore that the mapping evidence base underpinning Policy NE5 is flawed.

The Policy also does not set provision with regards to bird surveys. The methodology for bird sites allows sites to be identified as habitat even if they are not actually being used by birds. It would seem logical that the policy makes provision for applicant to undertake ecology survey and assessment of bird sites in order to demonstrate the absence or presence of a species. We would recommend that one year's survey data should be sufficient, with further surveys only required if the some activity has been identified at a site.

The Council will also be aware that it is the Solent Bird Aware mapping (not the Policies Map) that is used by consultees (Natural England and the Council's own in-house ecologist), to determine whether a development will impact on any protected bird habitat areas, to avoid any confusion in the future, and to ensure the Policies Map remains in date, it is suggested the Policy Map deletes these designations.

With regards to the criterion a) 'Core and Primary Support Areas' the Policy requires that development on such sites should result in an overall net gain to the Solent Wader and Brent Geese Network. BNG is a requirement of Policy NE2; the concept for which is established in the NPPF. However, Persimmon are unaware of any such requirement in national policy or the evidence base underpinning this policy, for a net gain for specific species, including protected birds.

Policy NE6 Trees, Woodland and Hedgerows

Point a) of this Policy advises that the 'unnecessary loss' of non-protected trees, hedgerow and woodland should be avoided. It is unclear what 'unnecessary loss' means in practice.

Point b) of the Policy should be a new sentence, and what is meant by the term 'unavoidable' in this context should be clarified.

Policy NE8 Air Quality

Criteria a) of this policy requires electricity charging infrastructure to be provided as part of new development (excluding Welborne). It is unclear why this Policy is not to be applied to Welborne. Presumably this is because of the impact of such provision on viability. Viability issues associated with EV charging provision are, however, not limited to Welborne.

The Local Plan Viability study incudes development cost associated with EV charging as part of £10,000 per plot contingency. Paragraph 5.3.8 of the Study states that, *'it is unclear at stage of writing if or when any of these measures will be required, so [the study takes] a very cautious and conservative approach….'* With regards to the EV charging, Policy NE8 requires such provision; there is no uncertainly as to what is expected of a development proposal. As such, the Viability Study should consider this issue in greater detail and not combine this policy requirement with other unknown cost demands on development. Combining these 'unknowns' a single contingency means that is not possible to scrutinise in detail whether the assumptions made with respect to EV is reliable.

We would highlight that the cost for providing EV charging points is around £500-£600 but this does not include additional costs associated with providing additional sub-stations on lager development sites so that all charging points are capable of being used concurrently (alongside all other energy

demands on a development), and the potential to provide enhanced electricity supply (i.e. off-site upgrades) over and above that required for the units that could challenge a scheme's viability.

As current drafted, this element of the Policy is not justified.

TRANSPORT AND OTHER INFRASTUCTURE

Strategic Policy TIN1 Transport Infrastructure, Policy TIN2 Highway Safety and Road Network and Strategic Policy TIN4: Infrastructure Delivery

These policies concern development contributions to the delivery of new infrastructure. However, it is considered the funding for such infrastructure may, in many instances, be a matter for CIL.

Notwithstanding, the above, if such Infrastructure is a requirement to make the development acceptable in planning terms, then such contribution need to meet the relevant tests set out in the CIL Regulations. It is no longer appropriate for blanket contribution to be sought by planning authorities. The Policy should be clear on this matter.

With specific reference to TIN2 it is unclear why the Council has chosen not to show the alignment of the Stubbington by-pass on the Policies Map given its strategic importance. This Policies map should be updated to show this route.

DESIGN

Policy D1 High Quality Design and Place Making

Policy D1 makes reference to a number of principles of policy and urban design, but also makes reference to guidance contained in the supporting text. For clarity and avoid any confusion over what is policy and what is supporting, text, it is suggested that this cross reference to the supporting text contained in the policy wording is deleted.

The Council should also review the policy to remove any duplication with other policies in the Plan, for example the section relating nature.

Consideration should also be given as whether the policy needs to be so detailed given that the Council has comprehensive guidance on design set out in its adopted Design SPD.

Policy D3: Coordination of Development and Piecemeal Proposal

This Policy seeks to avoid ransom situations. However, The Council will be aware of case law that prevents it from interfering on private property rights with regard to depressing or prevent returns to a landowners.

Policy D4: Water Quality and Resource
The second part of this policy requires developers to meet the Optional Technical Housing Standard for Water Efficiently (i.e. 110L/person/day). Meeting these Standards should be optional, not required. Whilst the Natural England Nutrient Methodology for the Solent area requires development to meet these standards as a means of addressing nitrate loading, there may be instances where nutrient neutrality can be achieved without doing so. The justification for requiring proposals to meet this standard are inadequate.

D5 Space Standards

The housing standards review introduced the optional space standards which local authorities could adopt by way of reference in their local plans. However, a prerequisite to the adoption of the space standards are the following tests set out in the planning practice guidance (Paragraph: 020 Reference ID: 56-020-20150327).

"Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- ***need** – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- ***viability** – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- ***timing** – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.'*

In order to meet the policy test for the inclusion of the space standards there is a requirement for the council to establish the need for the adoption of the national space standard. To this end, the Council has published a Specialist Housing Background Paper (September 2020). Para 6.7 of Background Paper states most dwellings that have been consented or are awaiting determination are consistent with the 2015'Technical housing standards –nationally described space standard. The Background paper, makes references to the larger plots not meeting this standard, with an example being made of site ref 14/19. However, on the whole most dwellings considered in the Council's Background Paper, including large units, are meeting the Optional standards. From a need perceptive, it would seem as though there is little justification for the introduction of this Policy.

In terms of first part of the viability test, the Council's Local Plan Viability Study indicates that development viability would not be negatively impacted by the introduction of the standards. This Study, however, is completed at a relatively high level, which makes it difficult to conclude whether this part of the test has been complied with. With regards to the second part of the test, no assessment has been carried out by the Council to demonstrate that the requirement for new development will not negatively impact affordability within the market.

As set out in paragraph 6.10 of the Background Paper, the Council has decided not to set a transition period for the adoption of the national space standards as it is of the view its introduction would not affect viability. For reasons set out above, we do not concur with this assessment, and suggest that a three year grace period is introduced to allow sites that are under a fixed contract to be brought forward. It is also noted that, the Council are looking to apply the draft policies in this Plan, including the requirement for national space standards prior to the examination or adoption of the plan. This contrary to the approach set out in the planning practice guidance. It is not practical to expect development proposals that are currently being considered to suddenly meet space standards.

In light of the above, Policy DS5 is not justified and should be deleted for reasons of soundness.

Local Plan Appendices

Appendix B set out a summary housing trajectory for the sites identified in the Plan. This is inadequate to properly assess the delivery expectation made by the Council with respect to individual sites. To enable proper scrutiny of the trajectory, the Council's housing trajectory should be broken down by individual sites. This is particularly important because the Council has consistently over-estimated the delivery timescales for key sites. For example, Welborne, which was originally identified in the Core Strategy (2011), was expected to commence delivery in 2014/15. The site has still not achieved an implementable planning persimmon, and commenced of development is still some way off.

4. Omission Sites

The following section provides an overview of the sites in Fareham Borough that are in Persimmon's interests, but have not be identified for allocation. These site are largely located on the periphery Stubbington and are within the ownership of the Dunley Estate. The Table below summarises the Dunley land holdings including capacity. The sites are shown on the enclosed Location Plans provided at Appendix 2.

Site Number	Address	Gross Area Acres (Hectares)	Site Capacity Estimate*
1	Land East of Burnt House Lane	23.53 (9.52)	240 - 320
2	Land West of Peak Lane	46.25 (18.72)	TBC
3	Land North of Titchfield Road	4.83 (1.95)	40 -50
4	Land South of Titchfield Road	2.78 (1.12)	10 - 30
5	Land West of Cuckoo Lane	52.76 (21.35)	150-200
6	Land at Oakcroft Lane	41.04 (16.20)	209
	Total	**171.19 (69.28)**	**649 - 809**

*Based on net developable area, not gross area.

Sites 1-3 and Site 6 fall within the South of Fareham SGA that was identified as part of the most recent Regulation 18 draft Plan. The remaining sites (Sites 4 and 5) are located outside of the SGA. The following section addresses each site in turn.

In support of the Draft Local Plan Regulation 19 Plan, the Council updated its Strategic Housing and Employment Land Availability Assessment (SHELAA) in September 2020. This replaces the previous study which published in December 2019. The conclusion of the SHELAA as related to each of the sites shown in the Table above are considered.

Site 1: Land East of Burnt House Lane

This site is located to the eastern edge of the Stubbington. Persimmon has undertaken some initial capacity testing in relation to Site 1, including an initial highways assessment and masterplanning. The outcome of this work indicates that the site is capable of delivering around 240 to 320 new homes. This accounts for on-site constraints including the provision of a noise attenuation bund, and strategic planting to the eastern and northern boundaries of the site. Adjacent to this site is the Meoncross School, which seeking alternative arrangements for playing pitches close to the school (the existing pitches are currently leased and do not adjoin the school) and additional car parking to avoid parents parking on the nearby residential streets. Persimmon is in discussion with the school about how development at the Burnt House Lane may assist in addressing the school's immediate needs. In the longer term, however, given that the school is unable to expand within its existing site, consideration is being given as to whether the facility could be relocated to the Cuckoo Lane site (Site 5) to the west of Stubbington. Permission are strongly of the view that the site is sustainable and suitable for development and it is capable of being brought forward as a standalone allocation site, or as part of a wider masterplan with the South of Fareham SGA, should the Council seek to revisit this project.

The SHELAA 2019 concluded that Site 1 (SHELAA Ref: 1040) was deliverable housing site. However, in the Council SHELAA 2020 the Council considers the site to be undeliverable due a) to a significant visual impact undermining the integrity of the Strategic Gap, and b) the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The

Council ascribes a capacity of 125 dwellings to the site. It is unclear how the Council has reached the conclusions in the new SHELAA given its assessment of the 2019 SHELAA undertaken just nine months prior. Notwithstanding this, as set in these representations, it is Persimmon's view that the Strategic Gap should be redrawn to exclude this site. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the bird site to development is not unachievable. A strategy of improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 2: Land West of Peak Lane

This site is located to the north of the by-pass and extends across much of the gap towards the urban edge of Fareham in the north. Given its location and context, the development potential of this site is considered to be limited. However, the land could be an effective nitrate mitigation and/or bird protected habitat site that mitigation solution that could be used to address the potential impact development on other sites within Permission interests and/or other sites in the Borough the require mitigation solutions.

Site 3: Land North of Titchfield Road

This site is located to the north-west of Stubbington. Whilst this site formed part of the previous SGA, it is clearly distinct from and separate from it. This site is small scale that is well-contained in landscape terms, surrounded by existing built development and is deliverable in the short-term as stand-alone site that can be brought forward either as part of outside of the SGA masterplanning process should the Council seek to revisit this project. Initial capacity assessments of Site 3 indicates that it is capable of delivering around 40-50 new homes.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3190) was a deliverable housing site. However, in the SHELAA 2020 considers the site to be undeliverable due it being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 20 dwellings to the site. It is unclear how the Council has reached these conclusions regarding the suitability of the site given its assessment of the site undertaken just nine months prior. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the site to development is not unachievable. This approach to improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 4: Land South of Titchfield Road

This small site is located to the north-west of Stubbington. It bounded to the north-east and north-west by existing housing fronting Titchfield Road and the Crofton Equestrian Centre. The site's relationship with the wider Meon Valley landscape is limited by the woodland to the south of the site. The woodland to the south and its associated watercourse (which is also within Dunley Estate ownership) is recognised as an important ecological resource. Sensitive site design, however, could provide a means of ensuring the ecological interests at this adjoining site are protected and enhanced. Initial site capacity assessment indicated that the site is capable of delivering between c. 10-30 new homes. Were the Council minded to allocate the site for residential development, it could provide an important contribution towards its small-medium site housing allowance as required by Paragraph 68 of the NPPF.

Site 5: Land West of Cuckoo Lane

This site adjoins the settlement boundary of Stubbington to its north-eastern boundary. It is characterised by a substantial arable field that is well-contained in the north by the built form of Stubbington and substantial woodland. Initial capacity testing of this site, which has allowed for a substantial ecological buffer to the woodland, strategic planting to contain the site from the wider Meon Valley, land for a new school and new parkland further south, indicates that it is capable of delivering around 150-200 new homes.

This site is assessed in the SHELAA as being undeliverable due to being located within a *'highly sensitive landscape (based on the Fareham Landscape Assessment) and within an Area of Special Landscape Quality. Significant ecological constraints associated with the adjacent SPA/SSSI affect the suitability of the site.'* The SHELAA ascribes a capacity of 240 dwellings to the site. Whilst the ecological and landscape challenges associated with this site are recognised, they are not insurmountable. Although not a consideration for the SHELAA per se, the site provides the opportunity to deliver substantial ecological and recreation benefits, alongside community benefits, including new education provision and allotments.

Site 6: Land at Oakcroft Lane

Similar to Sites 1 and 3, the Oakcroft Lane site can be delivered outside of or as part of the SGA process (should the Council revisit this project). However, as demonstrated through the planning application, the site is deliverable now as a standalone development site. Technical issues associated with the development have been resolved and Persimmon are currently awaiting determination of the application by the Council. The site is capable of delivering 209 new homes alongside a considerable area of space to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3141) was a deliverable housing site. However, in the SHELAA 2020 the Council considers the site to be undeliverable due to the site to be undeliverable due to the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 200 dwellings to the site. It is unclear how the Council has reached these conclusions given its assessment of the site undertaken just nine months prior, and considering the site-specific mitigation strategy for protected birds has the support of Natural England and the Council's ecologist via the planning application process.

Appendix 1: Oakcroft Lane Site Layout

Rev	Date	Revision Details	Dr	Ch
E	22.04.20	Bypass junction amended	br	db
D	25.02.20	see planning cover note	br	db
C	05.11.19	see planning cover note	br	db
B	20.09.19	see planning cover note	br	db
A	22.07.19	see planning cover note dated 23 July	br	db

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Job Title
Oakcroft Lane, Stubbington

Drawing Title
Site Layout

Job No	Drawing No	Rev
220	A-02-015-SL	E
Drawn	Checked	Date
BR	DB	March '19

Scale
1:1000 @ A1 / 1:2000 @ A3

metres 20 40 60 80 100

Status
PLANNING

Persimmon Homes. No dimensions to be scaled from drawing except for the puposes of Planning Applications. The contractor should check all dimensions on site. It is the contractors responsibility to ensure compliance with Building Regulations. No drawings should be copied or modified without permission from Persimmon Homes.

File Location: s:\south coast\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Appendix 2 Omission Site Location Plans

Site 1 Location Plan: Burnt House Lane, Stubbington

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Site 2 Location Plan: West of Peak Lane, Stubbington

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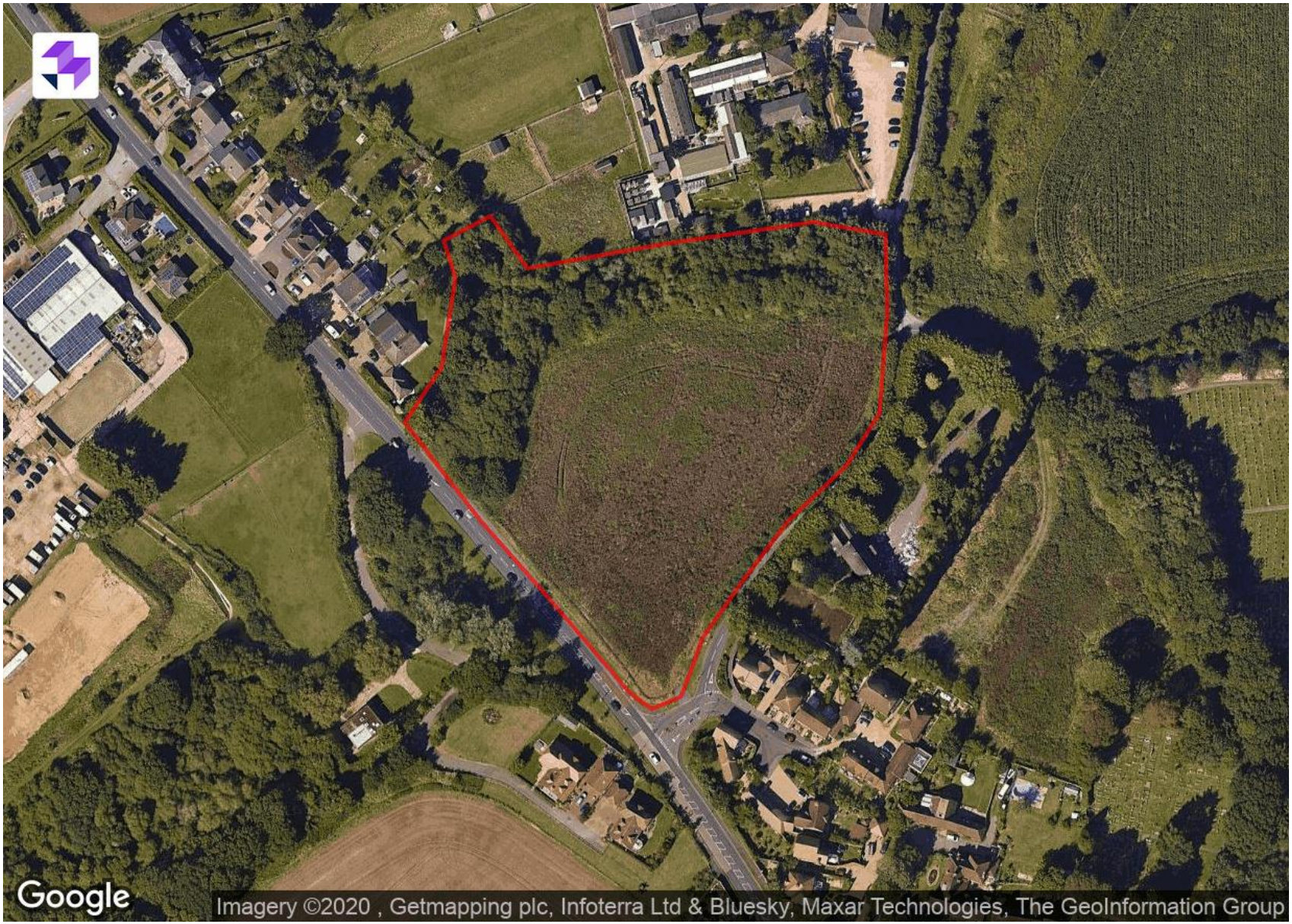

Site 3 Location Plan: North of Titchfield Road, Stubbington

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Site 4 Location Plan: South of Titchfield Road, Stubbington

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Site 5 Location Plan: West of Cuckoo Lane, Stubbington

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OFFICIAL PARTNER

Rev	Date	Revision Details	Dr	Ch
A	22.07.19	see planning cover note dated 23 July	br	db

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File Location: s:\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Regulation 19 – Submission Draft

Project:	**Land west of Downend Rd, Portchester**	**Date:**	**17 December 2020**
Subject:	**Fareham Local Plan**	**Reference:**	**249501F**

Representation made to Fareham's Draft Local Plan 2037

Formal submission of representation will be made on 18 December via email to Fareham Borough Council.

Response to consultation form

A1. Is an agent appointed:

Yes: [x] No: [ ]

A2. Please provide your details:

Title:	c/o agent
First name:	
Last name:	
Job title:	
Organisation:	Miller Homes
Address:	
Postcode:	
Telephone number:	
Email address:	

A3. Please provide the Agent's details:

Title:	Mrs
First name:	Lindsay
Last name:	Goodyear
Job title:	Associate Director
Organisation:	Terence O'Rourke Ltd
Address:	[redacted]
Postcode:	
Telephone number:	
Email address:	

B1. Which part of the Local Plan is this representation about?

	Paragraph (B1a)
NE8	Policy (B1b)
	Policies map (B1c)

B1a Which paragraph?

n/a

B1b Which policy?

NE8: Air Quality

B1c Which part of the policies map?

n/a

B2. Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		X
Sound		X
Complies with the duty to co-operate		X

B3. Please provide detail you have to support your answers above

Policy NE8 needs to retain more flexibility to ensure it is effective as technology advances in regard to the charging of plug-in and other ultra-low emission vehicles.

Instead of providing the charging point for each dwelling with off-street parking, the policy could require developers to enable dwellings are future proofed (by providing associated wiring / ducting and connections) to enable its instalment if required in the future. This is compliant with the NPPF 110(e) which requires development to 'enable' charging facilities.

Furthermore, NE8 is too specific and unnecessarily onerous by requiring 'Rapid' charging infrastructure to be provided for parking areas serving 10 or more dwellings. Rapid charging facilities are normally associated with public parking areas where the duration of stay is short, delivering an 80% charge within 20-30 minutes. Rapid charging facilities however carry a very substantial installation cost. For shared residential parking areas, this specification of charging infrastructure is wholly unnecessary and onerous. A 'Fast' charge facility delivers 80% charge in 6 hours and is appropriate for residential parking where vehicles will generally by in situ for longer periods of time.

The Policy should be less specific in terms of the specification of charging infrastructure to enable an appropriate strategy for each site to be developed and

delivered, taking account of the technology available at that time and the specifics of the development site.

B4a. What modifications(s) is necessary to make the Local Plan legally compliant and or sound?

Please refer to the detailed response at B3 above.

The policy should be less onerous and specific in relation to the standard and specification of charging facilities to be provided for shared parking areas.

The sub-text of the policy (9.117) should be specific about those developments that will require a detailed Travel Plan to be produced, it is suggested by referring to the Hampshire County Council thresholds. This paragraph is also inconsistent with Policy NE8 by setting out that each parking space requires a charge point, rather than each dwelling and should be addressed.

B4b. How would the modification(s) you propose make the Local Plan legally compliant or sound?

Please refer to the detailed response at B3 above.

B4c. Your suggested revised working of any policy or text:

a) Provides for the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations as follows:

• enable the future installation of one EV charging point installation per residential dwelling with off- street parking; and,

• Provide EV Charging facilities in shared parking areas per 10 residential dwellings or 1,000m^2 of commercial or leisure floorspace in line with a strategy to be agreed with the Council; and

.

B5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes: X **No:** ☐

B5a. Please outline in the box below why you consider it necessary to take part in the hearing session(s):

Miller Homes should be provided with an opportunity to participate at the hearing part of the examination. The issues raised in regard to the soundness of the Draft Local Plan, in the submitted representation, require detailed examination before an independent inspector.

J11 M27 – Down Barn Farm, Fareham

Representations on the Fareham Borough Local Plan to 2037

Submitted on behalf of Graham Moyse

December 2020

Turley
Planning

Contents

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[redacted]

December 2020

1. Introduction

1.1 Turley are instructed by Graham Moyse to prepare representations in respect of the Fareham Local Plan 2037 – Regulation 19 Submission Draft.

1.2 Graham Moyse owns land in the vicinity of Junction 11 of the M27 (known as Down Barn Farm) and as a local farmer and entrepreneur, oversees a number of valued local businesses.

1.3 The primary purpose of the representations is to shape the policies of the Local Plan to support the aspirations of Graham Moyse in respect of the potential that exists at Down Barn Farm.

1.4 The representations have been set out in Section 2 of this report and have also been submitted individually on the relevant representation forms.

1.5 Section 3 sets out some initial details of the potential that exists on the land at J11 of the M27 (including Down Barn Farm). Whilst these proposals are still at a formative stage, that they offer an exciting and unique opportunity to address two key development concepts, namely:

- A dedicated electric vehicle service station and associated facilities
- A location to accommodate business / infrastructure users that require proximity to the strategic road network

1.6 The location of the site at Junction 11 of the M27 is well suited to respond to such uses given its accessibility to the motorway network and its proximity to key urban areas.

1.7 Whilst the broad principles of the emerging Local Plan are supported, it is our view that there are two substantive omissions in terms of its content, namely:

- Insufficient recognition is given to the need to provide infrastructure to support the growth of electric vehicle usage (including specific allocations for such facilities); and
- There has been a failure to recognise the need for specific employment provision to accommodate users who need a high level of accessibility and are of form that is not well suited to being within the built up environment.

1.8 These principles are drawn out through the representation in Section 2.0, with the conclusions that:

- The wording of several policies should be amended to more fully recognise the importance of electric vehicles and to provide support to the delivery of infrastructure that is necessary to support the establishment and growth of the electric vehicle network over the lifetime of the Local Plan.

- Greater recognition should be given within the relevant employment policies, to supporting growth in locations, such as the land at J11 of the M27, where they respond to the specific needs of users.

2. Representations

2.1 Representations have been made in respect of the following chapters, paragraphs and policies of the plan.

- Paragraph 2.10 – Fareham Local Plan 2037 Vision
- Paragraph 2.12 – Strategic Priorities
- Paragraphs 3.4 / 3.5 – Good Growth
- Policy DS1 – Development in the Countryside
- Policy DS3 – Landscape
- Chapter 6 – Employment
- Policy E1 – Employment Land Provision
- Chapter 8 – Climate Change
- Policy CC1 – Climate Change
- Policy CC4 – Renewable and Low Carbon Energy
- Policy NE8 – Air Quality
- Policy TIN1 – Sustainable Transport
- Policy TIN4 – Infrastructure Delivery

2.2 Each representation is by its nature an objection and consideration has been given in respect of each as to how the plan could be amended to overcome the objection.

2.3 In addition to the representations being set out below, each has also been submitted on an individual objection form.

Paragraph 2.10 - Fareham Local Plan 2037 Vision

Representation

2.4 The vision is supported in general terms. However, its failure to include reference to supporting measures to address climate change is a significant oversight. Making provision for the necessary infrastructure within the Borough to support changing technologies is fundamental to addressing climate change. There are substantive changes, such as the transition of petrol to electric vehicles, which will take effect over the plan period, and the vision should reflect the need to deliver appropriate infrastructure to support that change.

Amendment

2.5 Add an additional statement to confirm that the Local Plan will promote the delivery of infrastructure to support infrastructure delivery that is relevant to address the climate change agenda.

Paragraph 2.12 – Strategic Priorities

Representation

2.6 Whilst there is a strategic priority relating the climate change, it fails to recognise the need for and importance of infrastructure delivery to support key aspects such as the transition from a road network that is dominated by petrol based vehicles to one where electric vehicles are the primary vehicle mode. This transition will take place over the life of the plan period and there is a need to promote both home and network based facilities to enable this to take place. A failure to specifically reference this as a strategic priority is a clear oversight.

Amendment

2.7 Amend strategic priority number 11 to make specific reference to the provision of infrastructure to supports electric vehicles changing, both at home and across the highway network.

Paragraphs 3.4 / 3.5 – Good Growth

Representation

2.8 The concept of good growth should be extended to make specific reference to highway network related infrastructure that promotes electric vehicles. Over the plan period the sale of petrol / diesel vehicles will end (2030) and the transition toward alternatives, principally electric vehicles will require the delivery of necessary infrastructure, both in homes and across the network. The promotion of good growth should include a clear and proactive intent to deliver such infrastructure.

Amendment

2.9 Include reference within the supporting text to the delivery of electric vehicle related infrastructure as part of measures to address climate change.

Policy DS1 – Development in the Countryside

Representation

2.10 The policy should include an additional bullet that allows for employment related development that has a specific locational requirement, such as accessibility to the strategic road network.

2.11 In addition there should also be a wording amendment to bullet h), to recognise that certain infrastructure can have specific location requirements, which means that delivery is required within a countryside location.

2.12 Examples of such provision include facilities to serve the strategic road network (including electric vehicle charging stations) and to those forms of business where there are specific sustainable advantages to being close to roads (for example waste related activities).

2.13 The policy should provide sufficient flexibility to allow for due consideration to be given to infrastructure and commercial requirements and the way in which key climate change and wider sustainability can be achieved by accommodating appropriate development in the countryside. It is recognised that such uses may be limited in form, but the policy should acknowledge that such uses should be supported.

Amendment

2.14 Amend the policy to include reference to commercial and infrastructure based uses that have key locational requirements, such as proximity and accessibility to the strategic road network.

Policy DS3 - Landscape

Representation

2.15 The policy is well formed, but would benefit from specific recognition that there will be forms of development that have specific locational requirements. This may include growth in locations where change in the landscape is more sensitive to change. In such circumstances, there will be means through which impacts can be appropriately mitigated. To support this, the policy should include reference to supporting development where landscape impacts are being addressed through appropriately formed landscape strategies.

Amendment

2.16 Amend the policy to reflect that where there are landscape impacts associated with development, growth can still be supported provided an appropriate landscape strategy (including mitigation where required) is set out.

Chapter 6 - Employment

Representation

2.17 The approach to employment provision set out within Chapter 6 serves to faces adequately into the quantitative employment needs of the Borough over the plan period. However, there is a lack of recognition to key qualitative matters, including the need to support the demands of business that have specific location requirements and to those uses that may be displaced to accommodate other uses (particularly residential).

2.18 There will be businesses that demand locations that are well related to the strategic road network for example, or are for forms of development that are not well suited to

either residential areas or B1 based business locations. There does not appear to be a cogent evidence base to demonstrate how the needs of such users are to be accommodated.

2.19 By its nature, the quantitative approach to employment provision does not factor this in, with new employment provision being on a restricted number of sites, which are either distant from the strategic network or are focussed on office based uses. On existing sites, there has been a significant reduction of available provision as a consequence of redevelopment for other uses, particularly residential. This implication of these changes has not been addressed, with the needs of displaced uses being particularly acute.

2.20 To address this, the employment strategy should make specific allowance for the broad needs of business, with a positive and proactive approach to accommodating the genuine needs of economic development, with a presumption in favour of investment in employment generating development and associated infrastructure.

Amendment

2.21 Expand the employment section to include a policy that supports employment generating development (by way of presumption in favour) and recognises the specific location requirements of certain commercial uses, including those that have been displaced by the redevelopment of existing employment sites.

Policy E1 – Employment Land Provision

Representation

2.22 The policy is wholly focussed on a numerical approach to employment provision, with no reference to qualitative employment needs. In addition, the new employment allocations are highly restrictive in locational terms and provide limited scope for new growth in other parts of the Borough.

2.23 The policy should recognise the broader employment needs that will exist within the Borough across the plan period, to ensure that opportunities for new investment are not missed, or that the qualitative and location needs of businesses can be met.

2.24 In this regard, the policy should be expanded to recognise that the employment requirements should not be viewed as a maximum provision and that other opportunities for employment growth should not be frustrated unnecessarily. This should take the form of a general presumption in favour of employment generating development in suitable and sustainable locations.

2.25 In specific terms, consideration should be given to identifying land at J11 of the M27 (including Down Barn Farm) as an employment allocation. This site is well related to the strategic road network and provides a unique opportunity to accommodate users who are dependent upon such a location. The site is also well suited to accommodate users who are also ill suited to either a residential environment or a more traditional business park location. This is reflected by its current use by the Highways Agency as a

processing facility to support the implementation of the smart motorway improvements on the M27.

2.26 The merits of this location are not driven by the quantitative needs as set out within the plan, but the qualitative considerations described above. The site would be of particular interest to a number of existing business who are being displaced by other major developments in the wider South Hampshire context. This is a unique opportunity that the Local Plan should embrace either by way of a specific allocation, or by creating policies that allow due consideration to be given to such development should it come forward via a planning application.

Amendment

2.27 Amend the policy to reflect the comments above.

Chapter 8 – Climate Change

Representation

2.28 The climate change chapter has not been drafted with a full recognition of key consideration that are relevant to the promotion of climate change objectives. In particular, the failure to adequately reference the transition of petrol to electric vehicle based travel and its associated infrastructure needs is a major oversight.

2.29 The Government has committed to ending the sale of petrol and diesel vehicles by 2030, with all vehicles to be zero emission based by 2035. Both of these events are within the plan period and will require the delivery of appropriate home based and network based infrastructure.

2.30 It is noted that the broader plan includes policies that reference the need to integrate electric vehicle charging into new development, however, it is entirely silent on the needs to delivery supporting infrastructure across the wider transport network. This should be addressed by the provision of a specific policy within Chapter 8 that promotes the provision of key infrastructure that will support the transition of the highway network to net zero. This would include support for electric changing facilities in appropriate locations that are well related to the strategic road network.

Amendment

2.31 Include specific reference within the Chapter to the need to support the transition to a net zero highway network, with a specific policy that promotes the delivery of related infrastructure, including electric vehicle changing.

Policy CC1 – Climate Change

Representation

2.32 This policy is inadequate as it fails to recognise the importance of supporting the transition of road vehicles towards net zero, which will be a key consideration over the plan period if wider Government objectives are to be achieved.

Amendment

2.33 Amend the policy to include a bullet point that recognises the importance of infrastructure delivery associated with the transition of the road vehicles to net zero, including appropriate supporting infrastructure.

Policy CC4 – Renewable and Low Carbon Energy

Representation

2.34 This policy focuses exclusively on energy generating development. This is unnecessarily narrow, and indeed has been drafted in an overly negative way that fails to recognise the fundamental benefits associated with delivering such valuable forms of energy generation.

2.35 The policy should recognise that there will be infrastructure that serves to promote net zero, such as electric vehicles, which should be supported. This may sit in a policy of its own, but failing that, CC4 should be expanded to include the consideration of development proposals that deliver such infrastructure, but with a more generous presumption in favour of such development, rather than the overly restrictive approach that is currently cast within the policy.

2.36 This restrictive approach has been driven by the perception that uses such as solar farms and wind farms imply significant impacts (particularly visual). This is not the case of all forms of net zero and progressive technologies and the policy should make a clear distinction in that regard.

Amendment

2.37 Unless addressed in a policy of its own right, CC4 should be amended to include reference to other forms of infrastructure that promote net zero related technologies, such as electric vehicle charging. In making these amendments, the policy text should be recast to recognise that these technologies are different to those energy generating uses that are perceived to have significant visual impacts. This should be reflected by a general presumption in favour of the delivery of lower impact infrastructure.

Policy NE8 – Air Quality

Representation

2.38 The references within this policy to the promotion of electric vehicle charging infrastructure is welcomed. However, this is focussed exclusively on provision within new developments. This is insufficient to meet the infrastructure needs required to service the transition of petrol / diesel vehicles to net zero emissions based vehicles over the period to 2025.

2.39 Whilst home based infrastructure is appropriate, it does not address the key consideration of charging facilities within the wider highway network, particularly in terms of users who are travelling across the strategic road network where there is a substantive issue regarding the ability to recharge when on longer journeys or where access to home based infrastructure is not available.

2.40 In this respect, unless addressed elsewhere in the plan, policy NE8 should include provisions that support the delivery of electric vehicle charging infrastructure to serve the wider strategic road network.

Amendment

2.41 Amend the policy as suggested above.

Policy TIN1 – Sustainable Transport

Representation

2.42 This policy is premised on the basis of the promotion of non-car based means of travel. This is commendable but does not adequately recognise that the transition towards net zero emissions based vehicles will also make a valuable contribution towards more sustainable transport patterns. Given the timescales associated with this transition (over the period to 2035), there should be strong support within TIN1 to the delivery of infrastructure that enables this transition.

Amendment

2.43 Amend to include reference to the role of electric vehicles as a sustainable mode of transport and to provide support for appropriate infrastructure to facilitate their delivery.

Policy TIN4 – Infrastructure Delivery

Representation

2.44 This policy focuses wholly on ensuring that infrastructure that supports new development is delivered in a timely manner. This is supported but it fails to address the need for the delivery of wider infrastructure, particularly that which stems from the objectives set out within the Climate Change chapter (and also reflecting our representations on the policies in that chapter).

2.45 The policy should be broadened in its intent to incorporate a focus on ensuring that this wider infrastructure is delivered alongside new development to ensure that core climate change objectives are capable of being met. This implies an imperative to support the early delivery of such infrastructure within the early parts of the plan period.

Amendment

2.46 Amend to include reference to the timely delivery of wider infrastructure, particularly that which is crucial to supporting climate change related objectives.

3. Land at J11 of the M27 (inc Down Barn Farm)

3.1 The land at J 11 of the M27 comprises the land immediately adjacent to the motorway junction (to the north and north east) extending up to Boarhunt Road. The site currently accommodates a number of users, including a park & ride and strategic base for the Highways England in undertaking the smart motorway improvements that are currently underway.

3.2 A plan showing the location of the site is attached at Appendix One.

3.3 This site offers a unique opportunity to respond to a range of development needs, including those that require a location that is directly related to the strategic road network, or to accommodate users that are not well suited to either a residential environment or a business park.

3.4 A number of potential forms of development are appropriate for this location, including:

- Service facilities to serve the M27, including scope for an electric vehicle charging station.
- Uses of a similar form to those that are currently in place to meet the needs of Highways England – such as processing of building / waste materials.
- Displaced users who require relocation away from other sites that are being redeveloped for other uses or are allocated for such development. This is particularly relevant to locations such as Tipner where the sites development will require a number of business to relocate to alternative sites that meet their needs.
- Other uses that require accessibility to the strategic road network.

3.5 The site can be developed in an appropriate manner, incorporating a strong landscape framework and measure to promote biodiversity gain. The ability of the site to accommodate significant development without giving rise to undue impacts is currently being demonstrated by the scale of existing activity on site.

3.6 Further details to support the promotion of the site in the manner outlined above are currently in preparation and we would welcome the opportunity to consider how the Local Plan can support its delivery.

Appendix 1: Land at J11 of the M27 (inc Down Barn Farm).

Turley
Planning

Turley

18 December 2020
Delivered by email

The Consultation Team
Fareham Borough Council
Civic Offices
Civic Way
Fareham
PO16 7AZ

Ref: RESS3014

Dear Sir / Madam

REPRESENTATIONS TO FAREHAM LOCAL PLAN 2037

These representations to the Publication Version of the Fareham Local Plan 2037 are made on behalf of Reside Developments Ltd ('Reside') in relation to the land they control at Funtley. This includes the site to the south of Funtley Road ('Funtley South') which is the focus of these representations and is identified as a proposed allocation under policy HA10.

Background
The Funtley South site was initially proposed as an allocation with an indicative capacity of 55 dwellings within the Draft Local Plan during the consultation held in 2017. In addition to residential development, Policy HA10 also showed a substantial area of new open space to the south of the site between the developable area and the M27 motorway.

Since then, a number of planning applications have been made in relation to this site, (detailed in full at Appendix 1); notably:

- Outline planning permission being granted in September 2020 (ref. P/18/0067/OA) for residential Development of up To 55 Dwellings (Including 3 Custom-Build Homes) (Use Class C3), Community Building Incorporating a Local Shop 250 Sqm (Use Classes A1, A3, D1 & D2), Accesses And Associated Landscaping, Infrastructure And Development Works.

- Full planning permission granted in October 2018 (ref. P/18/0066/CU) for a change of use of an area of land containing the Public Open Space Allocation and an additional parcel of land to the east to form a new Community Park.

Since these approvals, two further applications were submitted on 6th October 2020, both of which are currently under consideration:

[redacted]

"Turley is the trading name of Turley Associates Limited, a company (No. 2235387) registered in England & Wales. Registered office: 1 New York Street, Manchester M1 4HD."

- Outline application to provide up to 125 one, two, three and four-bedroom dwellings including 6 self or custom build plots, community building or local shop (use class E & F.2) with associated infrastructure, new community park, landscaping and access, following demolition of existing buildings. (Ref: P/20/1168/OA)

- Change of use of land from equestrian/paddock to community park following demolition of existing buildings. (Ref: P/20/1166/CU)

The thrust of our representation is that the Publication Version Local Plan does not plan to meet the council's minimum local housing need as required by national planning policy. We set out how land south of Funtley Road can assist in delivering a higher number of dwellings on-site, by appropriately increasing the density of the proposal and extending the site boundary slightly further to the south, while still providing a significant benefit in the form of a community park. This proposal is detailed in the two live planning applications - P/20/1168/OA and P/20/1166/CU.

We have previously submitted representations on behalf of Reside to the Local Plan Supplement in February 2020, the Local Plan Issues and Options consultation in the summer of 2019, as well as earlier consultation on the Draft Local Plan in 2017. In these representations we were supportive of the council's acknowledgement that the Borough has an increased housing need but noted that additional housing, including on existing sites and proposed allocations, would need to be identified to meet this higher need.

The continual identification of this site has been supported, and evidence provided by Reside in response to these consultations showed that the Funtley South site was capable of accommodating additional dwellings to meet the housing need without any adverse impacts to character or landscape. It is disappointing that the Publication Version has not reflected these previous submissions and it remains unclear if they have informed this current consultation.

REPRESENTATIONS

Strategic Policy DS2: Development in Strategic Gaps

DS2 seeks to prevent development which will significantly affect the integrity of the gap and the physical and visual separation of settlements. This policy sees to introduce a new strategic gap in the vicinity of our clients' interests, without justification. The Policies Map illustrates that the proposed allocation lies outside of the strategic gap, however this does not fully reflect the boundary of Reside's proposal as per the live planning application P/20/1168/OA, where the application site's southern edge falls within the area proposed as Strategic Gap under policy DS2.

The Council's Technical Review of Areas of Special Landscape Quality and Strategic Gaps does not provide justification for this boundary and merely states that *"Wrapping the gap boundary tightly around the settlement (and future approved development), would allow Funtley to expand moderately, but still retain its separate identity and not become contiguous with North Fareham."* The evidence base appears to entirely ignore the detailed submission made in our previous representations. We therefore resubmit these with this submission at Appendix 3.

We submit that there is no need for the identification of a new strategic gap in this locality. The evidence base does not support it, and having considered the site against the adopted Landscape Character Assessment and policy context, there is no reason to conclude that the site has any elevated landscape status or importance above the rest of the surrounding landscape within the proposed Strategic Gap. Moreover, there is no extant designation such as public open space that would elevate the status in terms of local community association.

The site's intrinsic character in a landscape sense does not preclude development, the nature of which could incorporate elements of the landscape into a sensitively designed scheme.

Were the Council to continue to seek to impose a new Strategic Gap in this location, and not withstanding our submissions against this approach, we would request amending the Strategic Gap boundary to reflect the site boundary of the live application P/20/1168/OA, as illustrated at Appendix 2. This would ensure that the aims of policy DS2 are achieved as it would allow Funtley to expand moderately, but also retain its own identity and it would not coalesce with North Fareham. This would be guaranteed by the provision of the community park proposed through application P/20/1166/CU. This will be transferred to the council, so there is no need to designate that area as Strategic Gap.

Strategic Policy DS3: Landscape
DS3 allows for development in areas of special landscape quality only where the landscape will be protected and enhanced. The Policies Map shows the proposed area of special landscape quality as following the boundary of the proposed allocation, and in the same way as the strategic gap designation, this does not correspond with the boundary of our client's site as per the live planning application P/20/1168/OA. The site's southern edge falls within the proposed Area of Special Landscape Quality 4 (ASLQ 4) Meon Valley under policy DS3.

We submitted a Technical Note in relation to the proposed Meon Valley ASLQ alongside our representations to the Fareham Local Plan Supplement in February 2020. This is reattached at Appendix 3. It supports our objection to the boundary of ASLQ 4 Meon Valley taking in land to the east of the disused railway known as the Deviation Line.

The council's Technical Review of Areas of Special Landscape Quality and Strategic Gaps does not provide justification for inclusion of this land in ASLQ 4. In describing the special landscape qualities of the Meon Valley, the report emphasises the southern part of the proposed designation; *"The area has high scenic quality and topographic and visual unity, particularly in the lower reaches." The report notes that the "Major road and rail corridors pass through the upper section, but much of the area retains a sense of seclusion."* This area has its tranquillity impacted by the M27 to the south and the active Eastleigh to Fareham Railway line to the east.

It is important the ASLQ boundaries do not incorporate areas that could form allocations, as it could unduly restrict developable areas and affect housing supply numbers. ASLQ 4 around Funtley does not seem to relate to those in the LDA 2017 report, nor the current Local Plan. The boundary for the Meon Valley ASLQ should be delineated by the Deviation Line to the west of Funtley, rather than cross over it.

The area affected is largely proposed for a community park under application P/20/1166/CU and therefore can make a significant contribution to the landscape throughout the plan period; however, there is no justification for it being included within the ASLQ boundary as it stands. Any such designation must be robust, clearly defined and supported by evidence. As currently drafted, it is not, and therefore it is unsound as it is not justified.

Strategic Policy H1: Housing Provision
Policy H1 does not make provision for sufficient housing to meet local needs. The policy is based on delivering a level of housing set out in the consultation draft revised standard methodology (August 2020), of 403 dpa. This was never adopted policy and should not have been used as the basis for the Regulation 19 Draft Local Plan. The National Planning Practice Guidance sets out the current standard methodology and produces a minimum need of 514 dpa for Fareham Borough.

On 16th December 2020, the Government published the response to the consultation on the standard method for assessing local housing need. In a statement, the Secretary of State for the Ministry of Housing Communities and Local Government said, *"we plan to leave the standard method as it was created in 2017 for the majority of the country."* The Government's published response to the consultation indeed confirms that Fareham's local housing need is 514 dpa.

Therefore, policy H1 is unsound as it is not positively prepared, providing a strategy which, as minimum seeks to meet the areas objectively assessed needs and it is not in accordance with national policy, NPPF paragraph 60.

Futhermore, policy H1 does not fully address the duty to co-operate in terms of meeting the unmet of needs of more constrained local authorities within the housing market area. H1 is therefore not effective on cross-boundary strategic maters.

In the Local Plan Supplement (January 2020), FBC set out a strategy to deliver 520 dpa, and it is considered that the Local Plan 2037 which is the subject of this Regulation 19 consultation, rows back significantly from the ambitions for sustainable growth that were outlined in the earlier strategy.

The implications of not planning for sufficient housing are significant and will no doubt be debated at the Examination hearings. We set out below how land at Funtley South could assist in helping to deliver a higher level of housing.

Housing Allocation Policy HA10: proposes to allocate 5.74ha of land at Funtley Road South for 55 dwellings.

Paragraph 117 of the NPPF requires planning policies to encourage the effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraphs 122 and 123 set out policy on achieving appropriate densities. They state that *"Planning policies and decisions should support development that makes efficient use of land,"* and *"Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site."*

Policy HA10 is not consistent with national policy in this regard as it does not make most efficient use of land. As stated in our representations to previous Local Plan consultations, we consider the council is missing an opportunity by not making additional use of proposed allocation at Funtley Road South to address the Borough's housing need. In addition, it is missing an opportunity to protect sensitive areas of the borough from potential development.

By proposing to allocate the site and the recent grant of planning permission for 55 dwellings, the council has indicated it considers the site to be sustainable, and this is supported by the Sustainability Appraisal. We contend that the indicative yield should be amended to 125 dwellings and the site boundary should be realigned, as illustrated in Appendix 2, to incorporate some additional land to the south. This would result in a site size of 6.23 hectares. The live planning application P/20/1168/OA provides evidence to justify this.

Specifically, in relation to the live planning application for 125 dwellings on the larger site area:

- The Illustrative Masterplan demonstrates how the development of up to 125 dwellings, community building or local shop with associated infrastructure, new community park,

landscaping and access, could be accommodated on the proposed larger site in a sustainable way (Appendix 4)

- The Landscape and Visual Appraisal (Appendix 5) concludes that an appropriate development can be provided without substantial harm to landscape or views, but which provides a number of community and landscape benefits.

- The Ecological Assessment demonstrates that there are no adverse effects on any designated sites or protected species resulting from a development of 125 dwellings on a larger site area and also sets out appropriate mitigation and enhancement measures.

- The Transport Assessment concludes that the proposed development is considered to be acceptable in transport policy terms and meets with national and local policy criteria. The assessment work undertaken has indicated that there would be no demonstrable harm arising from the proposed scheme and there are no identifiable severe impacts. The Travel Plan includes a range of measures to maximise sustainable transport opportunities.

- All other reports and supporting documentation, including in relation to trees, flood risk, contamination, noise, sustainability, utilities, and archaeology demonstrate that the site can accommodate 125 dwellings.

Policy HA10 sets out 11 site-specific requirements (a-k). A number of these criteria are not sound and we have explained why in the table below.

a) The quantum of housing proposed should be broadly consistent with the indicative site capacity; and	Unsound, for the reasons set out above.
b) Primary highway access should be from Funtley Road; and	Sound. In accordance with consented development and live application.
c) Building heights are limited to a maximum of 2 storeys; and	Unsound as this is not justified by evidence. This is better determined at the detailed planning application (reserved matters) stage. Policy D1 will provide an adequate framework to ensure building heights are acceptable. This criterion should be deleted.
d) Safe pedestrian and cycle crossing points across Funtley Road and connectivity with the existing footpath/bridleway network in the vicinity of the site and eastwards towards the centre of Funtley village in order to maximising connectivity to nearby facilities and services; and	Sound. In accordance with consented development and live application.
e) The creation of a vehicular loop road on the site, allowing for pedestrian and cycle permeability across the site; and	Unsound as this is not justified or effective. It is not clear what is meant by a vehicular loop road. The requirement for pedestrian and cycle permeability across and through the site is supported.

f) Proposals shall take account of the site's landscape context by incorporating view corridors from Funtley Road through to the public open space allocation to the south of the residential allocation. The view corridors should form part of the on-site open space and should incorporate pedestrian and cycle links, whilst vehicular crossing of links should be limited; and	Sound. In accordance with consented development and live application.
g) The existing woodland on-site shall be retained and incorporated within the design and layout of proposals in a manner that does not impact on living conditions or prevent damage to any nearby dwellings, roads, footpaths or other infrastructure; and	Sound. In accordance with consented development and live application.
h) A landscape buffer shall be incorporated between development and the Great Beamond Coppice SINC to the east of the site; and	Sound. In accordance with consented development and live application.
i) The provision of a building/ buildings for community uses, located in an accessible location to enable a range of uses for both existing and new residents; and	Sound. In accordance with consented development and live application.
j) The site is identified as a mineral safeguarded site (brick clay is likely to underlay site). A Minerals Assessment will be required prior to any development in accordance with the Hampshire Minerals and Waste Plan (2013); and	The site benefits from an extant outline permission. No such conditions are required under that consent, or were requested during the determination. This requirement is therefore not considered necessary or reasonable, and should be deleted.
k) Infrastructure provision and contributions including but not limited to health, education and transport shall be provided in line with Policy TIN4 and NE3.	Sound, although it should be recognised that contributions towards some forms of infrastructure are provided for by CIL.

We would very much welcome the opportunity to work with the council to address these concerns and amend the criteria where possible, and therefore would wish to attend the Examination hearings.

HP1: New Residential Development

This policy allows for new residential development within the urban area boundary as shown on the Policies Map. Our representation relates to the proposed urban area boundary at Funtley South, which should be amended to incorporate the site boundary proposed under application P/20/1168/OA. Evidence submitted with this application demonstrates that this would result in sustainable development. Furthermore, it would enable the site to contribute a greater level of housing to meet Fareham's housing land supply.

HP4: Five Year Housing Land Supply
This policy is supported, however, we would urge the council to consider increasing the number of homes proposed for allocation at Funtley South through Policy HA10 as a way of contributing to addressing the current deficit in five-year housing land supply within the Borough. The Publication Version Local Plan could do more to address the shortfall in the short term.

HP5: Provision of affordable housing
The policy requirement at criterion **iii** is unsound as it is not consistent with national policy. Paragraph 64 of the NPPF expects *10% of all homes* on major development involving housing provision to be available for affordable home ownership. Footnote 29 then confirms that these homes are then included as part of the overall affordable housing contribution. The draft policy only requires *10% of all affordable housing* to be available for affordable home ownership.

HP9: Self and Custom Build Homes
The Self and Custom Build Housing Background Paper (FBC, 2020) indicated that only 56 people wished to remain on the council's register. 40 of those said they would consider a plot on a larger self-build development and only 25 said they would consider a serviced plot on a standard development. This evidence indicates that demand for self and custom build often arises on smaller sites, so focusing delivery of self/custom build on sites of over 40 homes, may not respond to demand. As such we are concerned that there is not a significant demand for plots on larger housing being developed by housebuilders and that the 10% requirement in HP9 is unjustified.

We would suggest that 5% is a more reasonable level to apply to larger sites, as this would allow for self and custom build to come forward on these sites, but also for self and custom build homes to be delivered on smaller sites too. Reside have proposed to deliver six self-build units on land south of Funtley Road, which will assist the council in meeting its obligation with regard to those who wish to develop their own homes.

NE2: Biodiversity Net Gain
The council have included the Government's suggestion that new development should improve the biodiversity on their site to show a 10% net gain over the pre-development baseline within this policy. Whilst we recognise that this is the Government's current favoured position it is likely that there will be transition period to allow the development industry to adapt to the proposed changes. As such we would suggest that the council remains consistent with paragraph 170 of national policy to seek net gains in biodiversity and not include the requirement to show a 10% net gain. A policy without a specific percentage requirement would be consistent with current policy and should the relevant legislation be enacted as currently proposed such a policy would be sufficiently flexible to support a 10% requirement and any transition period.

NE8: Air Quality
The policy requires one EV Charge Point per dwelling. The Government has made a commitment to end the sale of new petrol and diesel cars in the UK by 2030. With this in mind, we would suggest that the council consider a phased introduction of the EV Charge Point requirement, gradually ramping up to 100% provision, given that there is currently not the demand.

CONCLUSION

At present we do not consider the plan to be sound, as measured against the tests of soundness set out in paragraph 35 of the NPPF, for the following reasons:

- The Plan is not positively prepared or consistent with national policy as it does not seek to meet the areas' objectively assessed needs
- The boundaries of the proposed Strategic Gap and Area of Special Landscape Quality are not justified
- The proposed allocation policy HA10 is not fully justified because it does not take into account the reasonable alternative of a delivering a higher number of dwellings
- A number of the specific policy requirements are not justified or effective

Funtley South is a sustainable and deliverable site in its own right, but also has synergy with the key strategic site at Welborne, were this to come forward. The Funtley South site was previously identified in the Draft Local Plan as having an indicative capacity of 55 dwellings. The allocation of the site and its recent planning permission clearly demonstrates the residential proposals for the site represents sustainable development, there are no constraints that would preclude this development at the higher number of dwellings and the site is deliverable in the short term.

Evidence provided by Reside demonstrates the site is capable of comfortably accommodating more dwellings without any adverse impacts to character or landscape. This can be achieved through a combination of a 0.4ha increase in the developable area and an increase in density (to match that surrounding the site). Funtley South can therefore do even more to help the Council meet its increased housing requirements and we would of course be pleased to provide any further information to the Council, if so required, with regards to this matter.

We would like to participate in the Examination hearings so that a full discussion can be held on these matters.

We hope these representations are of assistance in taking the plan forward to the next stage of plan preparation and Examination.

Yours faithfully

[redacted]

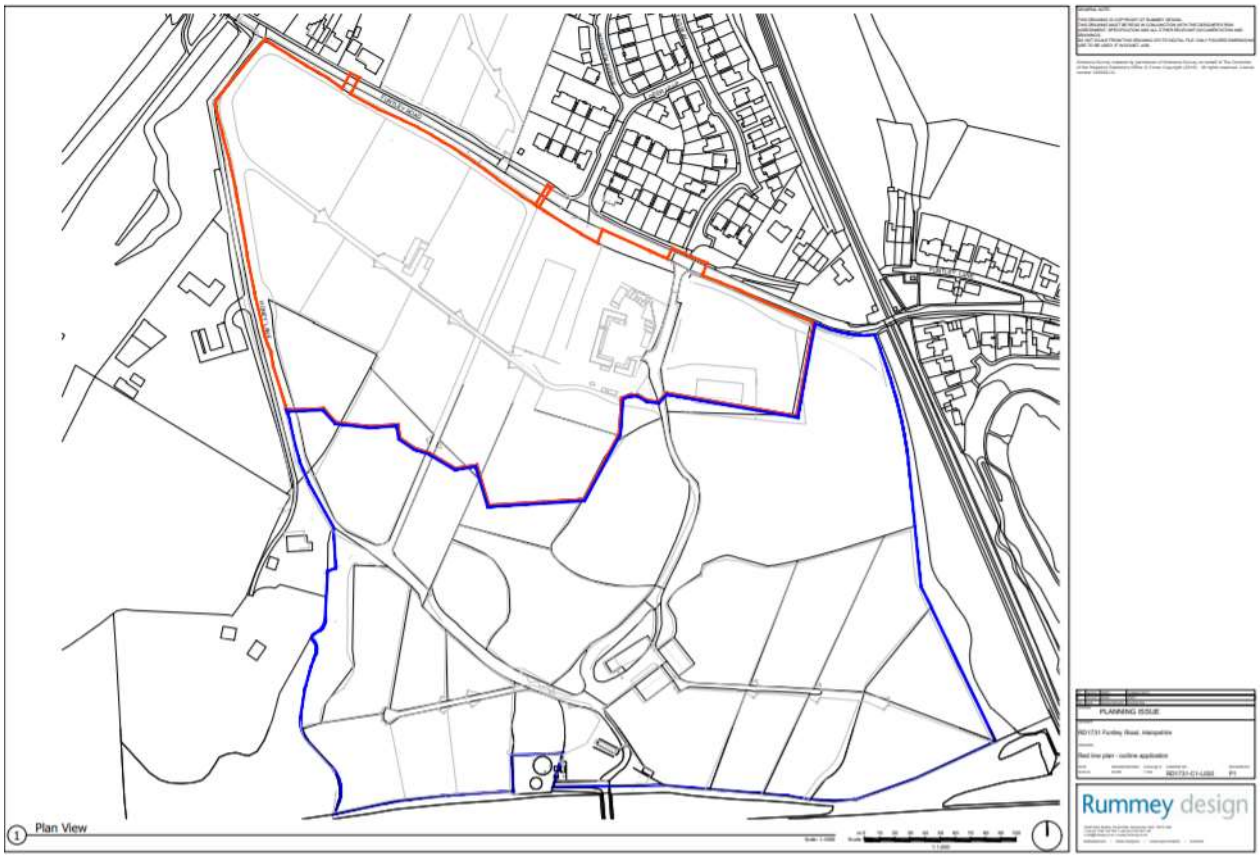
Alison Young
Senior Planner

[redacted]

Appendix 1: Planning Applications on Land South of Funtley Road

Application Reference	Description	Status
P/20/1168/OA	Outline Application To Provide Up To 125 One, Two, Three And Four-Bedroom Dwellings Including 6 Self Or Custom Build Plots, Community Building Or Local Shop (Use Class E & F.2) With Associated Infrastructure, New Community Park, Landscaping And Access, Following Demolition Of Existing Buildings.	Submitted 6th October 2020 Under consideration
P/20/1166/CU	Change Of Use Of Land From Equestrian/Paddock To Community Park Following Demolition Of Existing Buildings	Submitted 6th October 2020. Under consideration
P/20/0809/FP	Installation Of Haul Road (Retrospective)	Approved 9th November 2020
P/19/0290/FP	Provision of a Permissive Footpath Link and New Surfacing from Funtley Road over the M27 Motorway Connecting to Footpath Public Right Of Way 91A and associated Bridge Improvement Works.	Approved 20/06/2019
P/18/0066/CU	Change of Use of Land from Equestrian/Paddock to Community Park Following Demolition of Existing Buildings.	Approved 12/10/2018.
P/18/0067/OA	Outline application for residential Development of up To 55 Dwellings (Including 3 Custom-Build Homes) (Use Class C3), Community Building Incorporating a Local Shop 250 Sqm (Use Classes A1, A3, D1 & D2), Accesses And Associated Landscaping, Infrastructure And Development Works.	Approved 02/09/20.
P/17/1539/EA	Request For Screening Opinion Under The Town & Country Planning (Environmental Impact Assessment) Regulations 2017 For Proposed Residential Development Of Up To 55 Dwellings, Community Building, New Country Park And Associated Landscaping & Infrastructure on Land To The South Of Funtley Road, Funtley.	January 2018. No Environmental Statement Required.

Appendix 2: Suggested Site Allocation Boundary for HA10: Land South of Funtley Road



Appendix 3: Technical Note re Proposed Meon Valley Area of Special Landscape Significance

REPRESENTATIONS TO FAREHAM LOCAL PLAN 2036 SUPPLEMENT CONSULTATION

Technical Note re proposed Meon Valley Area of Special Landscape Quality (ASLQ)

February 2020

Rummey design

r. reside

Meon Valley
Deviation Line - bridleway & open space
Funtley North
main railway line
proposed Welborne garden village
Funtley South
Funtley
M27
North Fareham

Introduction

This Technical Note is prepared in support of representations to the Fareham Local Plan 2036 Supplement consultation and is made on behalf of Reside Developments Ltd (Reside) in relation to the land they control at Funtley. This includes the site to the south of Funtley Road (Funtley South) which is the focus of these representations and is identified as a proposed allocation.

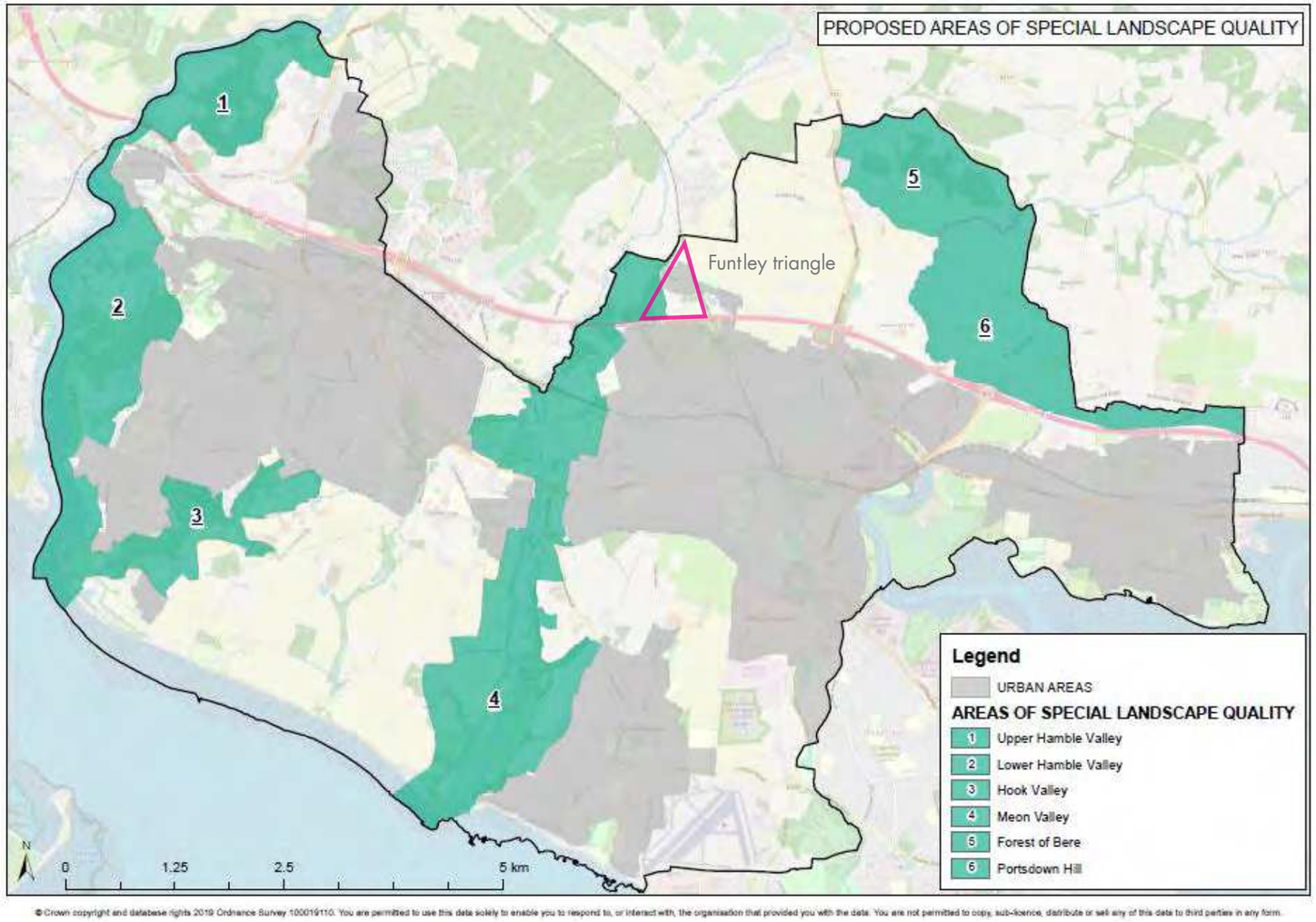
Fareham Borough Local Plan to 2036 proposes an Area of Special Landscape Quality (ASLQ) in the Meon Valley, along with other river valleys and Portsdown Hill. The policy states that there will be a presumption against major development in such areas unless it can be demonstrated that the quality and distinctiveness of the landscape will be conserved. The Meon Valley is also a Strategic Gap and the ASLQ will offer an additional level of protection, although the policies would now differentiate between the need to retain settlement identity and conserve landscape character.

Figure 4.2 in the FBC consultation document identifies indicative proposed Areas of Special Landscape Quality to be protected through Policy NEXX: Landscape. However, whilst this proposed policy is intended to guide development in such areas, there is no definition on what merits an area being included in an ASLQ, other than that it has been identified as a 'valued landscape' in consultation. It would be reasonable to assume that the ASLQ would be underpinned by Landscape Character Assessment evidence, the latest version of which is LDA Design's Fareham Landscape Assessment, 2017.

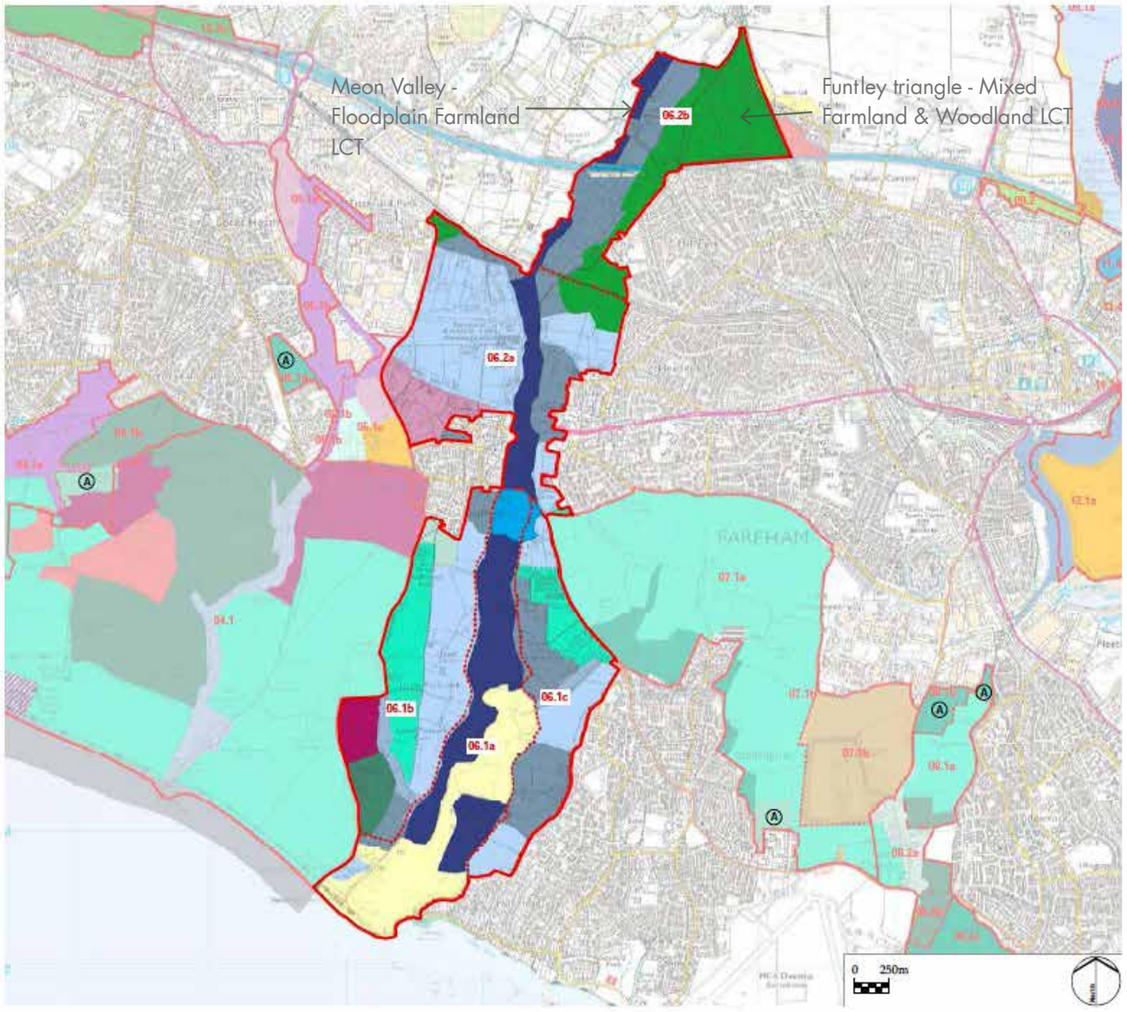
The assessment notes that in Fareham Borough it is the chalklands, coastal plains, river valleys and coast that provide the broad framework for the complex and distinctive landscape character within the Borough. We would agree that these broad 'framework' landscapes shape the character of the Borough and that, where they have special qualities and high sensitivity, these should be conserved. However it is important to define the extent of these areas in a robust manner.

The mapping of the Upper Meon Valley ASLQ in relation to the Funtley triangle, which lies at the northern end of the Borough is however unclear, due to the low resolution of the indicative map. The ASLQ appears to include some land to the east of the disused railway (known as the Deviation Line) in the area south of Funtley Road, an area already proposed for housing allocation. We propose that the ASLQ should extend only to the Deviation Line for the reasons set out below.

Figure 4.2. Proposed Areas of Special Landscape Quality



Area 4 represents the indicative proposed Meon valley ASLQ (reproduced from FBC Local plan 2036 supplement). The proposed Meon Valley ASLQ appears to extend into the Funtley 'triangle' which is a fringe landscape and does not share the special landscape qualities or character of the Meon Valley to the west



LEGEND

- Landscape Character Area
- Local Landscape Character Area
- Local Landscape Character Area Subdivision

Landscape Types

- Mixed Farmland & Woodland: Small Scale
- Horticulture & Smallholdings: Small Scale
- Horticulture & Smallholdings: Large Scale
- Open Coastal Plain: Weak Structure
- Open Coastal Plain: Strong Structure
- Open Coastal Plain: Fringe Character
- Small Scale Enclosed Valley
- Open Floodplain Farmland
- Enclosed Floodplain Farmland
- Marsh, Reedswamp & Brackish Lagoon
- Enclosed Valley Side
- Open Valley Side

LCA6 Meon Valley Landscape Character Area (LCA) and detailed Landscape Character Types (reproduced from LDA Landscape Assessment report). This map clearly distinguishes between the Meon Valley Floodplain Farmland LCTs and the Mixed Farmland and Woodland LCT that includes the Funtley triangle, to the east. The character transition appears to be to the west of the railway line and includes the woodland associated with the railway within the Mixed Farmland & Woodland LCT. The railway also physically and visually separates the valley from the fringe land to the east.

Fareham Borough Council's evidence

The Borough of Fareham has a complex landscape consisting of mixed rural valleys, coastal plain, farmland and woodland and extensive built-up areas, as well as the M27 motorway and railway lines which cross the Borough. The most recent Landscape Assessment undertaken by LDA Design, and published in 2017, recognises the intrinsic character and distinctiveness of the relatively undeveloped areas of the Borough. It would be expected that this would be the evidence base for the proposed ASLQs, since these are based on landscape character and its key qualities and sensitivity. It is stated that the ASLQs will not include any development allocations.

The proposed extent of the Meon Valley ASLQ, the upper reaches of which lie to the west of the Funtley Road triangle, is stated to be based on the landscape types (LCT) defined within the original county-wide landscape assessment produced by Hampshire County Council in 1993. The assessment identified ten detailed, rural landscape types within Fareham Borough and this formed the basis for the initial landscape characterisation and the subsequent update in the LDA Design 2017 Fareham Landscape Assessment.

This assessment clearly differentiates between the *'Mixed Farmland and Woodland: small scale '* LCT, which includes the Funtley 'triangle' up to and including the wooded Deviation Line to the west, and the landscape types in the Meon valley which include both '*Open and Enclosed Floodplain Farmland*' LCTs. The Borough Landscape Assessment notes that the Mixed Farmland and Woodland LCTs vary in scale from large to small scale and describes the 'fringe' character of the Mixed Farmland and Woodland along the M27 corridor (p40). The M27 corridor defines the southern edge of the Funtley triangle.

The Fareham Landscape Assessment further defines a number of Landscape Character Areas (LCAs), which consist of several landscape types to produce identifiable areas of landscape of consistent character. The Meon Valley (LCA6) is further subdivided into Lower and Upper Meon Valley since its characteristics, influences and function vary significantly between the upper, more tightly contained, inland reaches and the wider, lower, river valley which traverses the coastal plain.

The proposed Meon Valley ASLQ boundary appears to include only selected areas of LCA6 consisting of all or parts of a number of different landscape character types. This is presumably based on a recognition that the landscape quality varies significantly within the LCA, although how the ASLQ boundary has been defined is not explained.

The character variance is highlighted in the Fareham Landscape Assessment. Whilst including the area around Funtley within the Meon Valley LCA6 it specifically notes that part of the Upper Meon valley (LCA 06.2b) on the eastern valley sides are '*typically subdivided into paddocks for horse grazing, bounded by open fences and containing various shelters and small-scale structures. In themselves these have a somewhat scruffy, fringe character'*. The assessment also recognises the role that extensive woodland plays in integrating these fringe uses.

The assessment also specifically refers to the existing housing along Funtley Road as a '*rather anomalous area of recent residential development off the Funtley Road in the northern tip of Area 06.2b. Lying on the opposite side of the railway this has little visual connection to the settlement of Funtley and is out of character with the surrounding landscape*'.

In summarising the development opportunities in the LCA it also notes that there is an opportunity to develop pockets of residential development, such as off Funtley Road, as long as these can be sensitively integrated into the landscape.

FBCs own evidence base clearly implies that the Funtley triangle is suitable for sensitive development and does not exhibit the landscape qualities or visual connection to the Meon Valley that might warrant its inclusion in the ASLQ.

The proposed indicative boundary, on this basis appears to be arbitrary and does not reflect Fareham's Landscape Character and sensitivity assessment.

Landscape of the Meon Valley

In considering the special qualities of the Meon Valley its northern extents within the Borough consists of a tightly enclosed valley landscape of open and enclosed floodplain farmland, contained by well-wooded margins and topography, as detailed in the Fareham Landscape Assessment, 2017.

The photos below show the qualities of the Meon Valley floodplain landscape in its upper reaches in Fareham. It is clear that these riverine landscapes which help to shape the Borough are of high sensitivity and have the qualities that would support their inclusion in an 'Area of Special Landscape Quality' as well as providing an important separating element between settlements.

The enclosure and separation of the Meon Valley, to the west of Funtley, is reinforced by the man-made,embanked Deviation Line, which visually and physically separates the two distinctly different character types.

photo reproduced from Fareham Landscape Assessment, 2017 (LDA Design)

Landscape of the Funtley Triangle

In contrast to the Meon Valley, the Funtley Triangle, as confirmed in the Fareham Landscape Assessment, is strongly influenced by the loss of landscape features, with hedgerows being replaced by horse paddock fencing, the presence of stables, sheds, hardstanding and catteries etc. In addition the housing development along Funtley Road and in the west of the area, as well as the railway and M27 corridor have given this landscape an 'urban fringe' character with lower sensitivity to further change. These are not the qualities that would merit inclusion in an 'Area of Special Landscape Quality'.

The Funtley triangle is entirely separate from the Meon Valley to the west of the Deviation Line as illustrated by the bottom photograph.

Paddock fencing, stables, sheds, hardstanding, housing development, noise, street lighting etc. all contribute to the urban fringe character of the Funtley triangle

Supporting evidence

The Landscape and Visual Appraisal (LVA) prepared by Fabrik in 2018 and submitted with Reside's Funtley South planning application (which has a resolution to approve, subject to completion of a S106 agreement) also supports the view that the landscape character sensitivity of the area in the Funtley triangle has been influenced by a number of detractors including adjacent urban development, road and railway noise and its land use for paddocks, resulting in loss of landscape features. The LVA assessed the local landscape character as having low to medium sensitivity for this reason.

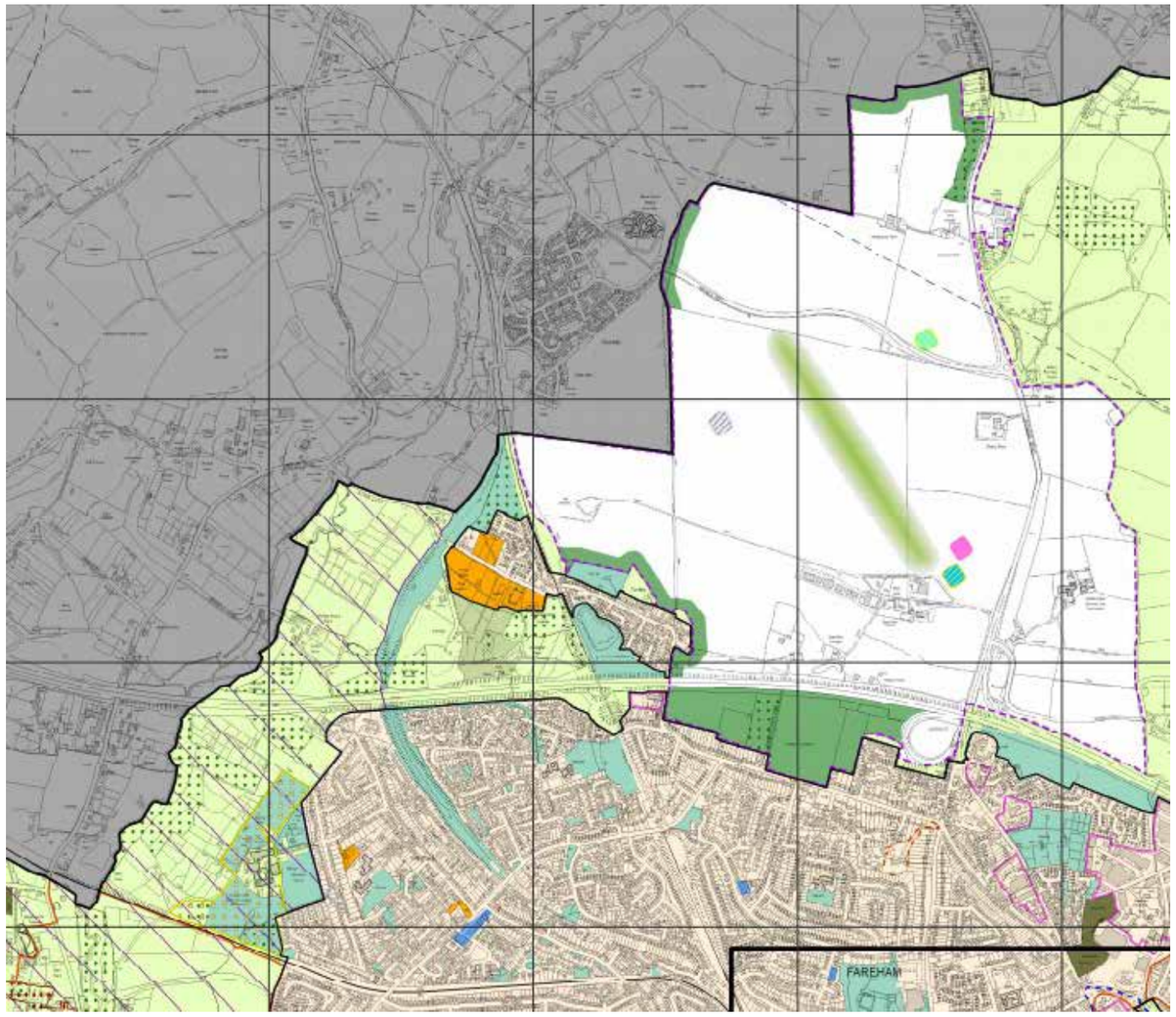
The LVA visual assessment also assessed a range of public viewpoints, both short and long distance, including several within the Meon Valley to the west. The LVA concluded that there is no visual connection between the site and the Meon Valley, due to the Deviation Line and its wooded margins, which provide significant physical and visual screening and separation.

Conclusion

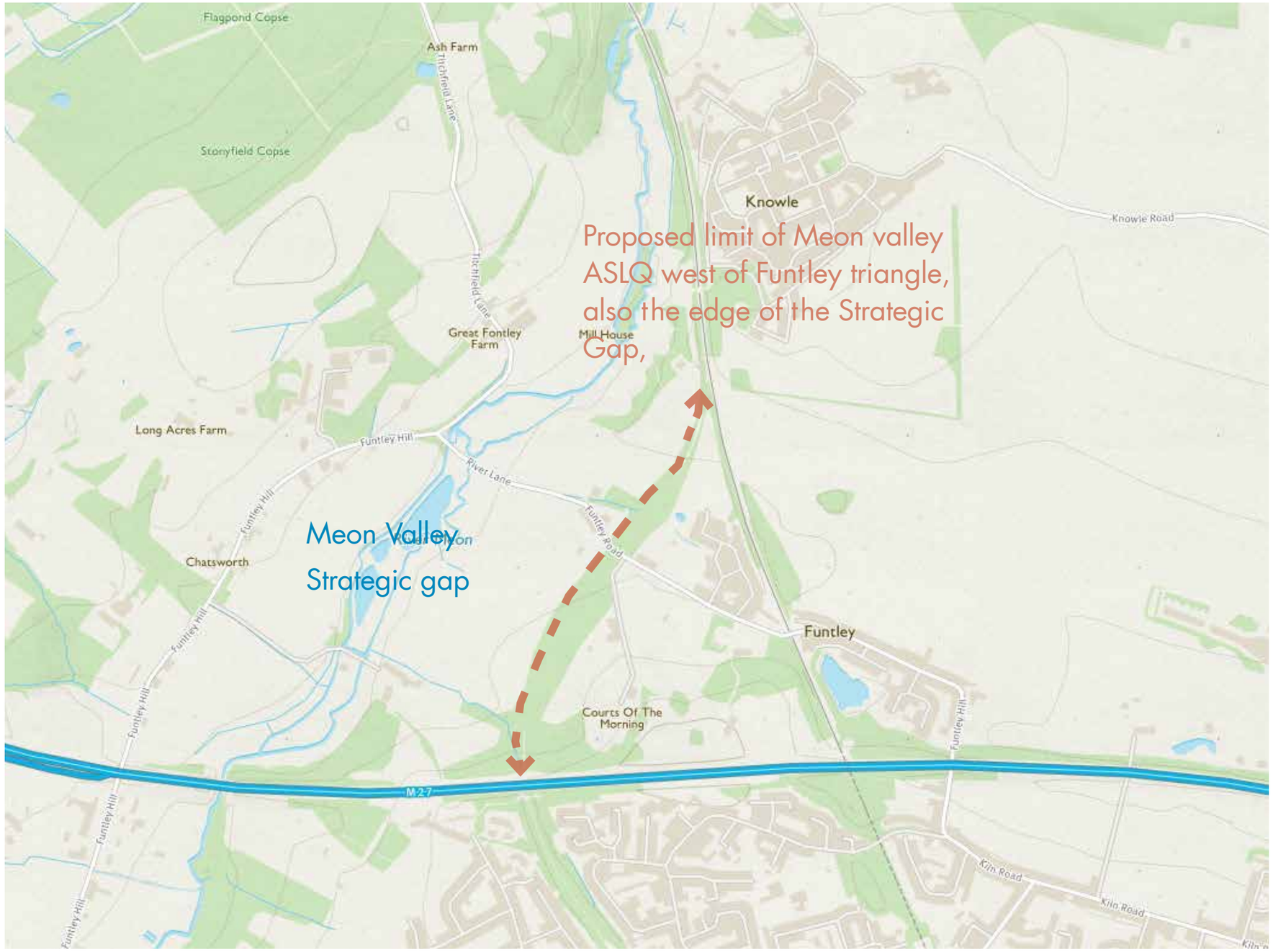
In defining the Meon Valley ASLQ it is important for unambiguous policy that there is a defensible boundary, based on robust evidence. Hampshire County Council and FBC's more recent detailed assessment of landscape character types shows that the embanked Deviation Line encloses the Meon Valley and marks the landscape character transition from the low lying river valley farmland associated with the course of the Meon river, to the small scale wooded farmland to the east, with its 'urban fringe' influences. In the Funtley triangle, character is particularly compromised by a number of suburban, horsiculture and perceptual influences (primarily noise arising from the railway and M27). Visually the embanked railway and the associated woodland, which separates the character types, also forms the edge of the Meon Valley to the west preventing intervisibility and so reinforcing the Meon valley's function as a Strategic Gap. The Deviation Line and associated woodland is covered by an open space designation on the draft policies map protecting its recreational and landscape value.

FBC's own evidence base, together with other studies carried out in relation to the Funtley South planning application by Reside's landscape consultants, show that the eastern boundary of the Meon valley ASLQ should be defined by the Deviation Line and that there is no logical reason, based on landscape and visual evidence, that this should be breached and include land within the Funtley triangle.

Therefore we propose that the boundary of the Meon Valley ASLQ should be defined by the Deviation line, as shown on the plan opposite, coinciding with the Strategic Gap, rather extending to an arbitrary location within the Funtley triangle to the east. This is readily defensible with respect to its landscape character and qualities and the visual enclosure that the man-made Deviation line affords to the Meon Valley.



FBC Local Plan draft policies map in the northern extent of the Borough showing allocations at Funtley North and South and the Deviation Line included as an open space designation. The Meon Valley Strategic Gap lies to the west of the Deviation Line



The proposed limit of the Meon Valley ASLQ lies at the character transition between character types and open space designation along the disused Deviation Line (now a bridleway), west of the Funtley triangle

Rummey design

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Appendix 4: Illustrative Masterplan (2020)

Appendix 5: Landscape and Visual Appraisal Addendum (2020)

reside.

Land South of Funtley Road, Funtley

LVA Addendum

Meon Valley
Deviation Line - bridleway & open space
Funtley North
main railway line
proposed Welborne garden village
Funtley South
Funtley
M27
North Fareham

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LVA, 2018	6
Development proposal	8
Landscape and visual implications of development proposal	10
Appendix i Landscape and Visual Appraisal prepared by Fabrik, January 2018	

Funtley triangle is enclosed by substantial treebelts and topography so is visually discrete. The landscape character has been eroded by suburban development and urban fringe uses including horse paddocks and associated structures, lighting and motorway noise....

Introduction

Funtley South lies within the Funtley triangle north of Fareham and the M27 motorway and is contained by the well-wooded Deviation Line to the west, which separates it physically and visually from the Meon Valley. The main railway contains the eastern edge and separates Funtley North and South from the historic heart of Funtley village and the consented Welborne Garden Village (c.6000 homes) to the north-east of Funtley Village.

In September 2020, Fareham Borough Council granted outline consent for demolition of the existing buildings and construction of 55 dwellings (including 3 custom-build homes) community building incorporating a local shop, access and associated landscaping, infrastructure and development works at the site. The principle of housing on this site has therefore been established.

The application was supported by a Landscape and Visual Appraisal (LVA) prepared by Fabrik Chartered Landscape Architects dated January 2018. The LVA prepared by Fabrik in 2018 and referred to in this Addendum document is found at Appendix i. The comprehensive LVA assessed the potential landscape and visual impacts of the previously approved scheme.

This addendum report analyses where the proposed scheme for up to 125 houses and a Community Park has changed, the landscape-led rationale for the revised scheme, (which is more fully described in the DAS), and then assesses how this has affected the conclusions of the Landscape and Visual Appraisal. This report draws conclusions as to the likely landscape and visual implications associated with the revised development proposals and any mitigation measures that might be required to minimise impacts or optimise the benefits with respect to landscape character and visual amenity.

LVA, 2018

The existing LVA prepared by Fabrik Ltd (Jan 2018), which was submitted with the consented planning application P/18/0067/OA, sets out the landscape policies relevant to the site and describes the baseline conditions of the site and its surrounding context. The LVA also provides a comprehensive visual study identifying potential visual receptors both within the Funtley triangle and areas beyond this, including public footpaths and roads.

The baseline conditions have not changed from that described in this report except that detailed permission has been granted for housing at Funtley North (23 dwellings) opposite the site and Funtley South has outline consent for up to 55 houses. In addition Welborne Garden Village has also received Resolution to grant by Members for c.6000 dwellings, currently negotiating S106 Agreement.

Representations were made in February 2020, as part of the consultation process on the emerging Local Plan to 2035, concerning the potential inclusion of a small area of the Funtley triangle within the Meon valley Area of Special Landscape Quality (ASLQ). These representations are contained within Rummey Design's Technical Note re proposed Meon Valley ASLQ (Rummey Design Feb 2020) and clearly sets out the reasons why the ASLQ should be defined by the Deviation Line, which lies to the west of Funtley triangle, and exclude any areas within Funtley triangle.

Landscape character

The landscape character baseline, as outlined within the LVA, recognises the existing urban influences within the Funtley triangle that affect landscape character. The LVA also recognises that the equestrian uses on site have changed and degraded the character of the farmland landscape, concluding that the landscape character sensitivity and value is Low to Medium.

Visual receptors

The LVA identified and assessed visual amenity and views from a wide range of visual receptors both within the Funtley triangle and across the wider area from publicly accessible locations. The viewpoints clearly illustrate the range of potential views towards the site and show that it is well-contained within the immediate vegetation cover and topography that encloses the triangle. Notably the rising topography to the south encloses the site and prevents any views southwards. The Deviation Line to the west is embanked separating the site from any views from the Meon valley, whilst vegetation along the main railway encloses views to the north and east.

The visual impact assessment informed the development proposals confirming that development should be confined to the lower, less visible slopes, that landscape features should be retained and that the higher, southern parts of the site should be retained to provide public open space.

Assessment of landscape and visual effects

The assessment concludes that the proposed development would not noticeably alter the landscape character at National, County or Borough level.

At worst it assesses a Moderate-major negative effect on the landscape character at site level, where development is proposed due to the change of use from equestrian fields to residential development. It predicts that there are potential benefits to landscape character in the long term.

With respect to visual effects the assessment predicts that the only negative effects on views are likely to be experienced by residents along Funtley Road/Stage Way/Roebuck Avenue and Honey Lane but that these can be mitigated through planting. It is worth noting that there is only one property that has views into the site on Honey Lane due to a gap in vegetation and that many properties within the residential development areas to the north have vegetation or built form screening views from ground floor windows. These are considered, in best practice guidance, to be to be more important than those from upstairs bedrooms.

No notable effects are predicted on views and visual amenity from public footpaths except for a short section of bridleway on the Deviation Line where there could be glimpsed views into the site in winter. However the appraisal acknowledges that planting on the western edge of the site would mitigate this change.

Overall no widespread landscape and visual effects are predicted and those negative effects that are predicted on the immediate context and at site level are assessed as being able to be effectively mitigated.

The LVA recognises that the development would be well contained within the existing landscape framework and that all important landscape features are retained.

The LVA also concludes that there is an opportunity to secure the long term management of the site, Ancient Woodland and Green Infrastructure as well as providing publicly accessible open space where none exists at present.

The existing LVA does not specifically analyse historic pattern through mapping, which helps to understand the evolution of the landscape and how, by taking this into account, development can more effectively be integrated into the landscape and bring about greater landscape benefits.

Mapping shows the former brickworks and clay pits in the area which, together with the railway, have shaped its character. The 1963 map shows that the Deviation Line has added to the enclosure and isolation of the triangle with the claypits north of Funtley Road becoming the site of an abbatoir. Residential areas now occupy this site together with much of the other land north of Funtley Road. The M27 has also had a significant impact cutting an east-west swathe across the landscape, severing the triangle from Fareham North and further isolating it.

Extensive areas of coppice woodland are evident in late Victorian times with a notable field pattern of hedgerows linking the wooded horizons on the upper slopes to the valley bottom. These compartmentalised the landscape and connected landscape features.

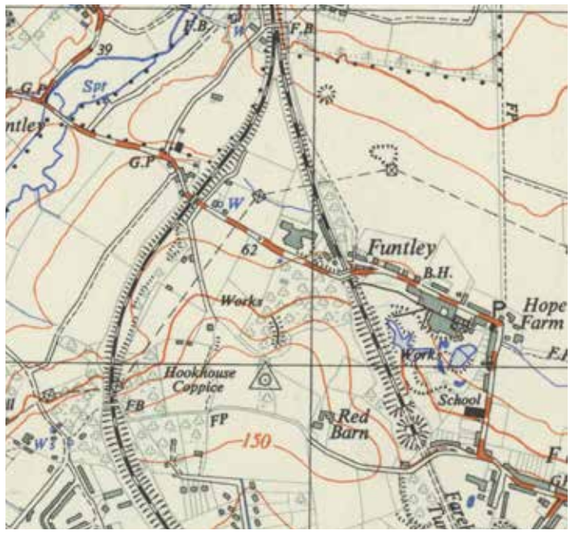
The hedgerows have been lost in the latter part of the 20th century and are now only marked by a few isolated trees. The coppice woodland has been lost and fragmented since Victorian times, although the remaining woodland areas and tree groups still give the impression of wooded horizons.

Small paddocks are now defined by a proliferation of post and rail fencing, which, together with hard surfaced areas, stables, large barns and other clutter have eroded the rural character.

Restoring the historic pattern in green fingers to integrate development and reconnect the valley landscape with the wooded horizons has been one of the key landscape drivers for the revised layout reflected, on the illustrative masterplan by green links and rural edge treatments, which structure the neighbourhoods and provide significant amenity value.

1859 The hamlet of Funtley is next to the railway line with adjacent rectangular field patterns and extensive coppice woodland in the surrounding areas.

1898 coppice woodland is a dominant feature with smaller fields on Funtley South. Brickworks and claypits occupy part of Funtley north



1963 coppice woodland is now fragmented, an abbatoir lies north of Funtley Road & the Deviation Line severs the triangle from the Meon valley

2020 the M27 cuts an east -west swathe across the ridge so that Funtley triangle is now isolated on all sides.

development proposal

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P1	30.09.20	DO/KK	Planning issue

PLANNING ISSUE

RD173 Funtley Road, Fareham

Illustrative masterplan

Date	Drawn/Checked	Scale @ A1	Drawing No.	Revision No.
02.09.20	DO/KK	1:1000	RD1731-F3-L100	P1

Rummey design

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e info@rummey.co.uk w www.rummey.co.uk

Masterplanners • Urban Designers • Landscape Architects

The development is to provide for up to 125 dwellings, community building incorporating a local shop with associated infrastructure, new Community Park, landscaping and access as shown on the Illustrative Masterplan opposite.

The site is set within an undulating landscape where the dominant feature is the topography and its wooded horizons which are characteristic. This mature landscape effectively unifies the landscape and helps contain development, where it has occurred. The site itself contributes to the wooded horizons with remnant coppice woodland on the higher ground in the south.

Other significant landscape features on the site include areas of ancient replanted woodland in Great Beamond Coppice, treebelts and mature trees. The proposed development ensures that these key landscape features are retained and enhanced. The smaller scale field pattern that once compartmentalised the site (now only indicated by a few remnant trees) once linked the wooded horizons to the valley floor.

This pattern will be reinstated through the proposed north-south green links which will incorporate the remaining trees and provide access routes, SuDS, biodiversity corridors and new native tree and shrub planting, as well as species-diverse grasslands.

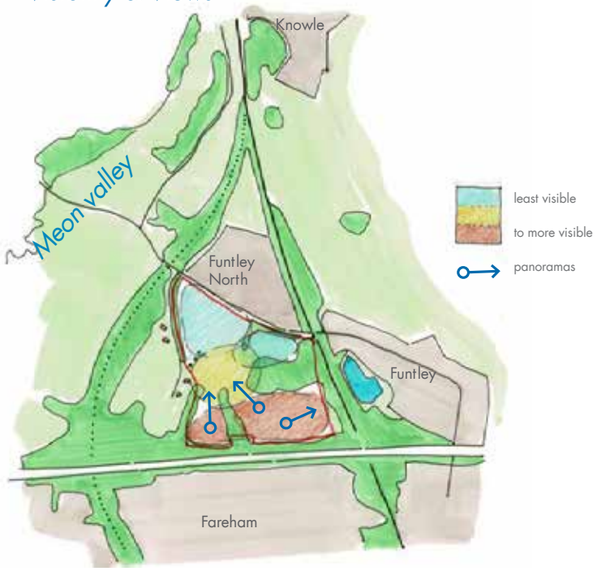
An interconnected network of footpath and cycle routes will link the site to Fareham North to the south and the Meon valley trail and wider countryside to the north, also allowing existing and new communities to access the Community Park located on the higher slopes south of the residential development. This area benefits from panoramic views northwards towards the South Downs and Meon Valley, which will now become accessible to the community.

The Community Park will provide significant areas of open space for informal recreation, with habitats enhanced through management and planting.

The landscape will be managed as part of the development adding to its amenity, biodiversity, recreational, educational and landscape value. Management regimes that might be considered could include traditional methods such as coppicing of woodland and diversification of meadows through green haying or grazing.

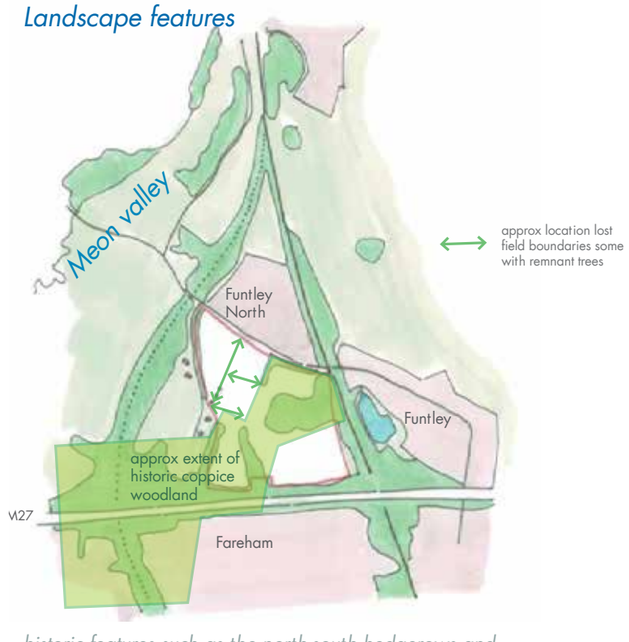
The character of Funtley Road frontage will be designed to reflect the essence of other Meon valley village frontages helping to connect the existing and new communities but also providing a locally distinctive setting within which to integrate development.

Visibility & Views



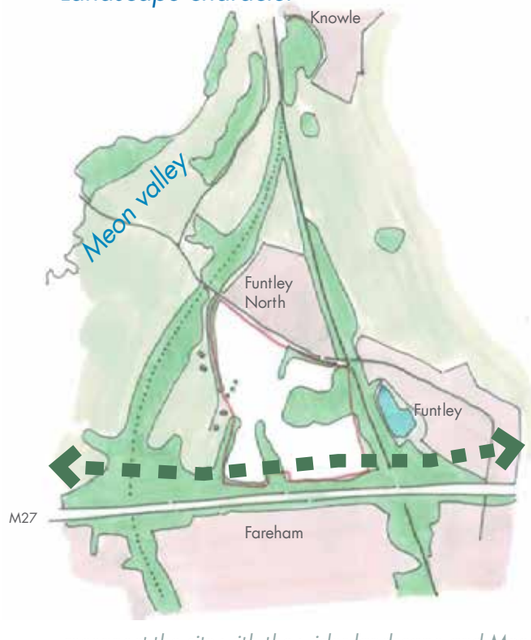
concentrate development in less visible areas on lower slopes, in valley and areas contained by vegetation. Community open space in areas with wider views maintaining and celebrating key panoramas to wooded horizons ...

Landscape features



historic features such as the north-south hedgerows and interconnected coppice woodland were present into the 20th century but have now been significantly reduced in area or lost. These connected the upper slopes to the valley floor. The repaired landscape structure can bring back some of these features and provide context and sense of place for development, integrating it into its setting ...

Landscape character



reconnect the site with the wider landscape and Meon valley reinforcing the wooded horizons; soften character transition of built development through density gradients within a repaired landscape pattern ...

landscape & visual implications of development proposal

preliminary aerial view from the north looking towards Fareham

wooded horizon reinforced

multifunctional green links reinstate smaller scale historic field pattern

landscape & visual implications of development proposal

The landscape character of Funtley South, which has been affected by adjacent residential development and uses such as a cattery, equestrian activities, stables, vehicle parking, noise from the M27, etc is best described as urban fringe. The urban influences will increase when Welborne Garden village is constructed, to the north-east.

The landscape led approach to the scheme is based on the retention of key landscape features including the replanted Ancient Woodland, the habitats of value within the site and the need to effect landscape restoration to restore the landscape pattern and character which has been eroded. The enhanced landscape will also provide the setting for the proposed development so that it integrates into the site. The enhanced setting will also help mitigate any impacts on visual amenity for local residents that face the site at present from the residential area to the north. Additional benefits are likely to include enhanced recreational opportunities including those provided by the proposed Community Park as well as better connectivity both with Fareham North and the footpath network, including the Meon Trail within the wider countryside.

Landscape impacts

The potential landscape effects have been assessed at site level, at Borough level LCA and also at County and National character area level. Landscape effects are also assessed on landscape features.

The arboricultural impact assessment confirms that all significant trees are to be retained and protected. The proposal allows for replanting within the greenlinks, reinstating smaller scale landscape compartments for development, based on historic pattern. These also physically and visually connect the wooded slopes and horizons with the valley floor. Additional planting around the rural edge of the site will enhance the existing landscape structure. New and existing vegetation will be managed as part of the development. The effect on landscape features is assessed as beneficial.

The landscape character of the site has been eroded through past uses. The proposed development, although over a slightly increased area compared to the previous proposal, is still located on the lower, less visible slopes and its edges have been carefully defined to relate to the topography and slopes for reasons of visibility and landscape character. The form of development also responds more closely to the landscape pattern, based on studies of its historic evolution.

The effect on landscape character of the proposed development at site level was previously assessed as a Moderate-Major negative effect on the landscape character at site level, where development is proposed due to the change of use from equestrian fields to residential development.

Whilst we would agree that this is a significant change we reiterate that the character of the site and indeed the entire Funtley triangle has been affected by changing uses over a long period with the effect that coppice woodland and field boundaries have been lost and replaced with fencing, sheds, and other buildings. Non-native planting has also been introduced, especially around the existing buildings near the entrance and the general visual amenity that the site provides has declined. In addition there has been little management of the key landscape features such as the woodlands and remaining field trees, which can be expected to decline further without intervention.

The site has been deemed suitable for limited residential development in both published landscape characterisation studies and by the Council, in granting planning permission for 55 houses. A well-designed, landscape-led residential development which respects the character and restores lost features is not necessarily negative, and in this case is positive, particularly in the longer term. Whilst the short term effects on landscape character may be Moderate adverse, the long term effect on landscape character is likely to Minor adverse at worst with the potential to be beneficial. This could stop the century long decline in landscape structure and produce an appropriate and enhanced setting leading to a stronger landscape framework maturing into the 21st and 22nd centuries.

Visual impacts

We agree with the previous LVA assessment that the site is well enclosed so that the visual effects are likely to be restricted to receptors within the residential areas in Funtley North and road users along Funtley Road.

The proposed development, whilst over a slightly increased area, is still located on the lower, less visible parts of the site and the landscape structure throughout the site is to be enhanced. In addition, rather than cutting the site off from Funtley Road the proposals seek to create a positive, locally distinctive Meon valley village ambience where built form, water and vegetation provide the frontage along Funtley Road. This will enhance the character on both sides of Funtley Road.

Whilst there will be a discernible change in views for residents to the north of Funtley Road, it is assessed that the impacts are likely to be minor to moderate adverse in the short term (mainly related to construction impacts) with the potential for long term benefits as the landscape matures and development is integrated.

Landscape improvements in the Community Park, including the removal of buildings on the upper slopes, new tree planting and enhanced management of both the existing and new vegetation and grasslands are assessed as beneficial to views and visual amenity. This change of use will also give public access so that the panoramic views from the upper parts of the site, which are currently not available to the general public, will be available to all users.

The effects of this renewed landscape structure, combined with the enhanced public footpath access, will produce an enhanced landscape for the public and wildlife alike well into the 21st and even 22nd centuries. This will arrest the continuing decline and fragmentation of the landscape and produce the opportunity for improved landscape management; this new landscape structure will be 're-purposed' as part of the shift from agricultural to residential and leisure landscapes with changing social, economic and environmental circumstances.

Appendix i

Landscape and Visual Appraisal prepared by Fabrik, January 2018

reside.

Land south of Funtley Road, Funtley

Landscape and Visual Appraisal

Project Title: Land South of Funtley Road, Funtley, Hampshire

Client: Reside Developments Ltd

Revision	Date	Revision Details	Prepared By	Checked By	Approved By
DRAFT	19/06/17	Internal review	CLB	SG/AS	SG/AS
00	12/07/17	Internal review	CLB	AS	AS
00	18/07/17	Issued to the client	CLB	AS	AS
01	27/07/17	Revised to suit client's comments and re-issue.	CLB	AS	AS
02	28/07/17	Minor amendments to suit client's comments and re-issue.	CLB	SG	SG
03	16/01/2018	Winter views included and amendments to reflect current scheme proposals - Internal review	LS/DL	AS	AS
04	17/01/2018	Client Review	DL	AS	AS
05	19/01/2018	Client / planner comments integrated	DL	AS	AS

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8. Summary and Conclusions 83

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1. Introduction

1.1 Introduction

fabrik Chartered Landscape Architects have been appointed by Reside Developments Ltd to carry out a Landscape and Visual Appraisal (LVA) of the land to the south of Funtley Road, Funtley, Hampshire (the Application Site, refer to **Figure 1.1)** and its environs, in order to consider the likely physical and visual impacts arising as a result of the proposed development.

This LVA forms one of the suite of documents provided with the outline application. it sets out landscape policy and then goes on to describe the existing topography, land cover, vegetation, landscape features, landscape character and visual receptors of the local area in order to assess the landscape and visual effects of the proposed development which together inform the landscape character. The LVA also describes the baseline character and amenity of the identified visual receptors (considering the visual envelope, the different groups of people, places affected, the nature of the view and the visual amenity). This document describes the development proposals and then sets out a statement of landscape and visual effects.

This LVA should be read in conjunction with the suite of documents submitted with the outline application (all matters reserved except for access).

The methodology for the LVA is based on the 'Guidelines for Landscape and Visual Impact Assessment' (third edition) by the Landscape Institute and Institute of Environmental Management and Assessment (Routledge, 2013) and is set out at Appendix 1.

Where the terms 'Site' and 'Application Site' are used in this LVIA, these both refer to the land defined by the red line boundary shown in Figure 1.1; which is the subject of two separate planning applications:

1) Outline Application

Following demolition of existing buildings residential development of up to 55 dwellings (including 3 self-build homes) (Use Class C3), community building incorporating a local shop 250 sqm (Use Classes A1, A3, D1 & D2), accesses and associated landscaping, infrastructure and development works.

2) Change of Use

Change of use of land from equestrian/grazing to community park following demolition of existing buildings

1.2 Overview of Proposed Development

The proposed development comprises of 55 dwellings, a community building incorporating a local shop, with associated infrastructure, new community park, landscape planting and access. The Site area is 16.18 hectares (ha) and the Site is a proposed development allocation (ref. HA10) in the emerging Fareham Local Plan 2036.

1.3 Desktop Research and Study Area

The desktop survey carried out as part of the LVA included the review of previous proposals, Ordnance Survey maps, interactive maps, aerial photography, published landscape character assessment documents and planning policy. This was further verified through field work, to determine the potential zone of landscape and visual influence of the site and proposed development, including views requested by the Principal Planner of Fareham Borough Council on 25/05/2017.

The study area was found to generally extend to around 2.0km from the centre of the Site. Beyond this the landscape is visually divorced from the area by the intervening topography, vegetation and in places, built form. The LVA nevertheless considers the wider landscape, planning and designations context to the land within the Site.

1.4 Field Work

The field work was initially carried out on 07/06/17 and recorded the existing landscape elements within the Site; the contextual landscape elements; and identified a series of key visual receptors. The visual assessment element includes a photographic survey of the land within the Site taken from a series of representative key views, chosen to represent a range of public views, distances and directions within the study area. The photographic survey was updated to reflect winter views on 05/01/2018.

Viewpoints 15-19 were omitted from the winter photographic survey, since the summer views demonstrated such an extent of screening of the views (by vegetation and/or landform in the intervening areas), that it was considered that no significant visual change would occur in winter.

However, additional winter views were taken from the bridleway following the disused railway line west of the Site, since the lack of leaf cover in winter revealed glimpsed views to parts of the Site and nearby existing dwellings. Summer viewpoint 4 is represented by a viewpoint taken from within the Site, but standing very close to the low hedge at the boundary with the adjacent property (containing a dwelling at the southern end of Honey Lane.

While the summer and winter views show slight differences in the position of the viewpoint and focal lengths of camera lens used, there are otherwise, no material differences in the view.

1. Introduction

Legend

Application Site Boundary

Figure 1.1 – Extract from Ordnance Survey Plan showing the Application Site location and boundary (fabrik, 2018)

2. Baseline Conditions

2.1 Landscape and Heritage Designation

The land within the Site lies wholly within the jurisdiction of Fareham Borough Council and is located within the landscape designation of Area Outside of Defined Urban Settlement Boundary. The area within the north-western part of the Site is designated as Existing Open Space in the Fareham Core Strategy (Adopted August 2011).

Within the Study Area, there are a number of Listed Buildings, Scheduled Ancient Monuments, Ancient Woodlands and Historic Parks and Gardens. The Scheduled Ancient Monument of Tichfield Abbey and Fishponds with a group of Grade II Listed Building of Abbey Cottage, Fisherman's Arms, Place House Cottage and Garden are situated along Mill Lane to the south west of the Application Site. There are no Listed Buildings which abut the Application Site or which have intervisibility with the Application Site.

The South Downs National Park (SDNP) is at located approximately 3.7km to north east of the Application Site (and therefore outside of the 3km radius of the study area). This was further verified through field survey work to determine that views of the Application Site are truncated from the SDNP due to intervening topography, built form and vegetation (refer to the visual baseline on Pages 45 and 47).

The Grade II Listed buildings of Church of St Francis is located approximately 510m along Funtley Road to the east of the Application Site. A Scheduled Ancient Monument (the Site of Funtley Iron Works) together with a group of Grade II Listed buildings (including Ironmaster's House and Funtley House) are situated approximately 500m to the south west of Application Site along Ironmill Lane.

The Application Site contains Great Beamond Coppice, an Ancient Re-planted Woodland. This woodland, together with the tree blocks within central northern and south-western sections of the Application Site, are designated as a Site of Importance of Nature Conservation (SINC) and are also covered by a Tree preservation Order (TPO). Another Ancient Woodland of Hookhouse Coppice is also located approximately 200m to the south west of Application Site.

There are no other landscape or heritage designations within nor adjacent to the Application Site.

The above designations are shown on **Figures 2.1 and 2.2** on the following pages.

Land to the east of Funtley is designated for a new settlement known as Welborne. Settlement buffers are proposed in key locations, including along the eastern edge of Funtley.

2.2 National Landscape Policy

The National Planning Policy Framework (NPPF) (March 2012) seeks the presumption in favour of sustainable development. The following issues and policies are pertinent to this LVA.

Section 7 sets out the requirements of good design. Paragraph 56 states that: *"The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people."*

Paragraph 57 goes on to state that: "*It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces..."*

Paragraph 58 looks to ensure that developments:

- *"will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;*
- *establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*
- *optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;*
- *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*
- *create safe and accessible environments...; and*
- *are visually attractive as a result of good architecture and appropriate landscaping."*

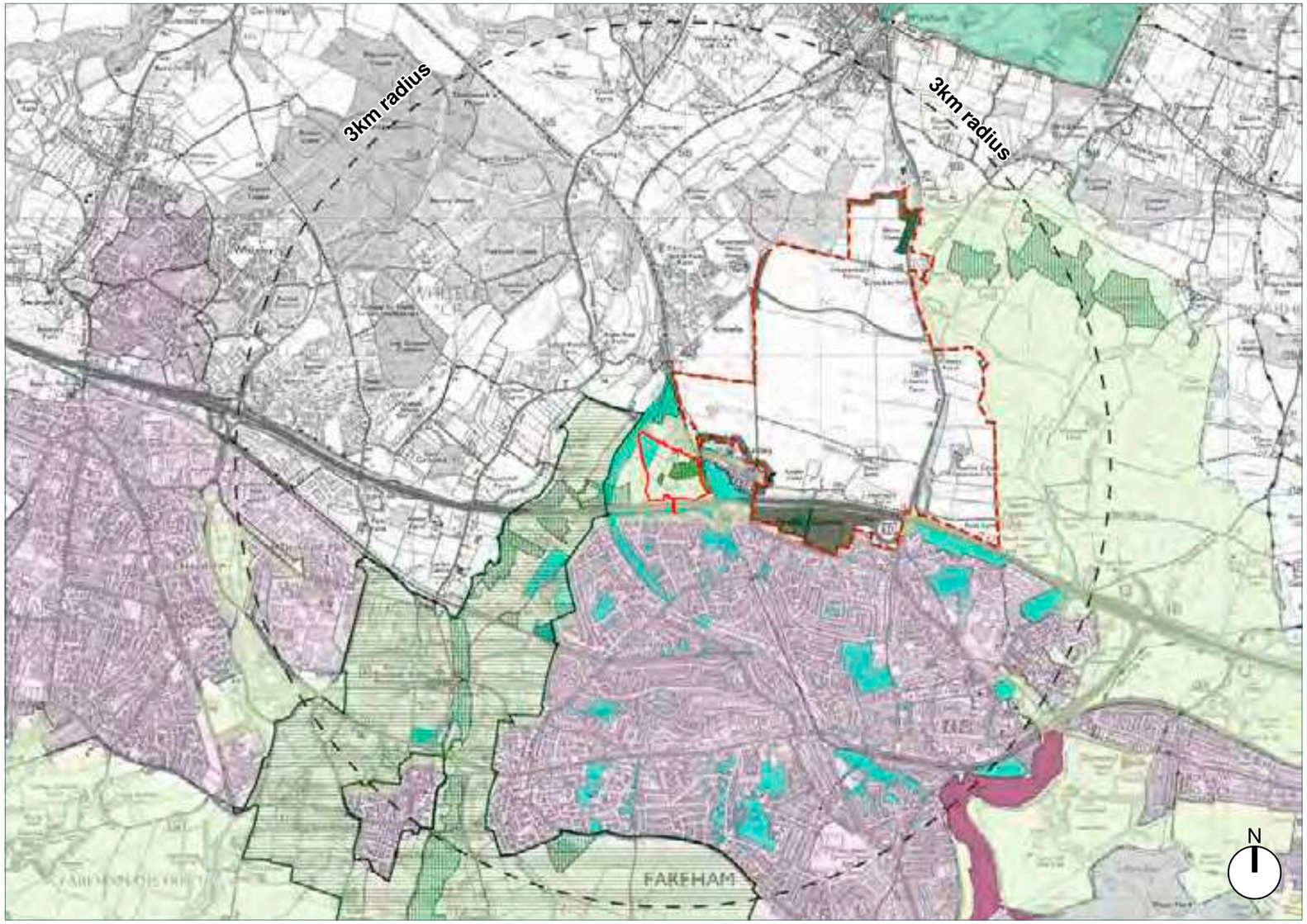
Furthermore, Paragraph 65 states that: *"Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).*

Section 8 of the NPPF deals with 'Promoting healthy communities' and seeks to achieve:

- *"Opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mix-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;*
- *Safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and*
- *Safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.*"

Section 10 deals with climate change. Paragraph 96 sets out that development should take into account the landform, layout, building orientation, massing and landscaping to minimise energy consumption. Furthermore, Paragraph 99 states that: *"... When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure."*

2. Baseline Conditions

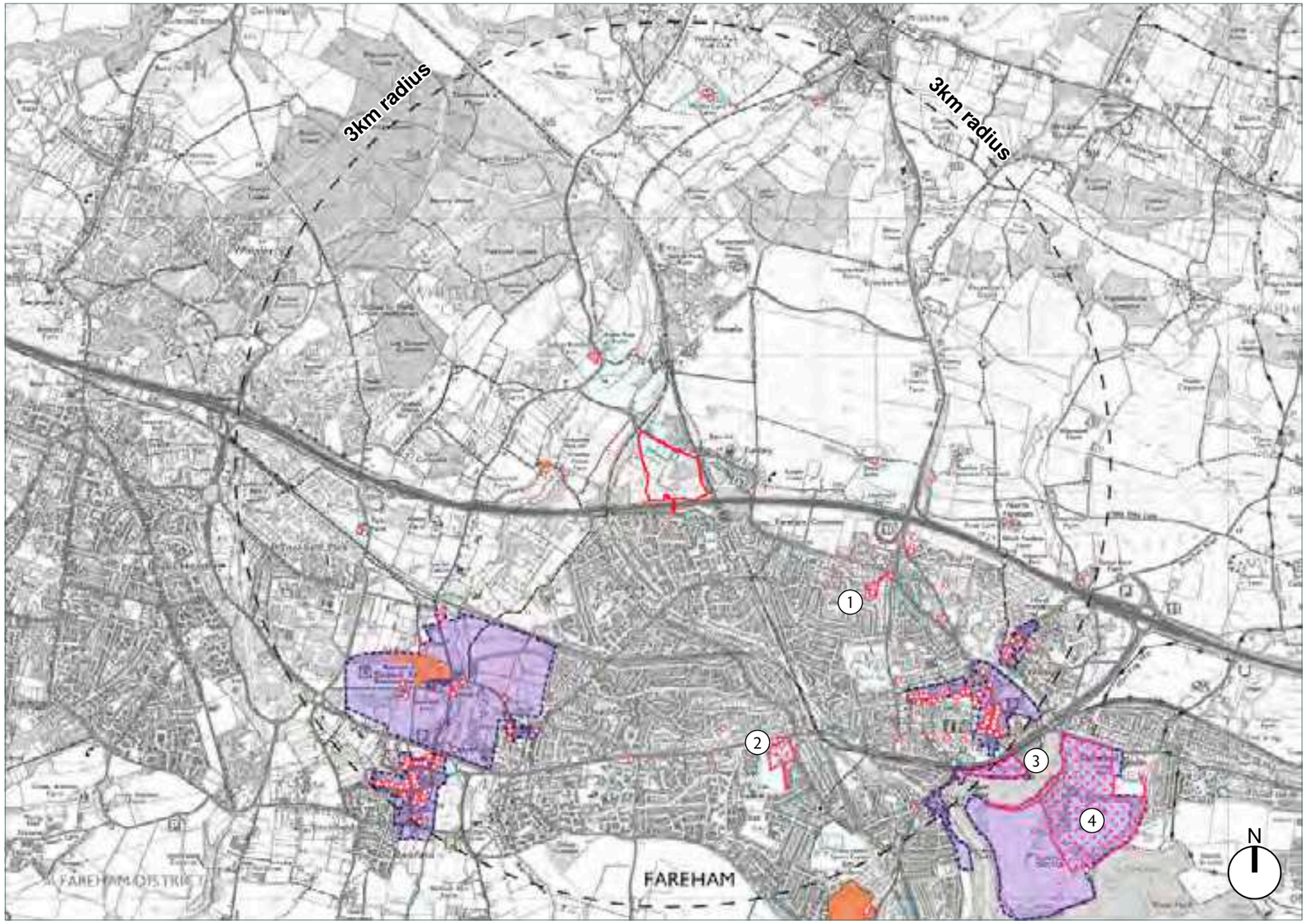


Legend

- Application Site Boundary
- Local Authority Boundary
- Study Area (3km radius)
- South Downs National Park
- Site of Importance of Natural Conservation (Ecological Policy: CS4 / DSP13)
- Special Protection Area and Ramsar Sites (Policy: CS4 / DSP13)
- Welborne Policy Boundary (Policy: CS13)
- Welborne Settlement Buffers (Policy: WEL5)
- Area Outside of Defined Urban Settlement Boundary (Policy: CS14 / DSP6)
- Strategic Gap (Policy: CS22): The Meon Gap
- Existing Open Space (Policy: CS21)
- Tree Preservation Order (shown within the Application Site only)
- Defined Urban Settlement (Policy: CS6 / CS14 / DSP6)

Figure 2.1 – Plan illustrating landscape and ecological designations as shown on the Fareham Borough Council 2015 Adopted Local Plan Proposals Map (fabrik, 2018)

2. Baseline Conditions



Legend

- Application Site Boundary
- Local Authority Boundary
- Study Area (3km radius)
- Scheduled Ancient Monument (Policy: DSP5)
- Conservation Area (Policy: DSP5)
- Listed Buildings (Policy: DSP5)
- Park and Garden (Policy: DSP5 Non- Designated Heritage Assets)

1. Uplands, Fareham
2. Bishopswood, Fareham
3. Bath Lane Recreation Ground, Fareham
4. Cams Hall, Fareham

Figure 2.2 – Plan illustrating heritage assets within the 3km study area (fabrik, 2018)

2. Baseline Conditions

2.2 National Landscape Policy (continued)

Conserving and enhancing the natural environment is the topic of Section 11. Paragraph 109 states that: *"The planning system should contribute to and enhance the natural and local environment by:*

- *protecting and enhancing valued landscapes, geological conservation interests and soils;*
- *recognising the wider benefits of ecosystem services;*
- *minimising impacts on biodiversity and providing net gains in biodiversity."*

Paragraph 115 goes on to state that: "*Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty."*

The Application Site does not lie within or form part of the setting to a valued landscape.

National Planning Practice Guidance - NPPG (March 14)

The NPPF is now supported by the on-line resource Planning Policy Guidance (PPG). There are a number of sections that relate to this LVA as set out below.

The PPG sets out guidance on Design at section ID 26 (updated on 6 March 2014) and the elements to be considered to achieve good design. Paragraph 001 under this section states that: "*The National Planning Policy Framework recognises that design quality matters and that planning should drive up standards across all forms of development. As a core planning principle, plan-makers and decision takers should always seek to secure high quality design.*

Achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations.

Good design responds in a practical and creative way to both the function and identity of a place. It puts land, water, drainage, energy, community, economic, infrastructure and other such resources to the best possible use - over the long as well as the short term."

Paragraph 002 states that: *"Good design should:*

- *ensure that development can deliver a wide range of planning objectives*
- *enhance the quality buildings and spaces, by considering amongst other things form and function; efficiency and effectiveness and their impact on well being address the need for different uses sympathetically."*

Paragraph 004 goes on to state that: *"Development proposals should reflect the requirement for good design set out in national and local policy. Local planning authorities will assess the design quality of planning proposals against their Local Plan policies, national policies and other material considerations."*

Paragraph 007 states that planning should promote local character (including landscape setting) - states:

"Development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, local man-made and natural heritage and culture, while not preventing or discouraging appropriate innovation.

The successful integration of all forms of new development with their surrounding context is an important design objective, irrespective of whether a site lies on the urban fringe or at the heart of a town centre.

When thinking about new development the site's land form should be taken into account. Natural features and local heritage resources can help give shape to a development and integrate it into the wider area, reinforce and sustain local distinctiveness, reduce its impact on nature and contribute to a sense of place. Views into and out of larger sites should also be carefully considered from the start of the design process.

Paragraph 009 relative to greenspaces and public places - includes the following:

"Development should promote public spaces and routes that are attractive, accessible, safe, uncluttered and work effectively for all users – including families, disabled people and elderly people. A system of open and green spaces that respect natural features and are easily accessible can be a valuable local resource and helps create successful places. A high quality landscape, including trees and semi-natural habitats where appropriate, makes an important contribution to the quality of an area."

Landscape is a sub section under Section ID 8 on the Natural Environment (updated on 6 March 2014). Paragraph 001 on landscape character states that: *"One of the core principles in the National Planning Policy Framework is that planning should recognise the intrinsic character and beauty of the countryside. Local plans should include strategic policies for the conservation and enhancement of the natural environment, including landscape. This includes designated landscapes, but also the wider countryside.*

Where appropriate, landscape character assessments should be prepared to complement Natural England's National Character Area profiles. Landscape Character Assessment is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change and may be undertaken at a scale appropriate to local and neighbourhood plan-making."

Under the biodiversity, ecosystems and green infrastructure section, paragraph 015 on green infrastructure defined this as: *"... a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities. Green infrastructure includes parks, open spaces, playing fields, woodlands, street trees, allotments and private gardens."*

2. Baseline Conditions

2.3 Local Landscape Policy

Introduction

The Fareham Borough Council is undergoing the process of producing a new Local Plan to reflect new housing and employment needs within the borough up to 2036. Before the emerging local plan is adopted by the Council, the policies within the Fareham Local Development Framework, Core Strategy (Adopted August 2011) form the principal documents within the Local Plan.

Current Policy: Fareham Local Development Framework, Core Strategy (Adopted August 2011)

Within the Adopted Core Strategy, the Council has set out strategic objectives to reflect the national policies, as well as to monitor and deliver a sustainable community within the borough.

The following objectives are pertinent to this LVA.

Strategic Objective SO1 aims to: *" To deliver the South Hampshire Strategy in a sustainable way, focussing development in Fareham, the Strategic Development Area north of Fareham and the Western Wards."*

Strategic Objective SO8 aims to: *"To deliver a new sustainable settlement to the north of Fareham, creating 6,500-7,500 homes, up to 90,750 sq.m employment floorspace, a new district centre and other supporting retail and community provision."* This relates to the Welborne settlement proposed to the east of Funtley.

SO10 states that the Local Authority wishes to: *"...manage, maintain and improve the built and natural environment to deliver quality places, through high quality design sustainability and maintenance standards, taking into account the character and setting of existing settlements and neighbourhoods and seeking safe environments which help to reduce crime and the fear of crime."*

Whilst SO11 is concerned with green infrastructure, aiming to: "*... protect and enhance access to green infrastructure, the countryside, coast and historic environment whilst protecting sensitive habitats or historic features from recreational pressure, and protect the separate identity of settlements, including through the designation of strategic gaps."*

In terms of development proposals and designations, the following policies are pertinent to this LVA.

Policy CS4 relates to the green infrastructure within the borough and states: *"Habitats important to the biodiversity of the Borough, including Sites of Special Scientific Interest, Sites of Importance for Nature Conservation, areas of woodland, the coast and trees will be protected ..."* The policy goes on and states: *"Development Proposals will be permitted where Green Infrastructure provision in accordance with the Green Infrastructure Strategy has been integrated within the development where this is appropriate. Development proposals will provide for appropriate access to green space for informal recreation to avoid adverse impacts from recreation and other impacts on European 31 and Ramsar sites and on nationally and locally important sites."*

Within the Core Strategy and the proposal map, the Welborne Policy Boundary is within the close distance to the Application Site to the north-east (refer to Figure 2.1). This future development allocates up to 6,000 dwellings with associated transportation links, green infrastructure and open spaces. The relates Policy is CS13 North of Fareham Strategic Development Area and states that: *"Permission will be granted for the development of a Strategic Development Area to the north of Fareham following the adoption of an Area Action Plan and the preparation of a comprehensive masterplan for the development. The development will include provision for between 6,500- 7,500 dwellings, unless it is found that this level of housing cannot be delivered without adversely affecting the integrity of protected European conservation sites. If any potential adverse effects cannot be avoided or adequately mitigated, the level and scale of development would need to be reduced accordingly to ensure that there are no adverse effects on the integrity of any European sites. The development will also provide supporting environmental, social and physical infrastructure, retail and employment floorspace to both support the development and to contribute towards meeting the development objectives of the South Hampshire Sub-Region. The new community will aim to be as self-contained as possible, whilst complementing and supporting the established town centre of Fareham and adjoining settlements."*

Policy CS14 refers to Development outside the defined settlement boundary, stating: *"Built development on land outside the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function."*

Policy CS17 is concerned with High Quality Design, with focus on landscape and stating: *"All development, buildings and spaces will be of a high quality of design and be safe and easily accessed by all members of the community. Proposals will need to demonstrate adherence to the principles of urban design and sustainability to help create quality places. In particular development will be designed to:*

- *respond positively to and be respectful of the key characteristics of the area, including heritage assets, landscape, scale, form, spaciousness and use of external materials;*
- *provide continuity of built form, a sense of enclosure with active frontages to the street and safety of the public realm;*
- *provide green infrastructure, including landscaping, open spaces, greenways and trees within the public realm..."*

The policy relating to the Protection and Provision of Open Spaces, CS21 states: *"The Borough Council will safeguard and enhance existing open spaces and establish networks of Green Infrastructure to add value to their wildlife and recreational functions. Development which would result in the loss of or reduce the recreational value of open space, including public and private playing fields, allotments and informal open space will not be permitted, unless it is of poor quality, under-used, or has low potential for open space and a better quality replacement site is provided which is equivalent in terms of accessibility and size."*

Policy CS22 deals with developments within Strategic Gaps and states: *"Land within a Strategic Gap will be treated as countryside. Development proposals will not be permitted either individually or*

2. Baseline Conditions

2.3 Local Landscape Policy (continued)

cumulatively where it significantly affects the integrity of the gap and the physical and visual separation of settlements.

Strategic Gaps have been identified between Fareham/Stubbington and Western Wards/Whiteley (the Meon gap)..."

Fareham Borough Local Plan Part 2: Development Sites and Policies (Adopted June 2015)

The Local Plan Part 2 reinforces the Core Strategy's policies relating to the natural environment. Paragraph 4.1 summarises: *"The Natural Environment is a key asset of the Borough, which provides a significant contribution to the quality of life of residents and visitors. It not only provides a natural, green setting for the Borough's settlement, but is also important for recreation and leisure uses as well as supporting the Borough's biodiversity including internationally important habitats for wildlife. The Plan is important in establishing the right balance between planning for growth and protecting the natural environment."*

Policy DSP40 Housing Allocations includes the following, which is of relevance to the proposed development site:

"Where it can be demonstrated that the Council does not have a five year supply of land for housing against the requirements of the Core Strategy (excluding Welborne) additional housing sites, outside the urban area boundary, may be permitted where they meet all of the following criteria:

i. The proposal is relative in scale to the demonstrated 5 year housing and supply shortfall;

ii. The proposal is sustainably located adjacent to, and well related to, the existing urban settlement boundaries, and can be well integrated with the neighbouring settlement;

iii. The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;

iv. It can be demonstrated that the proposal is deliverable in the short term; and

v. The proposal would not have any unacceptable environmental, amenity or traffic implications."

Policy DSP2 concerns with any environmental impact of new developments to the existing development and wider landscape, and go on stating: *"Development proposals should not, individually, or cumulatively, have a significant adverse impact, either on neighbouring development, adjoining land, or the wider environment, by reason of noise, heat, liquids, vibration, light or air pollution (including dust, smoke, fumes or odour)....".*

Policy DSP5 relates to any developments affecting the setting of historical assets and states: *"Designated and non-designated heritage assets are an irreplaceable resource that will be conserved in a manner appropriate to their significance, to be enjoyed for their contribution to the quality of life of this and future generations. The wider social, cultural, economic and environmental benefits of their conservation will also be taken into account in decision making...."* The policy goes on and state: *"....The Council will conserve Scheduled Monuments, and archaeological sites that are demonstrably of national significance, by supporting proposals that sustain and where appropriate enhance their heritage significance. Proposals that unacceptably harm their heritage significance, including their setting, will not be permitted.*

Non-designated heritage assets including locally listed buildings, historic parks and gardens, and sites of archaeological importance will be protected from development that would unacceptably harm their Architectural and historic interest, and/or setting taking account of their significance.

Policy DSP6 relates to the Core Strategy CS14 on Development Outside of the Defined Urban Settlement Boundaries and states: *"There will be a presumption against new residential development outside of the defined urban settlement boundaries (as identified on the Policies Map).....A change of use of land outside of the defined urban settlement boundary to residential garden will only be permitted where:*

i. It is in keeping with the character, scale and appearance of the surrounding area; and

ii. It will not detract from the existing landscape; and

iii. It respects views into and out of the site."

Policy DSP13 relates to the impact of new development on the nature conservation areas within the borough and states: *"Development may be permitted where it can be demonstrated that;*

i. designated sites and sites of nature conservation value are protected and where appropriate enhanced;

ii. protected and priority species populations and their associated habitats, breeding areas, foraging areas are protected and, where appropriate, enhanced;

iii. where appropriate, opportunities to provide a net gain in biodiversity have been explored and biodiversity enhancements incorporated; and

iv. The proposal would not prejudice or result in the fragmentation of the biodiversity network.

Proposals resulting in detrimental impacts to the above shall only be granted where the planning authority is satisfied that (this section of the policy should not be applied to impacts on SPA designated sites which are subject to stricter protection tests as set out in The Conservation of Species and Habitats Regulations (as amended) 2010);

i. Impacts are outweighed by the need for, and benefits of, the development; and

ii. Adverse impacts can be minimised and provision is made for mitigation and, where necessary, compensation for those impacts is provided.

Enhancements that contribute to local habitat restoration and creation initiatives as set out in the Hampshire Biodiversity Action Plan (or other similar relevant document) will be supported."

2. Baseline Conditions

Supplementary Planning Documents

Planning Obligations Supplementary Planning Document for the Borough of Fareham (Excluding Welborne) Adopted April 2016

In terms of public open space, outdoor sport and children's play equipment, Appendix B sets out that for developments of between 50-299 dwellings, 1.5ha per 1000 population is to be provided for parks and amenity open space. No sport provision is required for this scale of development. In terms of play provision, for developments between 50-199 dwellings, a LEAP is required.

Emerging Policy: Fareham Local Plan 2036 (Draft, Consultation Version)

Figure 2.3 on the following page illustrates the proposed amendments to the policies map. **Figure 2.4** shows the development allocation plan from Appendix G of the emerging local plan. The Application Site is proposed for residential development and new open space. Land to the north is also proposed as a residential allocation. Extracts of the policies relative to landscape matters are set out below:

Policy HA10 sets out the requirements of the proposed allocation, with a capacity for 55 dwellings and states that: *"Planning permission will be granted provided that detailed proposals accord with the policies in the Local Plan and meet the following site specific requirements:*

a) The quantum of housing proposed shall be broadly consistent with the indicative site capacity; and

b) Primary highway access shall be from Funtley Road; and

c) Building heights are limited to a maximum of 2 storeys; and

d) Safe pedestrian and cycle crossing points across Funtley Road and connectivity with the existing footpath/bridleway network in the vicinity of the site and eastwards towards the centre of Funtley village in order to maximise connectivity to nearby facilities and services; and

e) The creation of a vehicular loop road on the site, allowing for pedestrians and cycle permeability across the site; and

f) Proposals shall take account of the site's landscape context by incorporating view corridors from Funtley Road through to the public open space allocation to the south of the residential allocation (as illustratively shown in Appendix G). The view corridors should form part of the on-site open space and should incorporate pedestrian and cycle links, whilst vehicular crossing links should be limited; and

g) A 15m buffer shall be incorporated between development and the Great Beamond Coppice SINC to the east of the site; and

i) The provision of a building / buildings for community uses, located in an accessible location to enable a range of uses for both existing and new residents; and

j) Proposals shall either provide directly, or provide financial contribution towards the delivery (and maintenance where deemed necessary) of the following infrastructure, in line with the Council's Planning Obligations SPD:

- *Public open space on and off-site (as illustratively shown in Appendix G) (in line with the Council's Planning Obligations SPD); and*
- *a Local Area of Play (LEAP) on-site (in line with the Council's Planning Obligations SPD).*

In light of the landscape setting, this development allocation is required to take a looser, less dense approach, applying a density of around 20 dwellings per hectare (dph). In light of the rural setting, significant natural landscaping should be incorporated, so that proposals are assimilated into the landscape. Part of this assimilation includes the incorporation of view corridors, between Funtley Road and the open space south of the site, which are required to maintain visual and physical connections through the site.

Additionally, the delivery of the community uses building and public open space are critical elements in making the development acceptable, by providing additional assets for both the existing and new community. The community building envisaged is one that is multi-functional and flexible to allow for a range of small-scale community uses, whilst the proposed public open space should be more informal in nature, to take account of and strengthen the landscape setting.

Appendix F is a visual demonstration of the suggested approach to development in this location, taking account of the approach detailed above."

The other pertinent policies of the Local Plan, relative to landscape and visual matters are:

Policy CF6: Provision and Protection of Open Space, which states that: *"Proposals for new residential development will be required to provide open space to meet the needs of new residents in accordance with the thresholds and requirements set out in the Council's Planning Obligations SPD.*

Proposals seeking to develop on open space will not be permitted unless it can be clearly demonstrated that:

a) The open space is surplus to local requirements and will not be needed in the long-term following a robust assessment; and

b) Replacement provision will be at least equivalent or better in terms of quantity, quality and accessibility and there will be no overall negative impact on the provision of open space; or

c) The development is for alternative recreational provision, which meets locally identified needs and clearly outweighs the loss of the original open space; or

d) The loss of open space is replaced by a scheme which delivers high quality community, educational or health benefits and clearly outweighs the scale of the net loss of open space."

2. Baseline Conditions

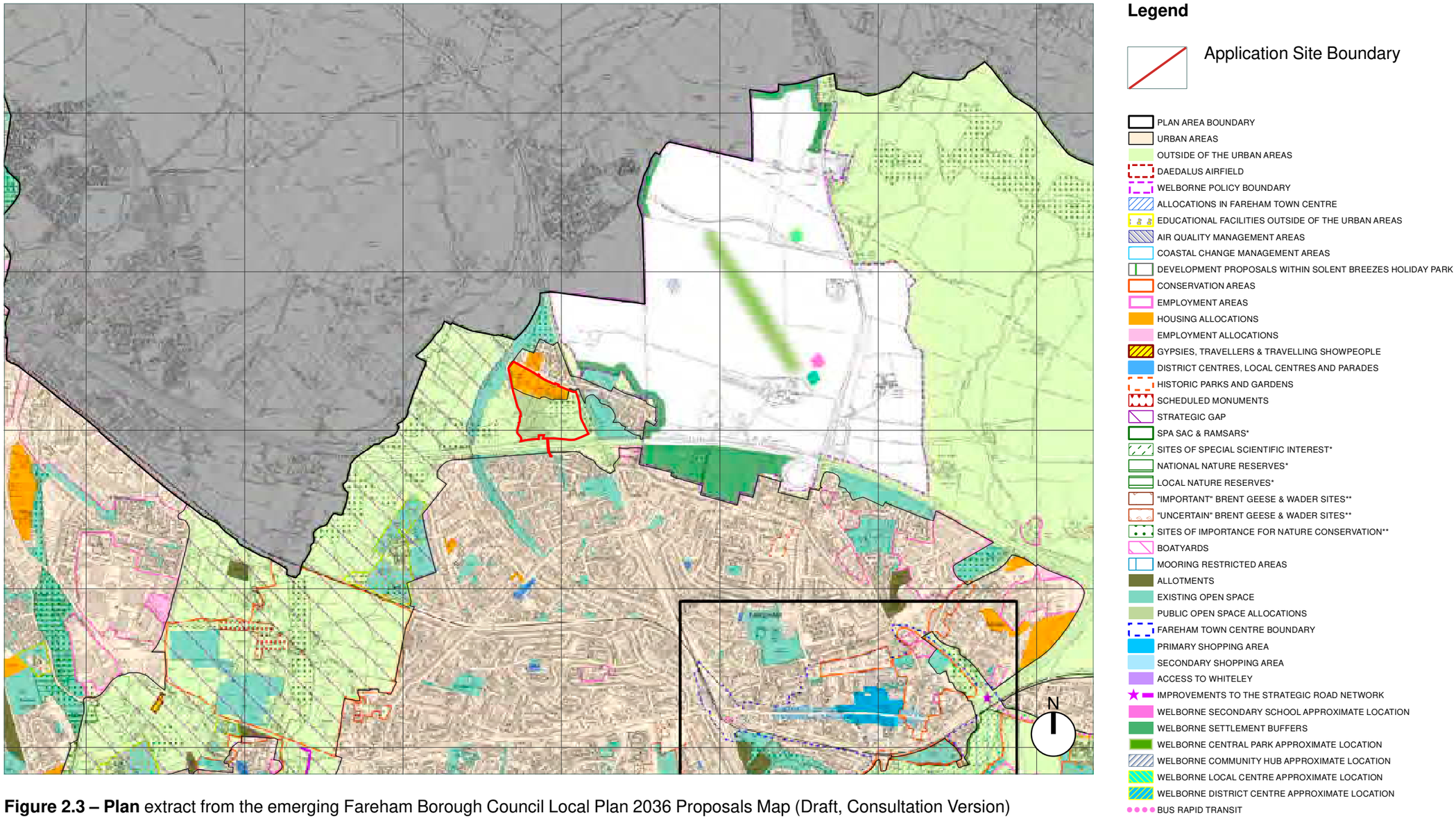


Figure 2.3 – Plan extract from the emerging Fareham Borough Council Local Plan 2036 Proposals Map (Draft, Consultation Version)

2. Baseline Conditions

Emerging Policy: Fareham Local Plan 2036 (Draft, Consultation Version) Continued

Policy NE1 deals with Landscape and states that: *"Development for all major applications will be permitted only where it can be demonstrated, through a robust landscape assessment that the proposals satisfy the specific development criteria contained within the Council's Landscape Sensitivity Assessment for the character area in which the development is located.*

Development proposals must respect, enhance and not have severe adverse impacts on the character or function of the landscape that may be affected, with particular regard to:

a) Intrinsic landscape character, quality and important features;

b) Visual setting, including to/from key views;

c) The landscape as a setting for settlements, including important views to, across, within and out of settlements;

d) The landscape's role as part of the existing Green Infrastructure network;

e) The local character and setting of buildings and settlements;

f) Natural landscape features, such as trees, ancient woodland, hedgerows, water features and their function as ecological networks; and

g) The character of the Borough's rivers and coastline, which should be safeguarded.

Major development proposals shall include a comprehensive landscaping mitigation and enhancement scheme to ensure that the development is able to successfully integrate with the landscape and surroundings. The landscaping scheme shall be proportionate to the scale and nature of the development proposed and shall be in accordance with the enhancement opportunities specified in the Council's Landscape Sensitivity Assessment."

Policy D1 is the topic for High Quality Design, setting out that all development proposals and spaces are to be of high quality, based on principles of urban design and sustainability to help create quality places. It includes the following:

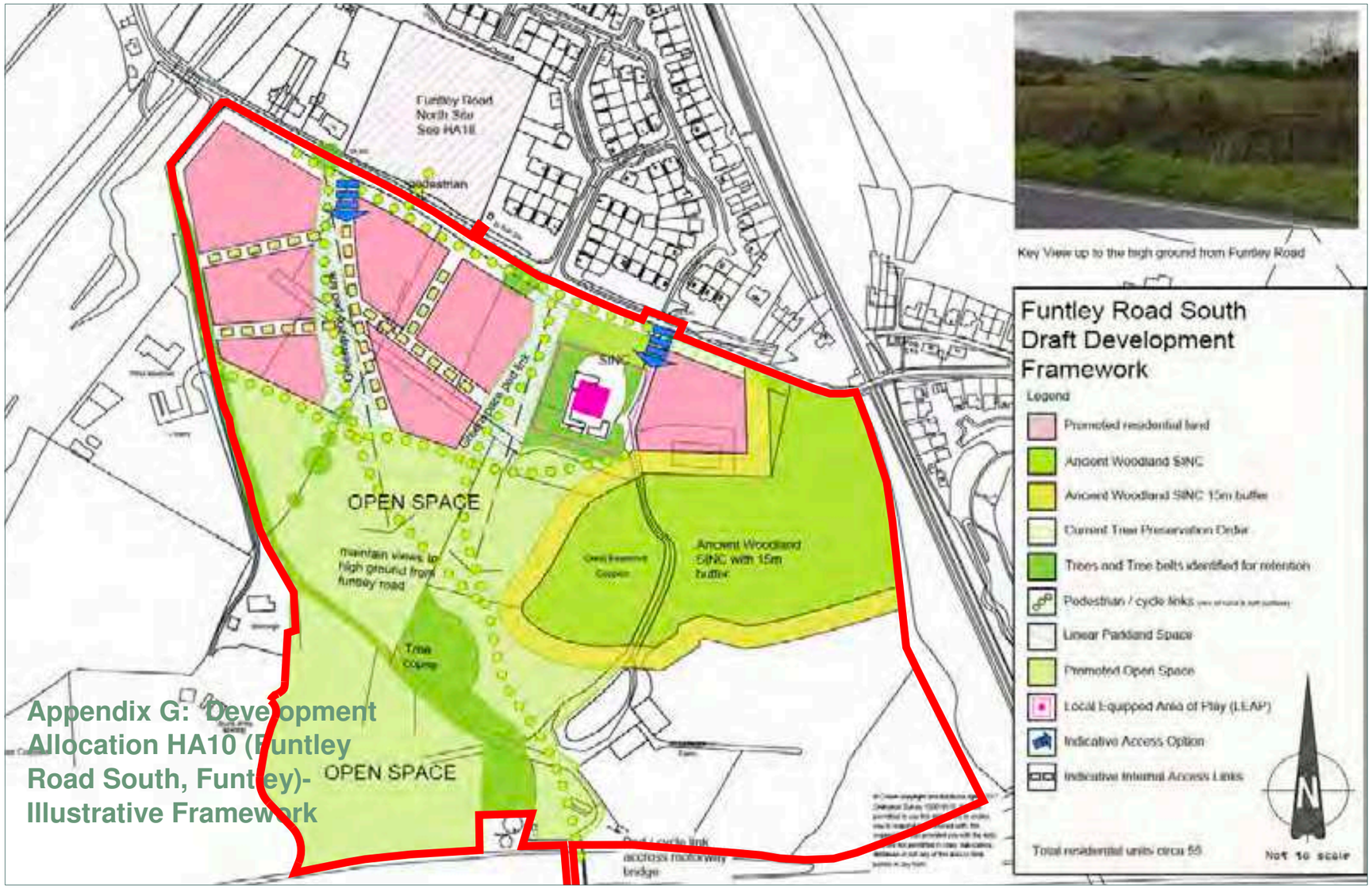
"Development proposals will be permitted where they:

a) Respond positively to and be respectful of key characteristics of the area, including heritage assets, landscape, trees and landscape features, scale, spaciousness, form and the use of external materials;...

In all instances proposals shall have regard to the adopted Borough Design Guidance SPD."

In addition to the allocation pertaining to the Site, land to the north of Funtley Road (Funtley Road North Site HA18) is subject to an allocation for around 23 dwellings on land around 0.96ha in size (see Figure 2.4).

2. Baseline Conditions



Legend

Application Site Boundary

Figure 2.4 – Plan illustrating Development Allocation HA10 from the emerging Fareham Borough Council Local Plan 2036 (Draft Consultation Version)

2. Baseline Conditions

2.4 Introduction

The following paragraphs describe the landscape receptors firstly at contextual level and secondly at Application Site level.

2.5 Topographic Context

The topography of the study area is illustrated on the plan opposite in **Figure 2.5**.

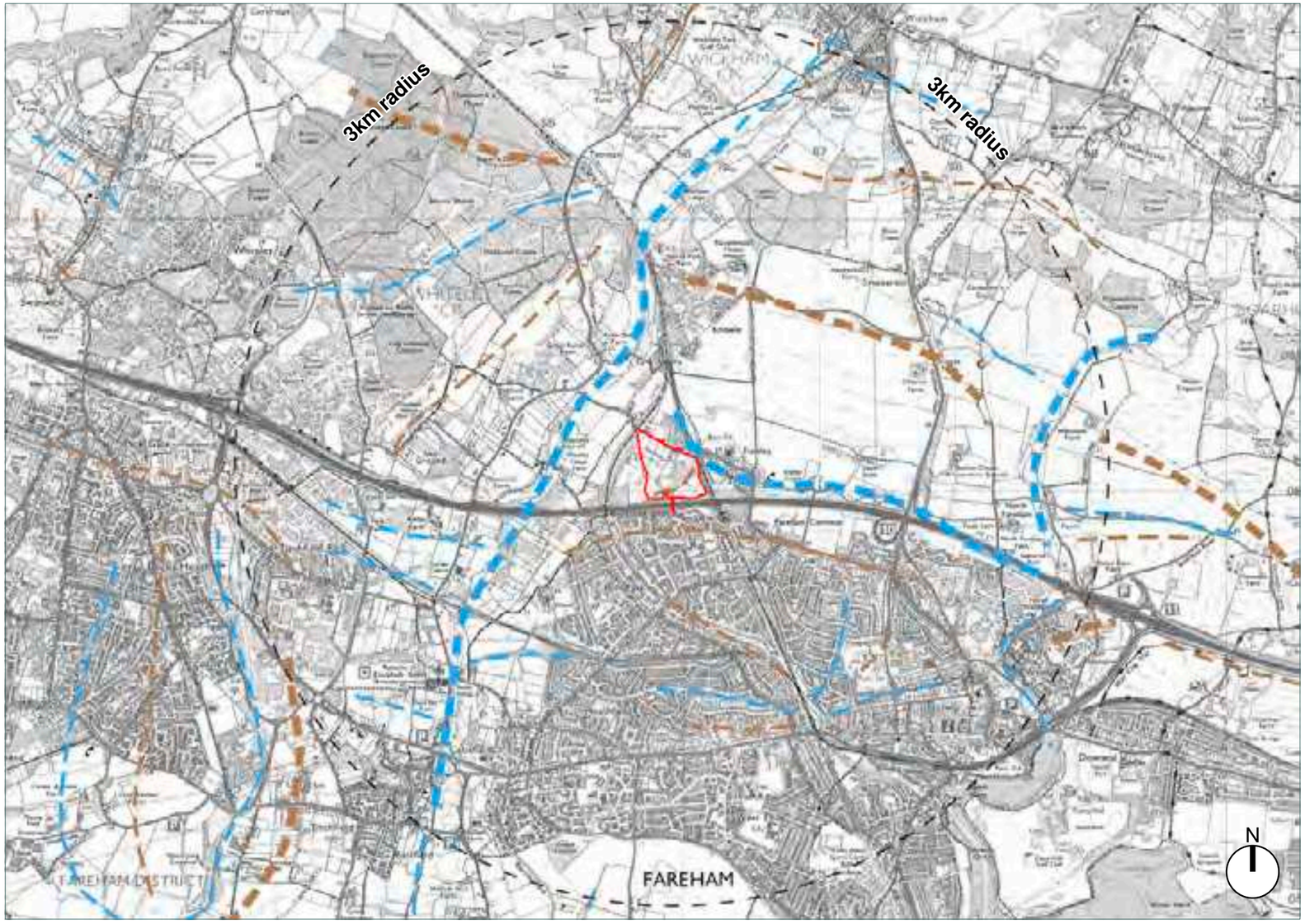
Within the northern part of the study area, two major ridgelines predominately run in a broadly east to west orientation and stretch across the northern and north-eastern section of the study area. The heights are varied and reach approximately 50m AOD to Sager's Down located to the north west of the village of Knowle.

The River Meon runs in a north-east to south-west direction across the central part of the study area. It creates a large area of valley floor between the major settlement of Fareham and smaller suburb communities and villages to the west of the study area. To the east of the study area, the eastern section of the M27 motorway with the easternmost part of Fareham sits on the valley floor, which is formed by the Wallington River to the east of the study area.

The Application Site sits on the south-western fringe of Funtley village. The southern part of the Application Site lies on a ridgeline reaching approximately 55m AOD. The topography then falls towards Honey Lane to the west and Funtley Road to the north.

The value of this landscape receptor is assessed as ranging from **Low - Medium**.

2. Baseline Conditions



Legend

- Application Site Boundary
- Study Area (3km radius)
- Major Ridge lines
- Minor Ridge lines
- Major Valleys
- Minor Valleys

Figure 2.5 – Plan illustrating Topography and Drainage (fabrik, 2018)

2. Baseline Conditions

2.6 Contextual Landscape Elements

Broad Land Use and Land Cover:

Land cover across the northern part of study area is predominantly agricultural. A number of woodlands within the study area are either Ancient or Re-planted Woodlands. The Ancient Re-planted Woodland of Great Beamond Coppice is located within the north-eastern section of the Application Site.

The Great Beamond Coppice and the tree blocks within central northern and south-western section of the Application Site are also designated as Site of Importance for Nature Conservation (SINC) and are covered by a Tree Preservation Order (TPO).

Field patterns within the study area are predominantly of small to medium scale and bounded by dense hedgerows, trees and enclosed rural lanes. The settlement of Fareham and its associated suburban areas dominates the southern part of the study area, whilst the village of Knowle is located to the north east of the Application Site. A number of smaller settlements and farmsteads are also scattered across the study area.

There are a series of locally designated Historic Park and Gardens present within the study area. Uplands is located approximately 1.5km to the south east of the Application Site, whilst the Bishopswood is located approximately 1.9km to the south east.

Additionally, the Scheduled Ancient Monument of Funtley Iron Works, with a group of Grade II Listed buildings including Ironmaster's House and Funtley House, are situated approximately 500m to the south west of the Application Site along the Ironmill Lane.

The value of this landscape receptor are assessed as ranging from **Low** - **Medium**.

2. Baseline Conditions

Legend

- Application Site Boundary
- (1) Settlement
- (2) Ancient Woodland / Ancient Re-planted Woodland
- (3) Agricultural Land
- (4) Commercial / Industrial Estate
- (5) Recreation / Golf Course
- (6) Railway Line
- (7) Watercourse / Waterbody
- (8) Scheduled Monument
- (9) Historic Parks and Gardens

Figure 2.6 – Plan illustrating land use within the study area (fabrik, 2018).

2. Baseline Conditions

2.7 Contextual Public Rights of Way

A series of public footpaths, bridleways with long distance trails are present across the study area.

Public footpaths 85, 513a, 513b, 513c and 513d traverse the landscape to the north east of the Application Site and provide connectivity between Lakeside, Funtley Road and Totsome Cottage to the north. Bridleway 515 to the north west of the Application Site connects Funtley Road and Mayles Lane to the north-west, over the M27 to the south west. To the south of the Application Site footpath 91 runs in a north west - south east direction along the M27 and creates the connection between bridleway 82 to the west, Red Barn Lane and Highlands Road to the south east.

The long distance walk of Allan King Way is located at the south-eastern edge of the study area, approximately 3.63km to the south east of the Application Site. This route provides the connection between the eastern fringe of Fareham to the wider landscape via Paradise Lane to the north east and Downend Road to the south east.

The value of these landscape receptors are assessed as ranging from **Medium - High**.

2. Baseline Conditions

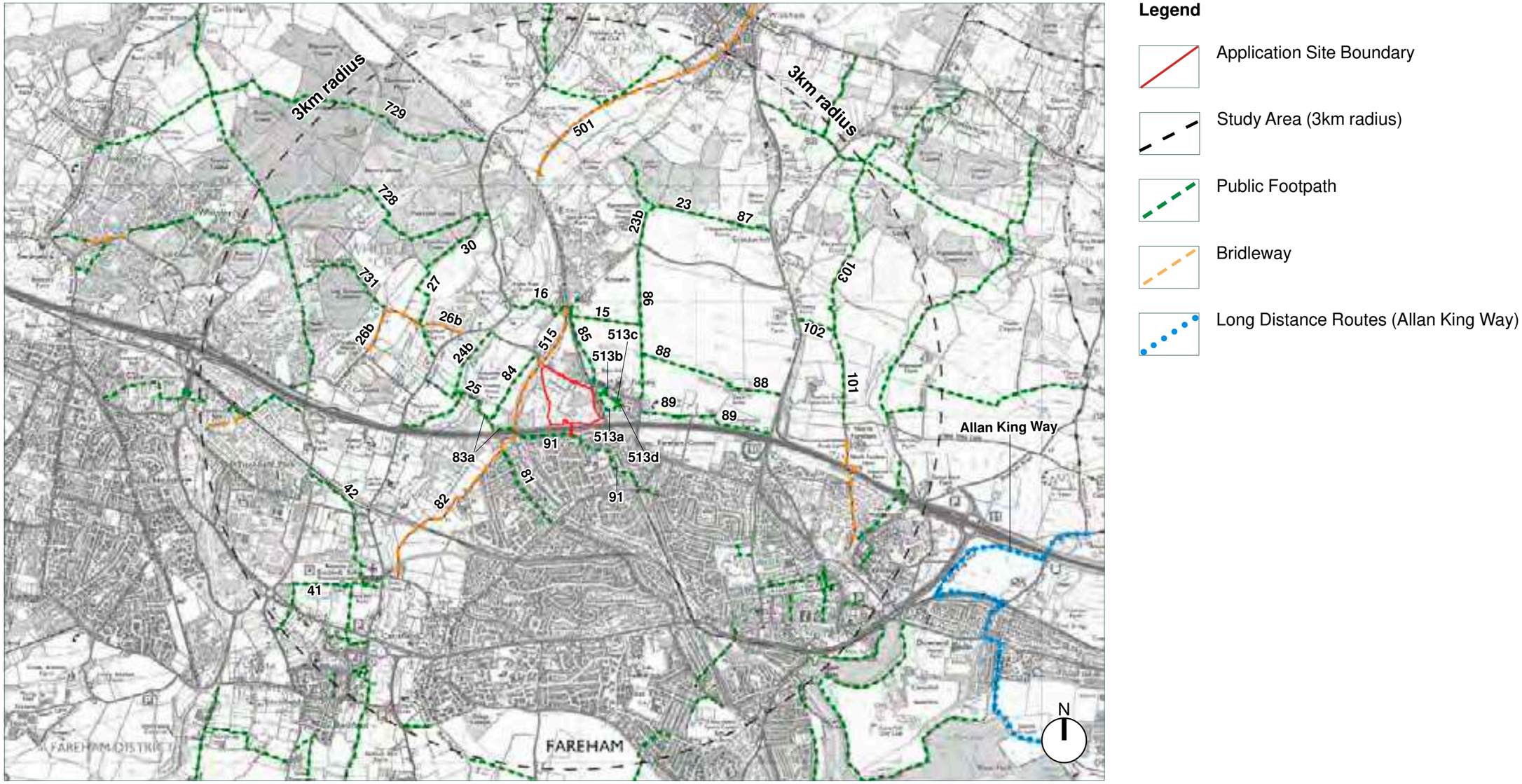


Figure 2.7 – Plan illustrating public rights of way and long distant routes within the study area (fabrik, 2018).

2. Baseline Conditions

2.8 Contextual Movement Corridors

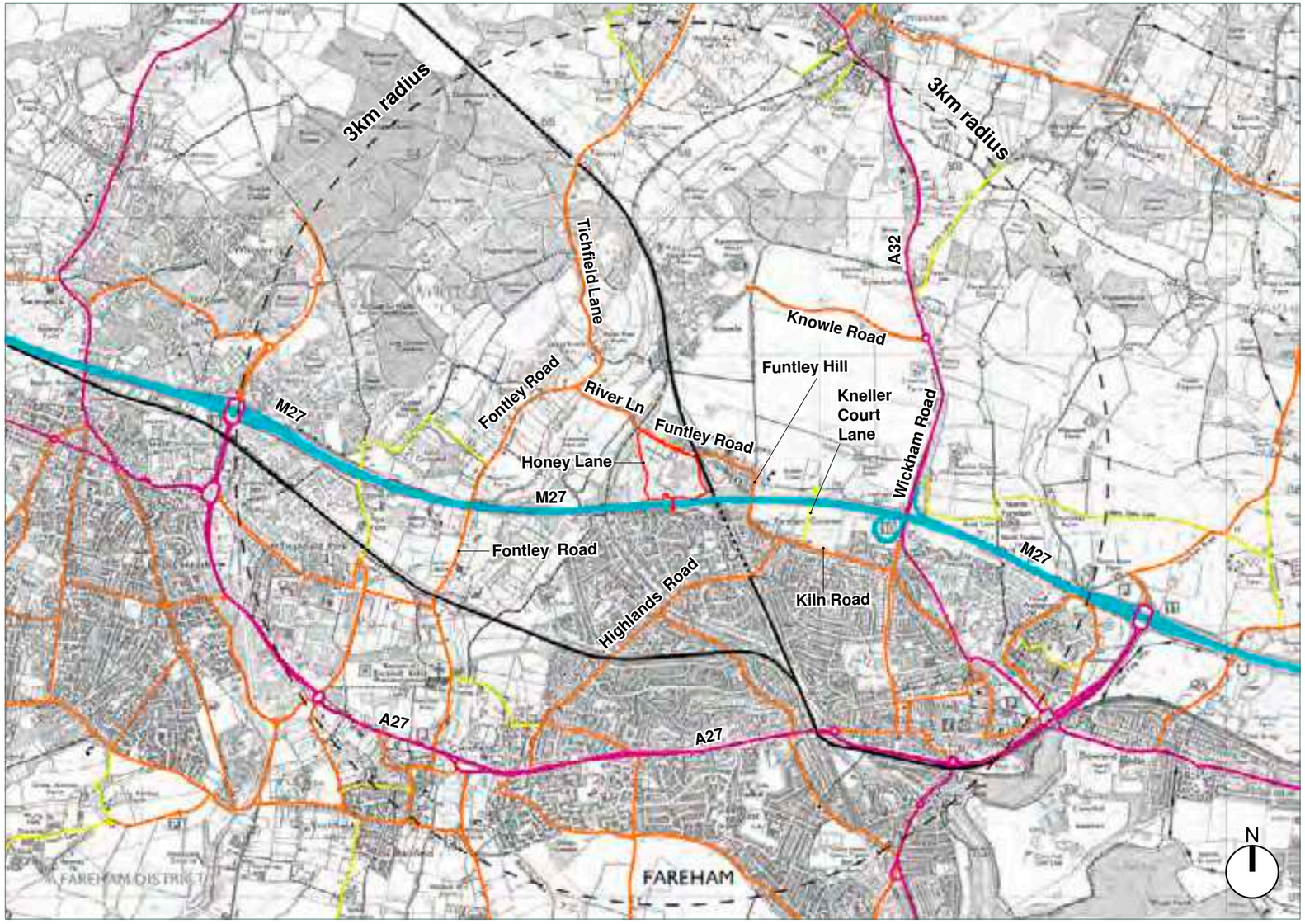
The M27 motorway is the major transport link crossing the study area in an east - west orientation immediately south of the Application Site. The A32 (Wickham Road) and A27 are the primary links from the M27 into Wickham to the north and Portchester to the east.

The secondary and tertiary roads provide connections between Fareham and smaller villages such as Funtley and Knowle. Within the immediate setting of the Application Site, Funtley Road runs along the northern boundary and connects to Tichfield Lane to the north and Kiln Road to the south.

The nearest mainline railway station to the Site is approximately 2km away in Fareham to the south-east. It provides train connections to London Waterloo, Portsmouth and Southampton.

The value of the movement corridors as a receptor are assessed as ranging from **Low - Medium.**

2. Baseline Conditions



Legend

- Application Site Boundary
- Study Area (3km radius)
- Motorway
- Primary Road
- Secondary Road
- Tertiary Road
- Railway

Figure 2.8 – Plan showing transportation links and road network within the study area (fabrik, 2018).

2. Baseline Conditions

2.9 Landscape Character Context

Introduction

The term 'landscape' commonly refers to the view or appearance of the land as perceived by people. Landscape applies to any natural, rural, urban, peri-urban areas, in land, water and seascape areas.

Landscape character is the combination of both natural / physical, cultural / social and perceptual / aesthetic influences, which give rise to a distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse and which define the 'sense of place'. The landscape is not therefore simply a visual phenomenon.

The following sections set out the landscape character framework of the study area from the national and regional level through to county and district scale based upon existing character assessments undertaken by Natural England, Hampshire County Council and Fareham Borough Council.

National Landscape Character Assessment

The general character of the English countryside has been described at a national level in the Natural England publications 'National Character Area Profiles'. The Application Site is located in National Character Area 128: South Hampshire Lowlands (2014). Refer to **Figure 2.9.**

The summary of the landscape character related to the study area is described below:

"The South Hampshire Lowlands National Character Area (NCA) is a low lying plain between the chalk hills of the Hampshire and South Downs and Southampton Water. Its highest point is an outlying chalk ridge – Portsdown Hill – but the bedrock geology is mostly open marine, estuarine and freshwater Tertiary deposits. The NCA is dominated by the city and port of Southampton and its adjoining towns and suburbs – 29 per cent of the area is urban. In the more rural areas, it is a mixture of farmland, particularly pasture, and woodland.

Some 18 per cent of the land cover of the NCA is woodland, of which almost half is designated ancient woodland, a legacy of the Forest of Bere, a Royal Hunting Forest that once covered the area. Today the most significant blocks of woodland are West Walk near Wickham, Botley Wood at Swanwick and Ampfield Wood near Romsey.

The NCA is drained by several rivers: the lower reaches of the Test and Itchen, the source and headwaters of the Hamble and the middle section of the Meon....."

The key characteristics pertinent to the study area are described as:

- *"Low-lying, undulating plain abutting the chalk downs to the north... Soils over much of the area are heavy and clayey with localised pockets of more freely draining soils on higher land.*
- *Fast-flowing chalk rivers in wide, open valleys with watermeadows and riparian vegetation that provide valuable wildlife habitats...*
- *Well-wooded farmed landscape (particularly to the east of Southampton), characterised by ancient woodland such as Botley Wood and West Walk.....*
- *Mixed agricultural landscape dominated by pasture with small pockets of horticulture and arable.*
- *An intimate and enclosed field pattern with many small and irregular fields generally bounded by mixed-species hedgerows or woodland.*
- *In parts, a very urban NCA dominated by the city and port of Southampton and other large towns such as Waterlooville and Havant. The more rural hinterland is characterised by small, loosely clustered or dispersed settlements, intermixed with isolated farmsteads.*
- *Fragmented by major transport links, including the M3 to London and the M27 to Portsmouth which cross the NCA.*

The Site is partly typical of the description for the NCA, forming part of farmland at the fringe of a major urban area. The context to the Site also includes major transport links, as well as dispersed settlements and a wider more rural agricultural landscape.

The value of this landscape receptor is assessed as ranging from **Low - High**.

2. Baseline Conditions

Figure 2.9 – Extract from National Landscape Character Area Map (Natural England, 2014)

Legend

Approximate Location of the Application Site

2. Baseline Conditions

2.9 Landscape Character Context (continued)

County Landscape Character Assessment - 3E: Meon Valley

Within the Hampshire County Council Integrated Landscape Character Assessment (May 2012), the Application Site falls within LCA 3E: Meon Valley character area. Refer to **Figures 2.10 and 2.11.** The key characteristics pertinent to the study area as described as:

- *"A fairly narrow major river valley with a relatively narrow valley floor, which passes through downland, lowland mosaic and coastal plain landscapes.*
- *Southern valley sides are indented by dry valleys and scarp faces in the downland section.*
- *Increasing proportion of grazing and improved grassland land on the valley sides from the downland to the lowland landscapes.*
- *Woodland is common on the steeper slopes and is a particular feature where the Meon passes through the lowland mosaic and coastal plain landscapes.*
- *Major communication links follow close above the valley floor, eg A32, B3334 and the disused Meon Valley railway (now a recreational route).*
- *Extensive informal enclosure field patterns and significant water meadow (fairly simple layout) survive in the downs section while assarts and formal parliamentary enclosures dominate the lowland mosaic section.*
- *Strong pattern of nucleated settlements within the valley at strategic river crossing points with relatively little 20th century expansion.*

The physical character and land use related to the study area sets out that:

"...The Meon Valley can be divided into upper, middle and lower reaches associated with changing geology and landform of the downs, lowland clay and coastal plain respectively...

The middle section (Soberton Heath to just north of Titchfield Abbey) is characterised by the presence of waterlogged soils associated with London clay. Sandier lighter soils do occur in association with the Wittering formation either side of the Meon around Wickham. The valley sides are generally a shallower gradient than in the downland setting and the valley width is narrower. Improved grassland and dairying predominate and there is a greater presence of semi and unimproved grassland on the valley bottom and woodland cover on the sides..."

The experience and perceptual character related to the study area is summarised as one where: *"The Meon Valley is full of contrasts and diversity. The downland section and lower reaches of the coastal section tend to be open landscapes whilst the opposite is true of the section in the lowland mosaic landscape. The course of the Meon valley is very distinct when viewed from the surrounding downland, appearing deceptively wooded in comparison to the surrounding chalk landscape. The river valley channel is rarely glimpsed amongst the heavily wooded landscapes in the lowland mosaic landscape.*

There are numerous opportunities for public access along and through the Meon Valley, including sections of several long distance routes such as the Wayfarer's Walk, Monarch's Way, South Downs Way and Solent Way. There is also a disused single rail track which linked Fareham, Wickham and Alton which today provides a popular, relatively flat multi user route.

The valley landscape has largely resisted expansion from adjoining urban areas and has remained relatively unchanged in recent times. As a result there is a strong sense of ruralness, seclusion, and intimate landscape character and lack of development where the valley cuts through the south Hampshire clay lowlands. In the section where the A32 runs through the valley it is generally less tranquil than the surrounding downland landscape...."

The 'Biodiversity Character' is summarised as: *"... Beyond specific designations this landscape character area comprises improved grassland and arable land with patches of unimproved and semi-improved grassland (neutral or calcareous) and are often associated with the river, suggestive of water meadows. Woodlands form discrete patches within this landscape, ranging in size and type there are broadleaved woodlands, mixed plantations and parkland, some limited coniferous plantation and active coppice with standards. Ancient woodland is very limited in this landscape..."..*

The Site is partly typical of the description for the county LCA, forming part of a valley that contains grazing land and woodland, with a nearby disused railway and public rights of way. The immediate Site context includes areas of relatively recent development and this and the Site is subject to some noise intrusion from the M27.

The value of this landscape receptor is assessed as ranging from **Low - High**.

2. Baseline Conditions

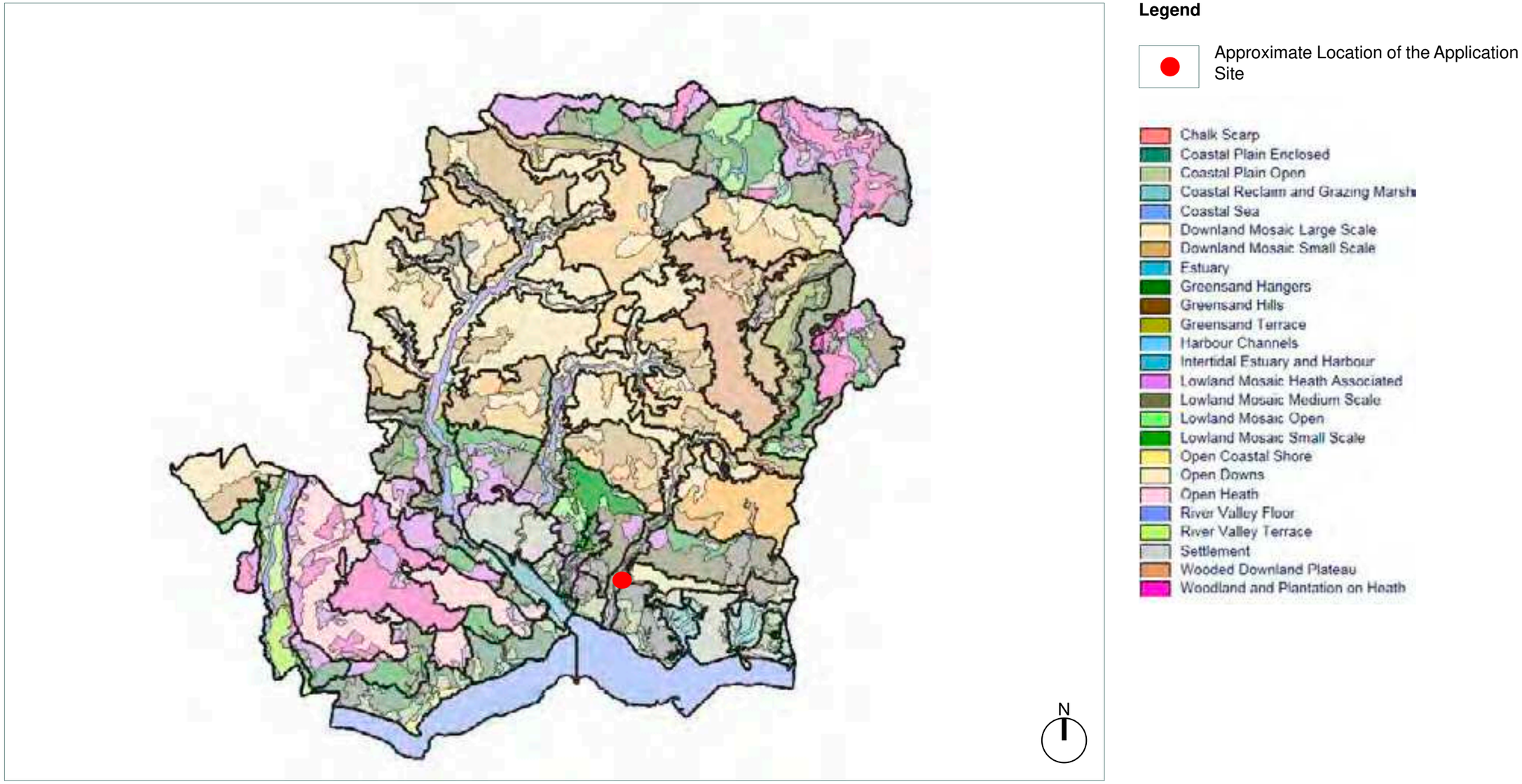
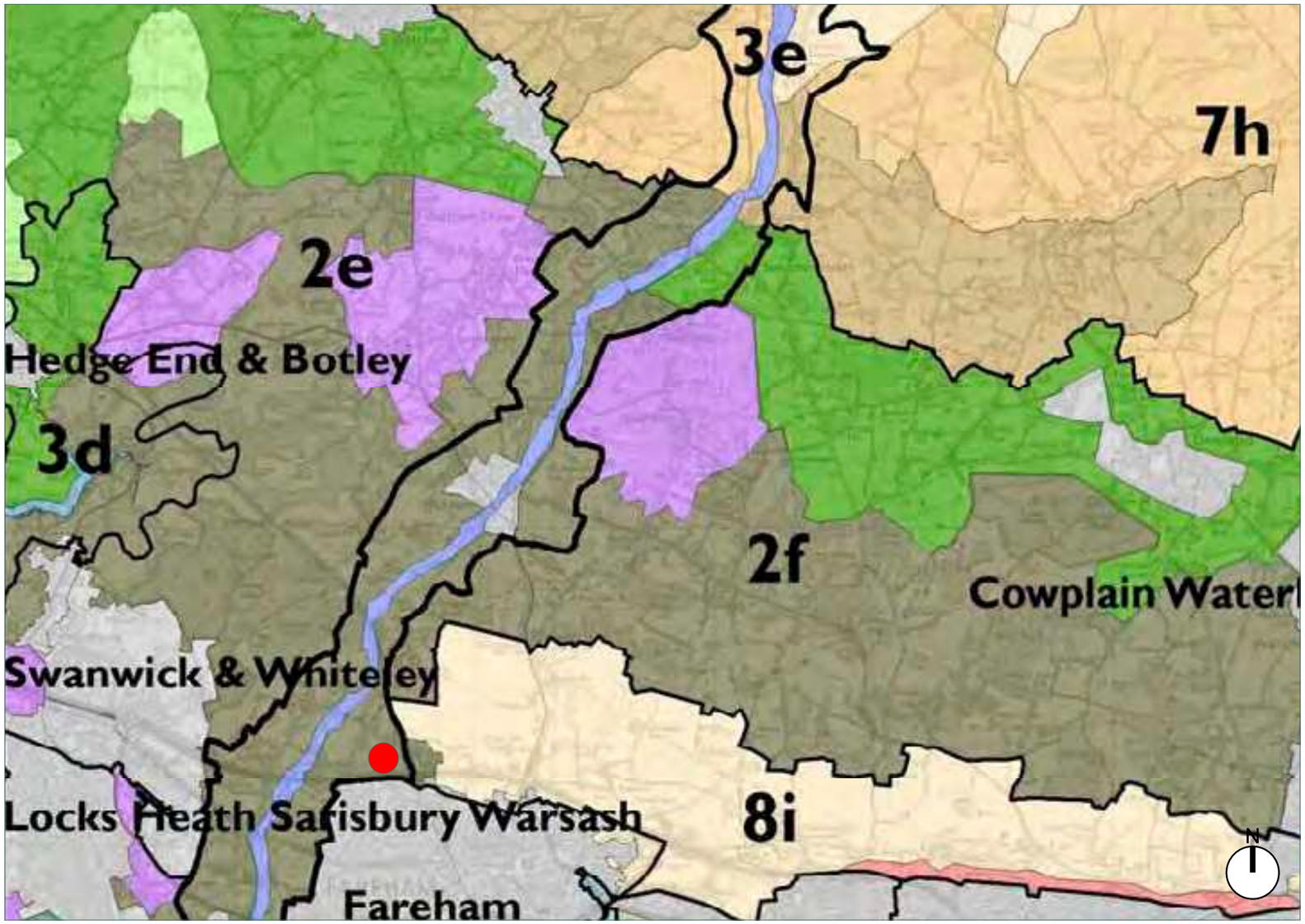


Figure 2.10 – Extract from Hampshire County Council Integrated Character Assessment Map (May 2012) showing the landscape types

2. Baseline Conditions



Legend

- Approximate Location of the Application Site
- River Valley Floor
- Lowland Mosaic Medium Scale
- Settlement

Figure 2.11 – Extract from Hampshire County Council Integrated Character Assessment Map (May 2012) showing the landscape character areas.

2. Baseline Conditions

2.9 Landscape Character Context (continued)

Local Level

Current Fareham Borough Landscape Assessment (May 1997)

This borough wide landscape character Assessment was carried out by Scott Wilson Resource Consultants for Fareham Borough Council in 1996 and covers both rural and urban areas.

Landscape Characters

Within Fareham Borough the assessment subdivides the landscape into 35 character areas (refer to **Figure 2.12).**

The Application Site is located entirely within the Landscape Character Area 6: Meon Valley. The character area is summarised as an area where:

"*The Meon Valley character area embraces the whole length of the valley within the Borough, from Funtley in the north to the coast at Titchfield Haven. Although the immediate floor and valley sides are quite narrow in places, the character area embraces a wider swathe of landscape on either side of the valley that broadly defines the extent of open countryside within the corridor between the urban edges of Stubbington, Hill Head and Fareham to the east and Titchfield Village and Titchfield Park to the west."*

The following key characteristics are pertinent to the Application Site and its environs:

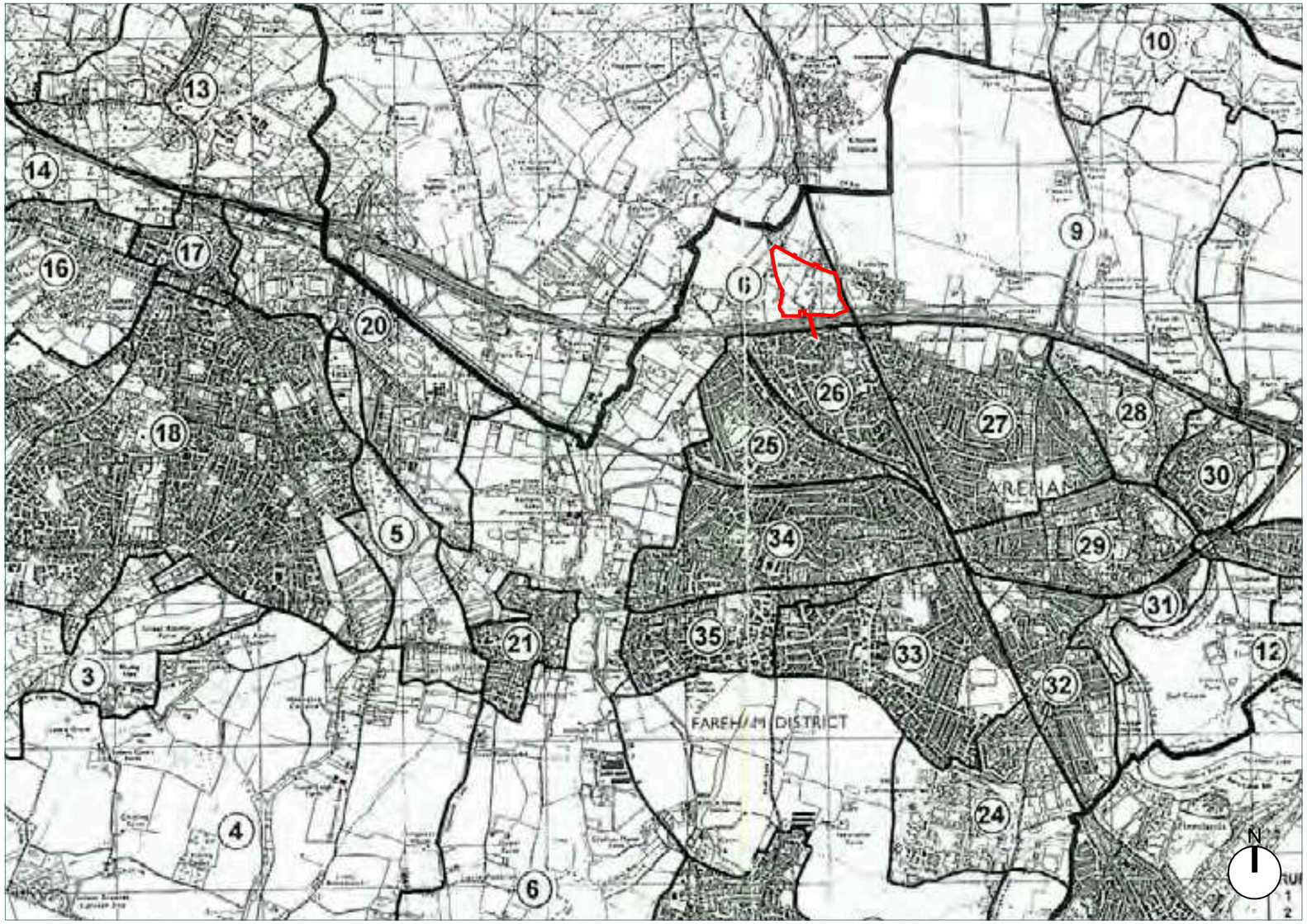
- *" a relatively gentle but distinctive valley landform, running through the Borough from Funtley in the north to the coast at Hill Head; Frequent woodland blocks;*
- *distinct valley floor characterised by small-scale pasture and variable cover of trees (typically willow and alder) in the narrower, upper reaches and broadening into open floodplain pasture and complex of wetland communities to the south at Titchfield Haven, where the natural qualities of the valley and maritime influences are most strongly evident;Small copses add to wooded character;*
- *restricted vehicular access to the valley floor resulting in a generally quiet and intimate character in the northern and southern sections of the valley, making it attractive for quiet recreation and for wildlife;*
- *a mosaic of open farmland (part of the wider coastal plain farmland), minor wooded valleys and smaller, enclosed pastures bordering the valley to the south of Titchfield, the latter helping to buffer the intrusion of adjacent urban development and fringe farmland to the east on the setting of Titchfield Haven;*
- *a more fragmented character and stronger influences of urban development and roads within the central section of the valley, resulting in some damage to the integrity of the valley form and a more suburban character;*
- *garden centre and horticultural activity around Titchfield Abbey which detract from the setting of the historic Abbey and associated buildings (a Conservation Area);*
- *dense mosaic of wooded farmland mainly to the north of the railway which provides an intimate, rural context for the river valley, but with localised intrusion of the M27 motorway bridge."*

In terms of enhancement opportunities, the assessment at para 4.27 states that: "... the Meon Valley is comparatively unspoilt and of a high quality but it is affected by roads, commercial horticultural activities and urban intrusions, particularly the central section. The emphasis should be to protect the important landscape and ecological resources of the river corridor, mitigate the effects of intrusive activities and undertake measures to reinforce the river valley character and strengthen its overall integrity."

The priorities for enhancement, relative to the Application Site include:

- *"to protect the important landscape, ecological and historical resources... the pastoral character and features of the valley floor, the complex of wooded farmland...*
- *to protect the overall integrity of the valley system from further fragmentation;*
- *to resist changes that would have an adverse impact on the rural character of the valley;*
- *to reduce the impact of roads, urban edges and horticultural development, possibly through new planting."*

2. Baseline Conditions



Legend

Application Site Boundary

Figure 2.12 – Extract from Fareham Borough Landscape Character Assessment (May 1996) illustrating character areas.

2. Baseline Conditions

2.9 Landscape Character Context (continued)

Landscape Assessment (August 2017) Evidence Base to the Fareham Borough Council Local Plan 2036

As part of the evidence base to the emerging Local Plan, the Landscape Character Assessment has been updated. Part 1 includes the character assessment, with a landscape Sensitivity Assessment at Part 2.

In the updated assessment, the Application Site continues to be located in LCA 6: Meon Valley and within the Mixed Farmland and Woodland: Small Scale landscape type. The following extract is pertinent to the Application Site:

"The Meon Valley character area embraces the whole length of the valley within the Borough, from Funtley in the north to the coast at Titchfield Haven. Although the immediate floor and valley sides are quite narrow in places, the character area embraces a wider swathe of landscape on either side of the valley that broadly defines the extent of open countryside within the corridor between the urban edges of Stubbington, Hill Head and Fareham to the east and Titchfield Village and Titchfield Park to the west.

The Meon Valley is characterised by:

- *A relatively gentle but distinctive valley landform, running through the Borough from Funtley in the north to the coast at Hill Head;*
- *Distinct valley floor characterised by small-scale pasture and variable cover of trees (typically willow and alder) in the narrower, upper reaches and broadening into open floodplain pasture and complex of wetland communities to the south at Titchfield Haven...;*
- *A mosaic of open farmland (part of the wider coastal plain farmland), minor wooded valleys and smaller, enclosed pastures...;*
- *A more fragmented character and stronger influences of urban development and roads within the central section of the valley, resulting in some damage to the integrity of the valley form and a more suburban character;*
- *Dense mosaic of wooded farmland mainly to the north of the railway which provides an intimate, rural context for the river valley, but with localised intrusion of the M27 motorway bridge."*

In Part 2 of the LCA, in the Sensitivity Assessment, the Application Site lies within Area 6.2 and sub section b, which is described as where: *"...built development also screens public views in from the edge of the Fareham urban boundary to the east.... The motorway cutting and railway corridors prevent views into the northern part of this area from the edge of Fareham and from the main village of Funtley. Wider views from the countryside areas to the north-west of this area are also screened by extensive vegetation cover and intervening landform, road and rail corridors etc...*

Within the area, there are no views from the motorway or rail corridors that cross the valley, and views from much of the road network within the area (including Southampton Road, Segensworth Road and Titchfield Road), are also substantially screened by roadside vegetation or buildings, with only very occasional glimpses. There are, however, some more open views through or over the roadside hedgerows into the river floodplain from Mill Lane, the lower part of Fishers Hill and from Bridge Street, which forms the southern boundary, and from Funtley Road and River Lane in the north.

The main views of the area are obtained from the extensive public rights of way network that runs through the valley landscape... Further routes run parallel to the railway embankment that divides areas 6.2a and 6.2b, and along the valley sides and disused railway line in the vicinity of Funtley to the north. These routes are generally well connected, and offer an appreciation of the various landscape, ecological and historic features within the valley and an opportunity to experience its unspoilt qualities and underlying sense of seclusion. Overall the quality and value of the available views and visual amenity is high, although affected in places by the influence of built development or unsightly land uses....

The main people who could potentially be affected by changes in views would therefore be local residents, users of the PRoW network within the valley... and users of the local road network within the area itself."

In terms of Visual Sensitivity and Development Potential, the assessment identifies that: *"There are a few small pockets of land which are enclosed by strong hedgerows or vegetation an less visible, and/or lie within areas where views are already affected by built development or intrusive/ unsightly land uses (e.g. small pockets of undeveloped land within existing residential areas off the Funtley Road...) In all cases, any development would need to be small scale and sensitively integrated within the existing or new vegetation structure to avoid adverse visual impacts. Measures to improve the quality of views through the removal of intrusive or unsightly features... should be encouraged."*

The assessment identifies the following relative to the Contribution to Green Infrastructure Network: *"This area makes a significant contribution to green infrastructure, particularly in respect of the riparian habitats and extensive areas of semi-natural woodland and tree cover within the river corridor (designated as SINCs) which are valuable ecological and landscape features. It also makes a significant contribution through the network of public rights of way that provide access for quiet recreation and appreciation of landscape, ecological and heritage assets... Crucially, this network provides both cross-valley links with the surrounding urban areas and links along the valley to the north and south. In addition to the PRoW network, the area includes a few areas of publicly accessible open space, including a recreation ground to the north of the Southampton Road near Titchfield and playing fields, woodlands and the corridor of a disused railway line in the northern part of the area. The Meon Valley*
2.9 Landscape Character Context (continued)

Landscape Assessment (August 2017) Evidence Base to the

2. Baseline Conditions

Fareham Borough Council Local Plan 2036

is identified in the PUSH GI strategy as a 'sub-regional scale blue corridor' and project C6 of the strategy applies to the Upper Meon Valley and seeks "to conserve and enhance this area to ensure continued contribution to sense of place, climate change adaptation, providing open space close to urban areas for recreation and tourism".

The Fareham GI Strategy 2014 proposes a number of GI enhancement projects across the area, the majority of which form part of larger "borough wide" projects that will enhance the area's contribution to the wider GI network. These include:" (relevant to the local area and the Application Site)

"BW6 – General programme for the improvement/ repair of bridges within the rights of way network to ensure the continuation of high quality access to the countryside.

BW10 – Project to create a circular walking route encompassing the Meon Valley Trail, Shipwright's Way and South Down's Way, linking these existing routes together while enhancing their connectivity with the settlements of Fareham and Titchfield and the wider PRoW network.

BW13 – Same as the PUSH Project C6 which applies to the whole of the Meon Valley LCA.

In terms of Sensitivity and Development Potential relative to GI the assessment states that: *"Existing GI assets (e.g. the mosaic of riparian, grassland and woodland habitats as well as existing PRoW and areas with public access) should be protected and, where possible, enhanced to maximise their ecological, landscape and amenity value, and development that would adversely affect them should be avoided. The emphasis in this area is more on making further improvements to the existing access and habitat links along the valley to the north and south, and the GI infrastructure within the urban areas to the east and west."*

The conclusions of the study for the 6.2 area are set out under a sub-section, Development Criteria and Enhancement Opportunities. Those aspects pertinent to the Application Site state that: *"This is an area of high overall sensitivity, particularly in respect of the character and quality of the landscape resource, the abundance of valued landscape, ecological and heritage features across a large proportion of the area, its role in preventing the coalescence of settlements and maintaining their distinctive separate identities and landscape settings, and its significant contribution to green infrastructure, particularly in respect of ecological and landscape assets and the extensive network of public rights of way and access routes within the area.*

This wide range of sensitivities mean that development potential is highly constrained across the entire valley landscape and any significant development is likely to have unacceptable impacts upon one or more of the area's important attributes. The only opportunity may be to accommodate development within small pockets of undeveloped land within existing residential areas, e.g. off the Funtley Road..., as long as it is of a similar character and scale to other dwellings within the locality and can be sensitively integrated within the landscape to avoid adverse impacts.

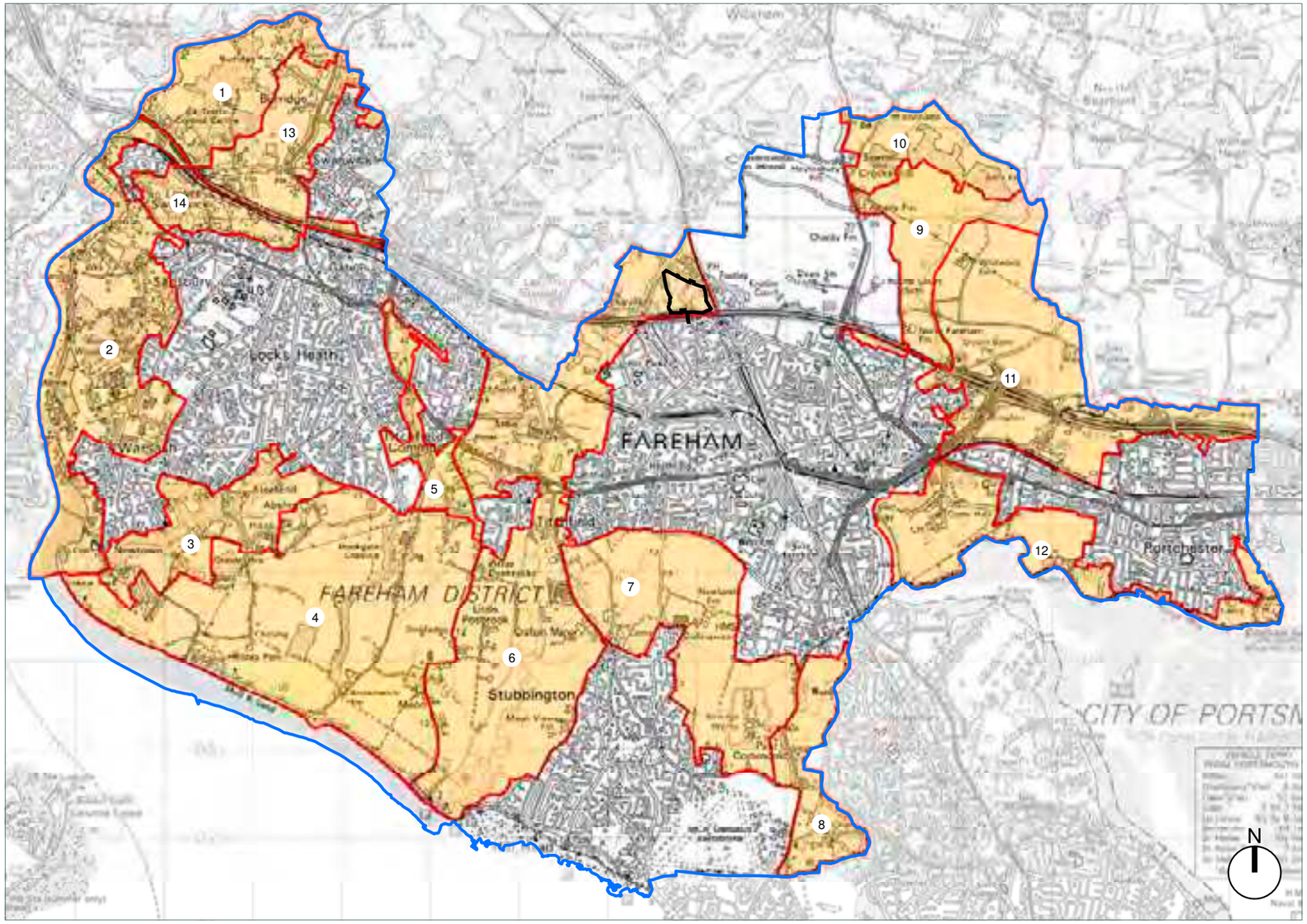
In order to protect and enhance the character and quality of landscape resources, views and visual amenity, urban character and green infrastructure, development proposals would need to:

- *Protect and enhance features of recognised landscape, ecological, heritage or amenity value within the area as a whole, and the extensive network of public rights of way and other access routes within the valley...*
- *Protect and enhance the existing cover of woodland, trees, hedgerows and other mature vegetation along field boundaries, watercourses and roadsides, to maximise its screening, landscape and wildlife potential;*
- *Maintain the essentially secluded, rural and unspoilt countryside character of the valley landscape, and the local lanes and access routes within the area, avoiding intrusive or inappropriate urban styles of lighting, signage, paving etc. and other intrusive features;*
- *Be of a small-scale and located only in places where it can be carefully integrated within well-treed, strongly enclosed plots of land in association with existing development, fits within the existing field pattern and is of a similar character and scale to similar built development within the locality;*
- *Maintain and enhance the function and quality of the existing GI network (in accordance with the PUSH and Fareham GI strategies) and take advantage of opportunities to strengthen and extend access and habitat links within the area, in particular with other parts of the Meon Valley and the urban areas on either side of the valley;*
- *Provide enhancement of the valley landscape... through removal or mitigation of intrusive or unsightly features, and restoration of field boundaries and other landscape features within 'denuded' or degraded landscapes (e.g. areas used for horse grazing or horticulture with a weak hedgerow structure and 'fringe' characteristics)."*

The Site is largely typical of the description for the borough LCA, forming part of a valley with pasture, open farmland, urban development and areas of woodland. The M27 motorway results in some intrusion, and this, and the woodland and landform limit views. As described by the LCA, the Site forms a pocket of land that is enclosed by vegetation and is already somewhat affected by existing residential areas off Funtley Road. Vegetation within the Site is also important to the green infrastructure network of the character area. Significant development is inappropriate but small pockets of development such as off Funtley Road may be accommodated if of a similar scale or character to other dwellings.

The value of the landscape character area are assessed as being Low - **Medium**.

2. Baseline Conditions



Legend

Application Site Boundary

Figure 2.13 – Extract from Fareham Borough Landscape Character Assessment (2017) illustrating character areas.

2. Baseline Conditions

Table 2.1 Summary of Contextual Landscape Receptors and Value	
Landscape Receptors	**Value**
Heritage Assets	Medium
Topography	Low - Medium
Land Use	Low - Medium
Transport Links	Low - Medium
Public Rights of Way	Medium - High
Landscape Character	
National	Low - High
County	Low - High
Local	Low - Medium

2. Baseline Conditions

2.10 Existing Landscape Conditions at Site Level

Figure 2.14 illustrates the existing landscape elements within the Application Site.

Landscape Designations

The Application Site lies wholly in an Area Outside of the Defined Urban Settlement. The north-western section of the Application Site is designated as Existing Open Space. However, the emerging local plan proposes deletion of this existing open space and the incorporation of the site within the Funtley settlement boundary.

Great Beamond Coppice in the eastern part of the Application Site is an Ancient Re-planted Woodland, which together with the tree blocks within central northern and south-western sections of the Application Site are also designated as a SINC and are covered by a TPO.

Heritage Assets

There are no heritage designations on or adjacent to the Application Site, nor does it sit within or adjoin a Conversation Area.

Within the context to the Site is the Grade II Listed buildings of the Church of St Francis (to the east on Funtley Road). A Scheduled Ancient Monument, the site of Funtley Iron Works together with a group of Grade II Listed buildings including Ironmaster's House and Funtley House are situated approximately 500m to the south west of Application Site, along the Ironmill Lane.

As such, at the site level, the value of this receptor is **Low.**

Topography

The Application Site lies on a north east facing slope with the localised steep ridgeline forming the southern boundary. The landform reaches approximately 52.98m AOD in the south west corner and falls towards a low point of approximately 18.77m AOD to the north-western corner of the Site.

The landform around the existing stables and built form within the north-eastern and southern part of the Application Site have been modified and where there is a level change of approximately 2m.

The value of this landscape receptor is assessed as **Medium** overall.

Land Use and Vegetation

The Application Site lies on the south-western fringe of the village of Funtley and is bound by Funtley Road to the north, Honey Lane to the west (and the elevated disused railway beyond) and the M27 to the south. There is currently no public access into the Site from the M27 and the footbridge. The Application Site is currently accessed from Funtley Road (opposite Stag Way).

The land use within the Application Site is predominantly pasture land (at the time of the assessment used as horse paddocks) bound by in the main by fencing comprising of timber post and rail, with additional wire in places. Woodland or hedgerows form some external and all external boundaries. There are also fences at the outer boundaries, within the vegetation. Access to the paddock is provided via a series of informal, mainly grassed private routes with the Site. Some hard surfacing occurs along the main access drive and parts of two tracks running west of this.

Small areas within the Application Site have been historically used as brick pit and brick yard. These have been restored back to agricultural use with imported clean soil and proposed planting following by the approval of the reinstatement scheme in April 2003 (Application Reference: P/03/0253/MW).

Great Beamond Coppice, alongside the other informal tree groups and treebelts form significant landscape features of the Application Site.

The value of this landscape receptor is assessed as **Medium** overall.

Landscape Character

The landscape character of the Application Site is described as consisting predominantly of a series of pasture fields with agricultural built form and associated hardstanding. The mature boundary vegetation and Great Beamond Coppice frames the fields and together with the landform, provides significant visual enclosure to the Application Site from the wider landscape.

The immediate setting to the Application Site comprises the predominantly two storey dwellings of Funtley to the north; the M27 motorway and the urban fringe of Fareham to the south; a combination of fields and dwellings to the west which is contained from the wider landscape by the mature tree belt associated with the elevated disused railway line; and to the east by the railway line in cutting and associated vegetation.

The northern section of the Application Site is therefore already influenced by the existing residential edges and is of a typical semi-enclosed character, consistent with the western edge of Funtley.

As set out under the published landscape character assessment section above, the Site is largely typical of the defined borough character area within which it lies.

The value of this landscape receptor is assessed as **Medium**.

Public Rights of Way

There are no public rights of ways located within or along the Site. However, the bridleway 515 (former railway line) is located in close proximity (approximately 38m) to the north-western part of the Site.

The value of this landscape receptor is therefore assessed as **Low**.

2. Baseline Conditions

Legend

- Application Site Boundary
- Ancient Re-planted Woodland (Great Beamond Coppice)
- Existing woodland blocks
- Existing individual trees
- Existing boundary vegetation / hedgerow
- Existing pasture grassland
- Existing built form / stables
- Existing hardstanding / tarmac
- Internal access road / path
- Direction of Slope
- Bridleway

Figure 2.14 – Plan showing the existing landscape conditions within the Site (fabrik, 2018)

2. Baseline Conditions

Table 2.2 Summary of Landscape Receptors and Value within Site	
Landscape Receptors	**Value**
Landscape Character	Medium
Heritage Assets	Low
Topography	Medium
Land Use and Vegetation	Medium
Landscape Character	Medium
Public Rights of Way	Low

2. Baseline Conditions

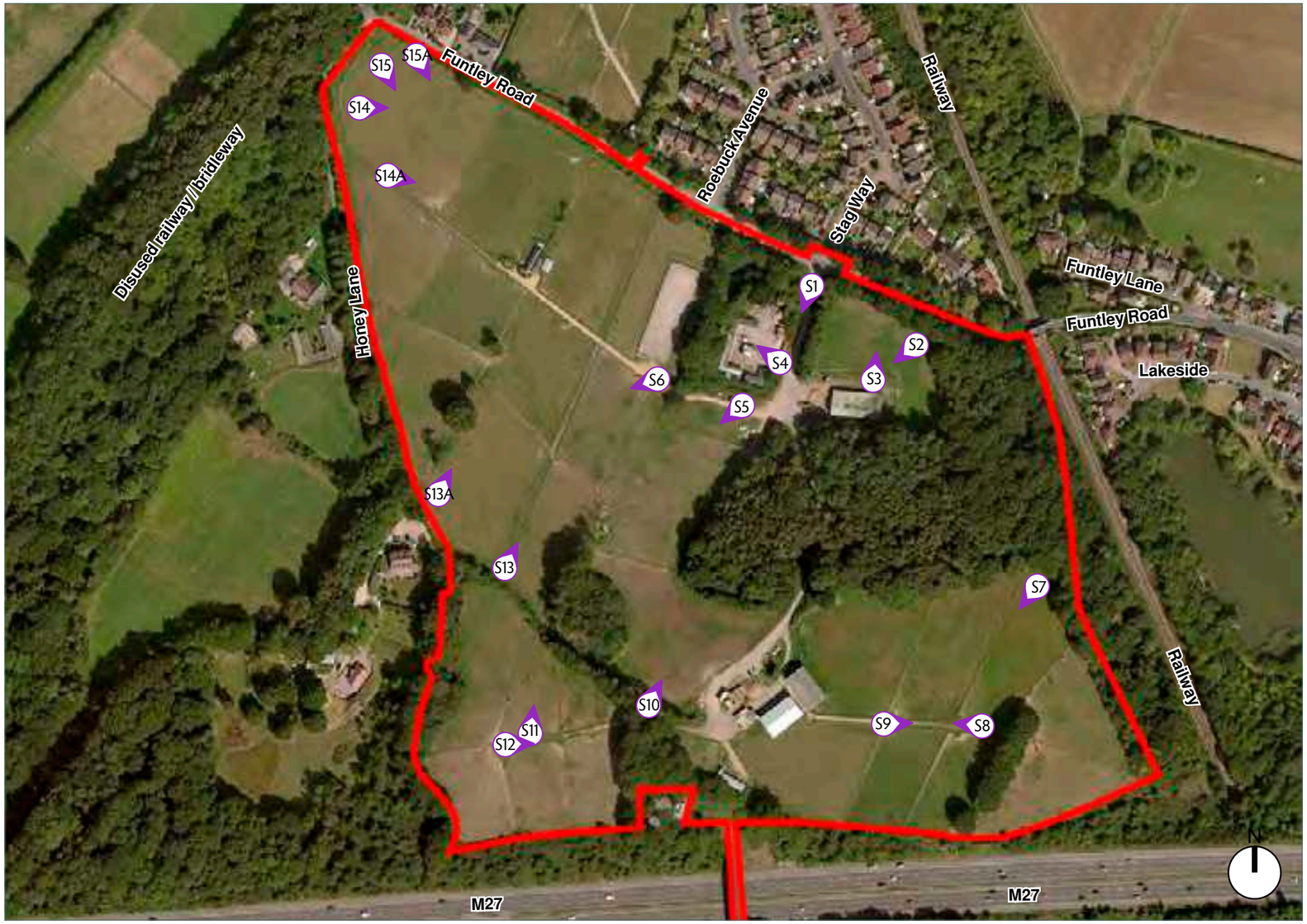
2.11 Internal Visual Survey

A visual inspection of the Application Site was conducted on 7th June 2017. A winter visual appraisal was carried out on 5th January 2018.

Figure 2.15 on the following page illustrates the location of the internal photographic viewpoints to the Site. Photos 1- 15 which follow, illustrate the existing Application Site conditions. Photos 14A and 15A are taken from slightly different positions to the summer photos. Photo 13A is taken from inside the Site, adjacent to the boundary, representing a winter view that is similar to summer external viewpoint 4.

While the summer and winter views show slight differences in the position of the viewpoint and focal lengths of camera lens used, there are otherwise, no material differences in the view.

2. Baseline Conditions



Legend

Application Site Boundary

Viewpoint location

Figure 2.15 – Plan illustrating locations of internal photographs within the Site (fabrik, 2018)

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site

Summer Views

Photograph – Viewpoint S1
View looking south from Funtley Road towards the northern portion of the Application Site. The existing tarmacadam access road is visible centrally within this view. The access road is lined by mature trees and established vegetation, which largely obscures views into the internal ground plane of the Site.

Photograph – Viewpoint S2
View looking south west across the eastern portion of the Application Site from north-eastern corner. The existing pasture land dominates the foreground with topography rising towards the south. The existing built form is apparent in the middle distance with the Ancient Re-planted Woodland of Great Beamond Coppice evident in the distance. Views out to the east, west and south are obscured by the intervening mature boundary vegetation and landform.

Photograph – Viewpoint S3
View looking north towards the northern Site boundary from the north-eastern part of the Application Site. The existing pasture grassland dominates this view with topography sloping towards the northern boundary. The mature tree belt lines along the north-eastern boundary obscure views out of the Application Site from this location.

Photograph – Viewpoint S4
View looking west towards the western boundary of the Application Site. The existing hardstanding forms the foreground of this view, interspersed with existing stable units in the middle distance. The existing mature trees and vegetation are apparent behind the existing stable blocks and obscure views out to the west from this location.

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site

Winter Views

Photograph – Viewpoint S1 Winter View
There is little change to the visibility across the Site in winter.

Photograph – Viewpoint S2 Winter View
There is little change to the visibility across the Site in winter.

Photograph – Viewpoint S3 Winter View
There is slightly increased visibility towards vehicles on Funtley Road and of dwellings to the north of the Site, in winter.

Photograph – Viewpoint S4 Winter View
There is little change to the visibility across the Site in winter.

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site (Continued)

Summer Views

Photograph – Viewpoint S5
View looking south west across paddocks within northern cental section of the Application Site. The existing pasture grassland dominates the foreground, set on rising ground. Due to a section of lower hedging along the south-western Application Site boundary, the existing built form along southern section of Honey Lane is apparent in the distance.

Photograph – Viewpoint S6
View looking south west across paddocks within northern central section of the Application Site. The existing pasture grassland dominates the foreground with topography rising to meet the southern and south-western Site boundaries in the distance. Due to a section of lower hedging along the south-western Application Site boundary, the existing built form along southern section of Honey Lane is apparent in the distance.

Photograph – Viewpoint S7
View looking south west across paddocks within the south-eastern section of the Application Site. The existing pasture grassland dominates the foreground with topography rising towards the ridgeline in the middle distance. The existing vegetation is apparent in the distance, however, glimpsed views of the roofline of the existing residential built form along Lechlade Gardens (south of the M27) are apparent from this location.

Photograph – Viewpoint S8
View looking west across paddocks within the south-eastern part of the Application Site. The existing grass path and pasture grassland dominates this view with topography gently rising to meet the existing barns in the distance. The existing mature vegetation along the southern part of the Application Site and Great Beamond Coppice is evident in the distance and along with topography, obscures views out to the west and south from this location.

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site (Continued)

Winter Views

Photograph – Viewpoint S5 - Winter View
Visibility across the Site remains largely the same in winter.

Photograph – Viewpoint S6 - Winter View
Visibility across the Site remains largely the same in winter, albeit there is slightly increased visibility of the property along Honey Lane. The landform prevents significant views beyond the Site boundary despite reduced leaf cover.

Photograph – Viewpoint S7 - Winter View
Visibility across the Site remains largely the same in winter. There is however, slightly increased visibility of existing dwellings south of the M27, without leaf cover to vegetation.

Photograph – Viewpoint S8 - Winter View
Visibility across the Site remains largely the same in winter. The landform prevents significant views beyond the Site boundary despite reduced leaf cover.

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site (Continued)

Summer Views

Photograph – Viewpoint S9

View looking east across paddocks within the south-western section of the Application Site. The existing pasture grassland dominates the foreground with the landform falling towards the mature tree line in the middle distance. The existing mature vegetation along the south east section of the Application Site is apparent in the distance and obscures the majority of views out to the east and south. However, glimpsed views of rooflines of the existing residential built form within Funtley beyond the site, are apparent in the distance.

Photograph – Viewpoint S10

View looking north east within the central part of the Application Site. The existing understorey vegetation dominates the foreground with mature trees along the internal field boundaries. The existing topography slopes towards the north with views of Great Beamond Coppice apparent in the middle distance. Due to the existing landform, the roofline of existing residential built form along Funtley Road and Roebuck Avenue are apparent in the distance. Glimpsed views of an existing 3 storey built form within neighbouring village of Knowle are also evident in the far distance, through gaps within the existing boundary vegetation and landform.

Photograph – Viewpoint S11

View looking north across paddocks within the south-western section of the Application Site. The existing pasture grassland dominates this view with topography rising to meet the field boundary. Existing vegetation along the western boundary and trees to the east are apparent and with landform, limits views out to the west and east. However, glimpsed views of a wider elevated landscape are evident in the distance to the north.

Photograph – Viewpoint S12

View looking north across paddocks within the south-western section of the Application Site. The existing pasture grassland dominates this view with the existing topography falling steeply towards the north. An existing tree line to the east is evident in the distance and obscures views out to the east from this location. However, views of wider landscape to the north are evident with existing built form along Funtley Road visible due to existing landform.

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site (Continued)

Winter Views

Photograph – Viewpoint S9 - Winter View
There is slightly increased visibility beyond the Site, including of dwellings within Funtley, in winter.

Photograph – Viewpoint S10 - Winter View
The photo is taken standing slightly closer to the fenceline than in summer. The lack of leaf cover allows increased visibility across the Site and to existing dwellings within Funtley and within Knowle village.

Photograph – Viewpoint S11 - Winter View
The viewing position is from a slightly higher point, allowing views across the Application Site as it slopes down to the north, and of existing properties just north of the Site, the disused railway line to the west, and wider elevated landscape beyond the built form at Funtley. Parts of built form at Knowle village and pylons form part of the scene to the north.

Photograph – Viewpoint S12 - Winter View
There is slightly increased visibility within the Site in winter, with glimpses of the barns in the south-eastern part area. The glimpses of Funtley and Knowle village (to left, beyond edge of photo) remain in winter.

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site (Continued)

Summer Views

Photograph – Viewpoint S13
View looking north east across paddocks within the western part of the Application Site. The existing pasture grassland dominates this view with topography falling steeply towards the northern boundary. Partial views of hardstanding within the northern part of the Application Site are evident in the distance to the north east. Due to the existing topography, views of wider landscape beyond the Application Site are evident with existing built form along Funtley Road and Roebuck Avenue apparent from this location.

Photograph – Viewpoint S14
View looking east across paddocks within the north-western part of the Application Site. The existing pasture dominates this view with existing undulating topography rising towards to east and south west. The existing vegetation along northern boundary of the Application Site is visible with views of Great Beamond Coppice evident in the distance. Views out to east and south are obscured by the dense vegetation within Application Site. However, views of roof and upper storey of existing two storey built form along western part of Funtley Road are apparent through gaps within vegetation and landform.

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site (Continued)

Winter Views

Photograph – Viewpoint S13 Winter View
In winter, the reduced leaf cover reveals more of the existing built form to the north of the Site.

Photograph – Viewpoint S14A Winter View
The viewpoint is taken from the access path south of the paddock from which summer view 14 was taken. In winter, there is slightly increased visibility of existing built form at Funtley to the north of the Site.

Photograph – Viewpoint S13A additional Winter View
View looking north to north-east from the south-western edge of the Site, by the boundary hedge which separates the Site from the existing property at the southern end of Honey Lane. This photo also provides a winter equivalent of external viewpoint 4. Existing built form at Funtley and further north of the village is visible beyond the Site. Existing outbuildings and part of Great Beamond Coppice are visible to the right in the photo.

2. Baseline Conditions

2.11 Photographic Study - views within the Application Site (Continued)

Summer and Winter Views

Photograph – Viewpoint S15

View looking south east across paddocks from the north-western part of the Application Site. The existing pasture dominates this view with existing undulating topography rising towards the south. The existing vegetation along the western Application Site boundary is visible with views of Great Beamond Coppice evident in the distance. The dense vegetation within the Application Site obscures views out to the west and south.

Photograph – Viewpoint S15A Winter View

The viewpoint is taken from the access path north of the paddock from which summer view 15 was taken. The landform and dense vegetation within the Site and at its boundaries mean that visibility beyond the Site remains similar in winter. There is a very limited glimpse of the roof of the building at the south end of Honey Lane (adjacent to the Site) and of the roof of a vehicle parked within its curtilage.

3. Visual Baseline Conditions and Sensitivities

3.1 Introduction

The extent to which the internal ground plane and vegetation associated with the Application Site are visible from the surrounding landscape is based on grading degrees of visibility. It is determined from a visual inspection of the land within the Site and its context from roads, public rights of way and properties.

Seasonal change in existing evergreen and deciduous plant material will affect the available views. Typically views will be different through the seasons with a greater sense of enclosure in the summer months when deciduous trees are in leaf.

The plans that follow show the actual visual summary of the Application Site from the immediate environs. The photographs 1-19 then describe each of these views.

No winter views were taken for photo viewpoints 15-19 due to the significant level of visual screening by vegetation and in places, by landform.

3.2 Visual Appraisal

The plans on the following pages (Figures 3.1 and 3.2) illustrate the visual summary of the land within the Application Site from the surrounding landscape.

Views of the internal ground plane and vegetation of the Application Site are limited to the immediate local landscape due to the undulating topography and intervening layers of vegetation and build form.

Residential Receptors

Views from residential receptors are limited to those located in close proximity to the Site along the Funtley Road, Roebuck Avenue, Stag Way and Honey Lane. Refer to photographs 4 - 8.

There is slightly increased visibility of the Site in winter, in particular for properties along the south sides of Funtley Road which have windows facing in the direction of the Site.

The value of the residential receptors is judged to be **medium**.

Historic Receptors

There are no views from the Listed Buildings and Scheduled Ancient Monument located in the study area - along the Ironmill Lane and Skylark Meadows within Skylark Golf and Country Club. Refer to photographs 11 and 19. There is no significant change in the visibility in winter, and these receptors are not considered as part of the visual impact appraisal.

Transport Corridors

There are open and partial views of the internal ground plane and landscape features of the Application Site from Funtley Road, Roebuck Avenue and southern section of Honey Lane. Views are only from those parts of these roads in close proximity to the Site. Views from the wider road network are truncated. Refer to photographs 4 - 8.

There are slightly increased views into the Site in winter from Funtley Road and Roebuck Avenue, without leaf cover. Views from Honey Lane remain largely obscured except for two sections to the north and south where there is a gap in the vegetation (north) and a low hedge (south) at the boundary with the Site.

The value of the transport corridors is judged to be **low**.

Public Rights of Way

The majority of receptors from the public rights of ways within the local, middle distance and wider landscape are truncated due to intervening topography, vegetation and built form. Refer to photographs 1, 2, 11 - 19.

In winter, from viewpoint 2 (path around the lake by Lakeside) within Funtley, there are increased glimpses through the vegetation along the railway embankments. As the ground plane of the Site is not discernible, it is not possible to distinguish any vegetation within the Site from the general dense vegetation visible around the railway line from this location.

Reduced leaf cover to vegetation along the disused railway line to the west of the Site (Bridleway 515) allows glimpses through to the ground plane of the Site, but only from positions in close proximity to the crossing over Funtley Road (photographs 12A and 14A). In these views, existing built form at Funtley is also visible.

The highest part of the Site to the south, around the existing telecommunications mast is visible as a part of panoramic views looking back to Funtley village from two Public Rights of Way to the east - see photographs 9 and 10 (from Footpaths 88 and 89 respectively).

From viewpoint 9 in winter, the ground plane of a small part of the south-eastern part of the Site, the telecomms mast and nearby existing barns are visible, together with Great Beamond Coppice and other boundary vegetation within the south astern area of the Site.

From viewpoint 10 in winter, the upper part of the mast, barns and small part of the Copse are visible above existing dwellings and vegetation at the edge of Funtley. The ground plane of the Site is obscured, even in winter.

No extensive views across the ground plane of the Site are available from these locations.

The existing southern boundary vegetation is visible from the M27 footbridge to the immediate south (photograph 3) however, this vegetation in turn obscures internal views of the land within the Application Site.

The value of the users of the public rights of way is judged to be **medium**.

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3. Visual Baseline Conditions and Sensitivities

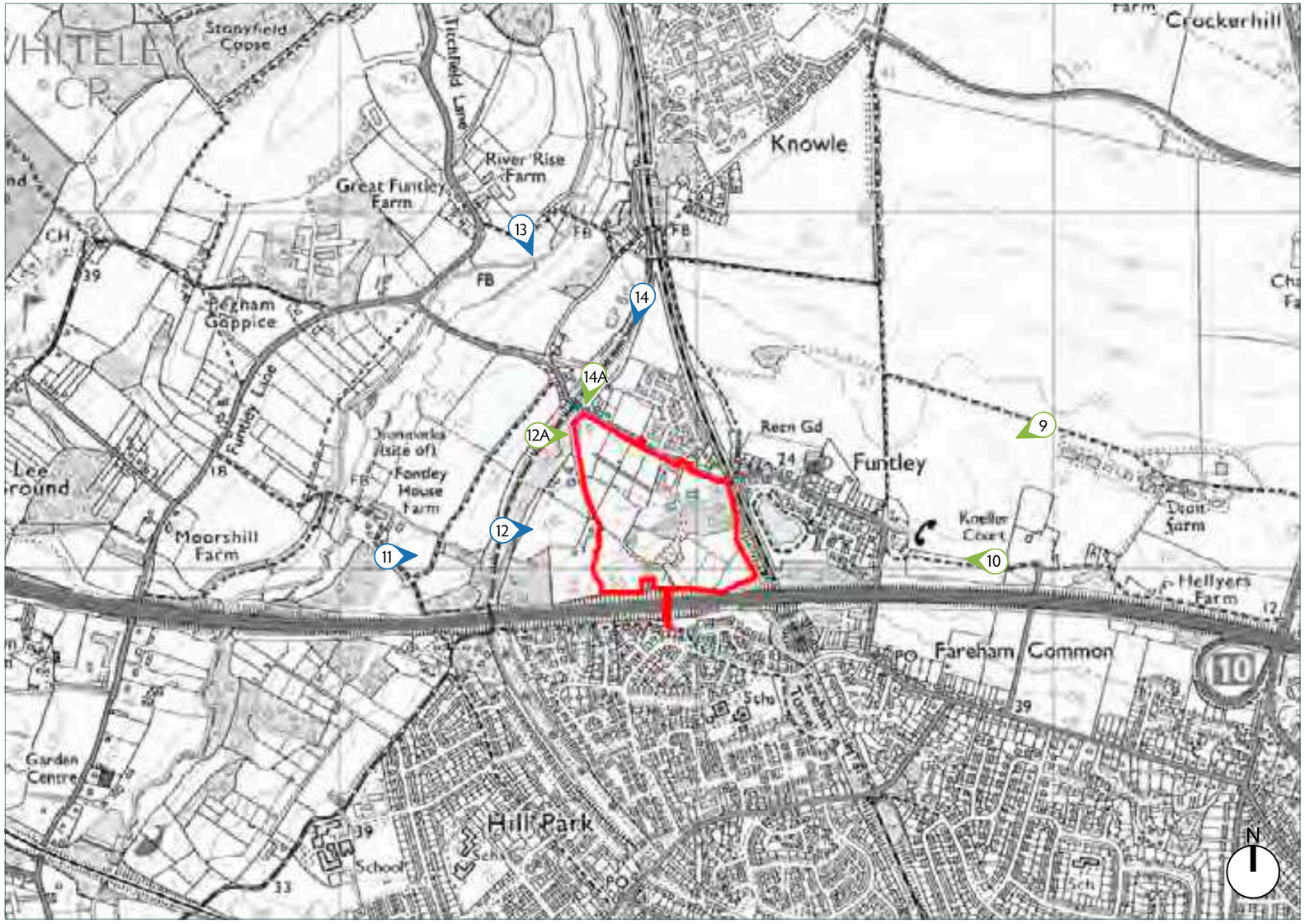


Figure 3.1 – Location Plan showing Visual Summary from the local area (fabrik, 2018)

Legend

Application Site Boundary

1 Location of Photographic viewpoint – Open View (An open view of the whole of the Site or open view of part of the Site).

2 Location of Photographic viewpoint – Partial View (A view of the Site which forms a small part of the wider panorama, or where views are filtered between intervening built form or vegetation).

3 Location of Photographic viewpoint – Truncated View (Views of the Site are obscured by the intervening built form and / or vegetation, or is difficult to perceive).

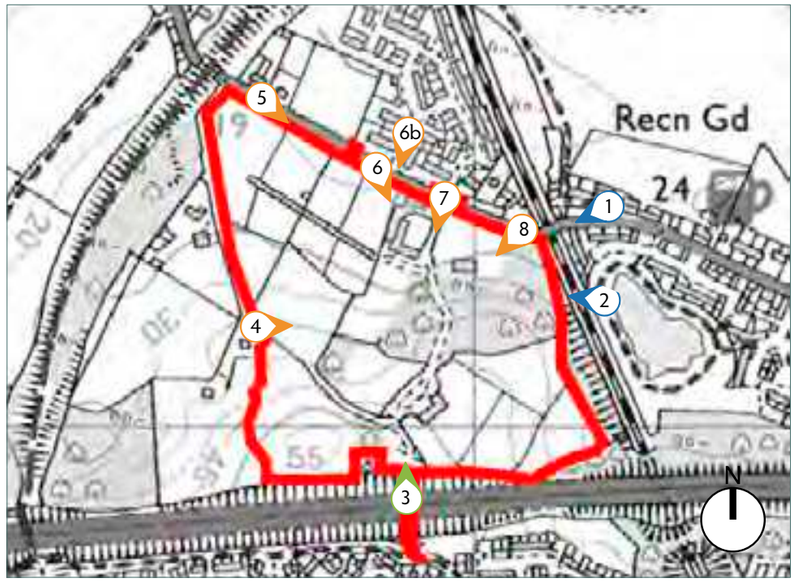


Figure 3.2 – Location Plan showing Visual Summary in close proximity to the Site (fabrik, 2017)

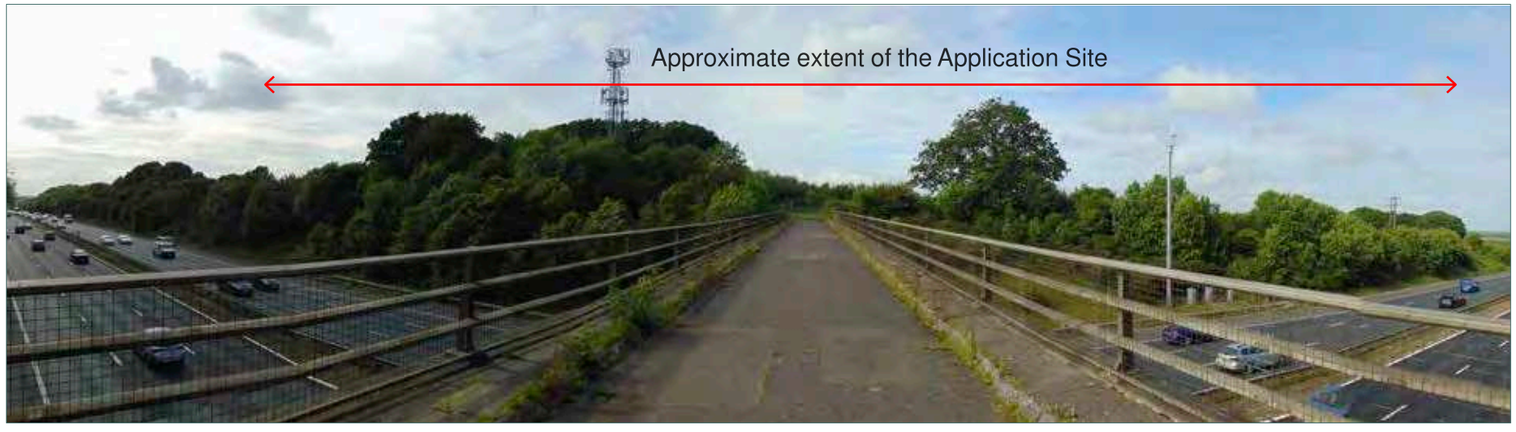
3. Visual Baseline Conditions and Sensitivities

3.3 Visual Appraisal from the Local Area

Summer Views

Photograph – Viewpoint 1
View looking south west towards the Application Site from the eastern section of Funtley Lane (Footpath 85). The existing residential built form along Funtley Lane dominates this view with mature hedgerow forming a vegetated edge along this part of the lane. Glimpsed views of the top section of Great Beamond Coppice along the north-eastern edge of the Application Site is apparent. Views of the internal ground plane within the Application Site are truncated.

Photograph – Viewpoint 2
View looking west towards the Application Site from an informal footpath at the edge of the lake to the south west of Lakeside (south of Funtley Road). Mature trees and vegetation dominate this view and forms a green corridor along the path. The intervening vegetation, which includes that alongside the live railway (right, truncates any views of the internal ground plane within the Application Site from this location.



Photograph – Viewpoint 3
View looking north towards the Application Site from the footbridge to the south of the Application Site over the M27. The footbridge and the mature tree belt planted along the motorway edge dominates this view. Partial views of the existing mature trees and vegetation along the southern Application Site are evident behind the existing vegetation that lines the motorway. Views into other areas across the Application Site are truncated by the intervening vegetation and topography from this location.

3. Visual Baseline Conditions and Sensitivities

3.3 Visual Appraisal from the Local Area

Winter Views

Photograph – Viewpoint 1 Winter View
The photo is taken from a position standing slightly further west along Funtley Lane (due to the presence of a large vehicle on the road). However, in winter, there is no significant change in the visibility of the Site in winter from any section of this lane.

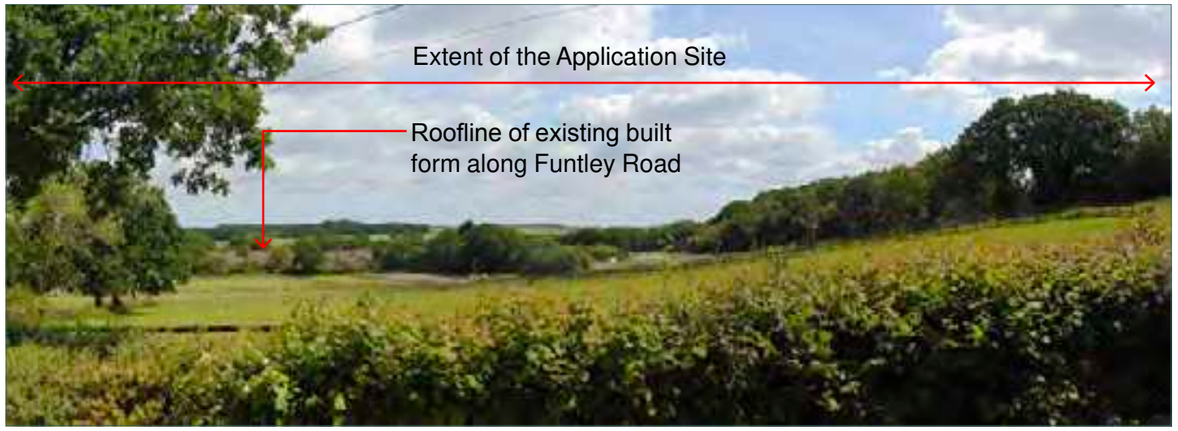
Photograph – Viewpoint 2 Winter View
There is no significant change in the visibility of the Site in winter.

Photograph – Viewpoint 3 Winter View
There is no significant change in the visibility of the Site in winter.

3. Visual Baseline Conditions and Sensitivities

3.3 Visual Appraisal from the Local Area

Summer Views



Photograph – Viewpoint 4
View looking east towards the Application Site from the existing hardstanding area associated with the private dwelling 'Bramleigh' located on Honey Lane. The existing boundary vegetation and pasture grassland within the Application Site dominates the view. Open view of the internal plane, boundary vegetation and the Great Beamond Coppice are apparent from this location.

Photograph – Viewpoint 5
View looking south east towards the Application Site from Funtley Road (by properties just east of the disused railway bridge). Views of existing residential built form along Funtley Road dominate the foreground with mature trees and vegetation along the northern Application Site boundary apparent. Views of the internal ground plane within the Site are truncated due to intervening boundary vegetation.

Photograph – Viewpoint 6
View looking south east towards the Application Site from the junction of Roebuck Avenue and Funtley Road. Views of existing residential built form around the entrance of Roebuck Avenue and mature trees and vegetation along the northern Site are apparent. Views of the internal ground plane within the Application Site are truncated due to intervening boundary vegetation.

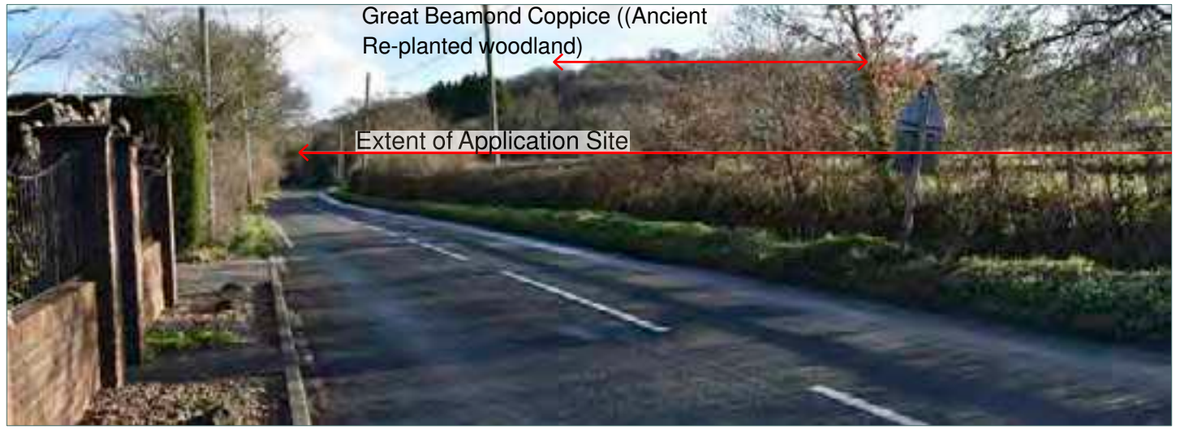
Photograph – Viewpoint 6b
View looking south east towards the Application Site from Roebuck Avenue. The residential built form with its associated private garden along Roebuck Avenue dominates this view with the topography within the Application Site rising towards the local ridgeline. Open views of the central part within the Application Site occur, funnelled along the road with mature vegetation evident in the distance. Views into other areas within the Application Site are truncated by intervening vegetation, topography and built form from this location.

3. Visual Baseline Conditions and Sensitivities

3.3 Visual Appraisal from the Local Area

Winter Views

Note: For the winter photo relating to Viewpoint 4 (taken from curtilage to Bramleigh), refer to internal winter viewpoint 13A (above) which is taken from the Site-side of the hedge at the boundary with the property Bramleigh.



Photograph – Viewpoint 5 Winter View
In winter, the ground plane of the Site becomes apparent without leaf cover to the northern boundary vegetation.

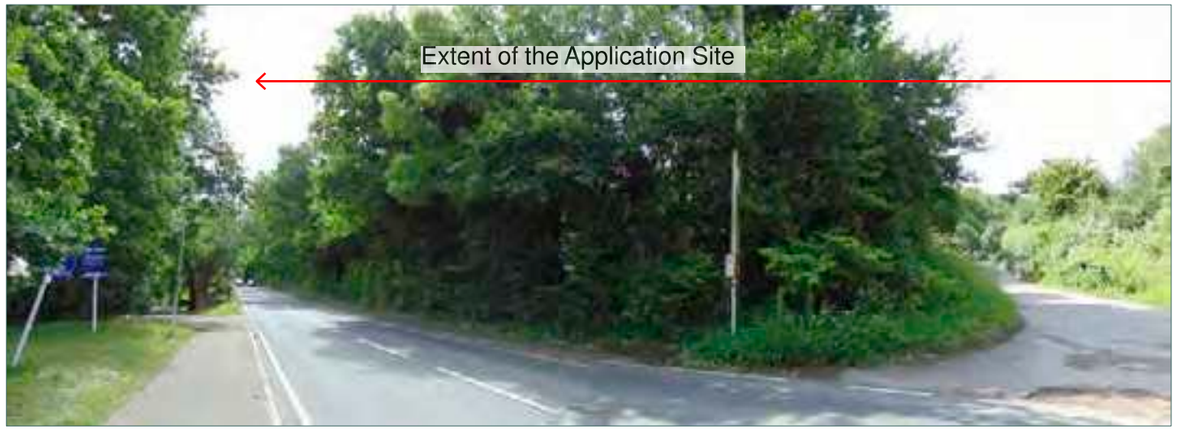
Photograph – Viewpoint 6 Winter View
There is little change in the visibility of the Site in winter.

Photograph – Viewpoint 6b Winter View
There is slightly increased visibility of the Site in winter.

3. Visual Baseline Conditions and Sensitivities

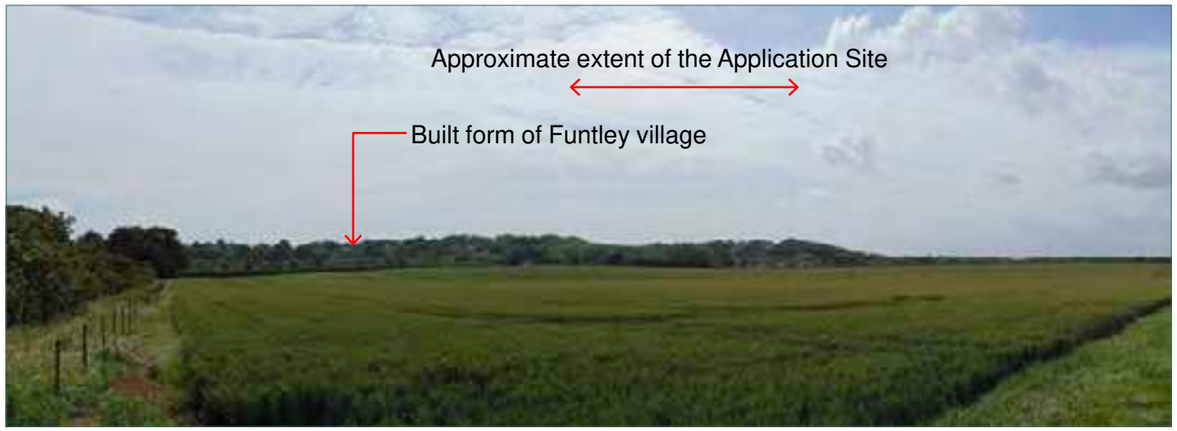
3.3 Visual Appraisal from the Local Area

Summer Views



Photograph – Viewpoint 7
View looking south west towards the Application Site from the junction of Stag Way and Funtley Road. Views of mature trees and boundary vegetation along the northern Site boundary dominate this view and form a green corridor along Funtley Road. Views of the existing access road and entrance gate within the Application Site are apparent. Views of the ground plane within the Application Site are, however, truncated by the intervening vegetation.

Photograph – Viewpoint 8
View looking south west towards the Application Site from Funtley Road. Views of mature boundary vegetation and tree planting along the northern boundary of the Application Site dominate this view and form a green corridor along Funtley Road. Views of the internal ground plane of the Application Site are in turn truncated due to intervening boundary vegetation.



Photograph – Viewpoint 9
View looking south west towards the Application Site from Footpath 88. Open views of arable land dominate the foreground. The existing settlement of Funtley is evident in the distance with the topography rising sharply towards the ridgeline to the south west. Partial views of the mature vegetation along the southern boundary of the Application Site are evident. Glimpsed views of small sections of existing pasture grassland and the roof section of the existing built form within the southern section of the Application Site are also apparent in the far distance. Views of other parts within the Application Site are truncated due to intervening vegetation and landform.

Photograph – Viewpoint 10
View looking west towards the Application Site from Footpath 89. Open views of grassland dominates this view with mature trees and vegetation that define localised field boundaries in the middle distance. Glimpsed views of the top section of an existing mobile communication mast helps to identify the location of the Application Site in the wider landscape. Due to intervening vegetation and landform, views of the Application Site are truncated from this location.

3. Visual Baseline Conditions and Sensitivities

3.3 Visual Appraisal from the Local Area

Winter Views

Photograph – Viewpoint 7 Winter View
There is slightly increased visibility into the Site in winter.

Photograph – Viewpoint 8 Winter View
There are glimpses of the ground plane of the Site in winter without leaf cover.

Photograph – Viewpoint 9 Winter View
There is slightly increased visibility of the south-eastern part of the Site in winter - existing vegetation (including Great Beamond Coppice), small part of the ground plane, southern barns and telecommunications mast. Existing built form at Funtley is also more apparent.

Photograph – Viewpoint 10 Winter View
There is very slightly increased visibility of the south-eastern part of the Site in winter, the existing vegetation, southern barns and telecommunications mast. Existing built form at Funtley is also more apparent.

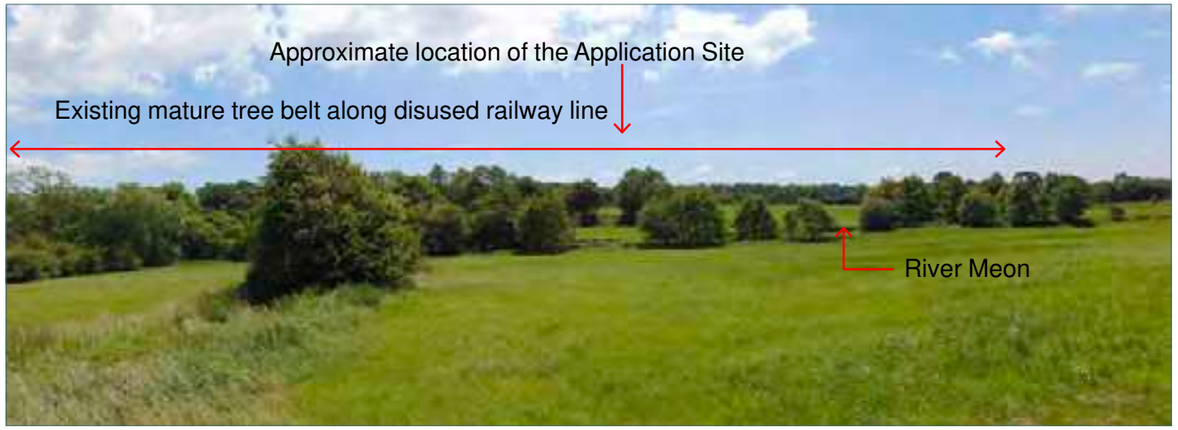
3. Visual Baseline Conditions and Sensitivities

3.3 Visual Appraisal from the Local Area

Summer Views

Photograph – Viewpoint 11
View looking east towards the Application Site from Footpath 83a near a group of Listed Buildings (Ironmaster's House and Funtley House) and the Scheduled Monument (Site of Funtley Iron Works). Views of pasture land with existing mature boundary vegetation dominate the foreground of this view. Views of the Application Site are truncated due to intervening vegetation and land form.

Photograph – Viewpoint 12
View looking east towards the Application Site from the southern section of Bridleway 515. Views of existing mature trees and vegetation dominate this view and form a green corridor along the footpath. Due to intervening vegetation, views of the Application Site are truncated from this location.



Photograph – Viewpoint 13
View looking south east towards the Application Site from footpath 16. Views of pasture land dominate the foreground with topography gently falling to meet the River Meon in the distance. Views of the existing tree belt along Mayles Lane and River Lane are apparent in the distance and obscure any views of the Application Site from this location.

Photograph – Viewpoint 14
View looking south towards the Application Site from the northern section of Bridleway 515. Views of existing mature trees and vegetation dominate this view and form a green corridor along the footpath. Due to intervening vegetation, views of the Application Site are truncated.

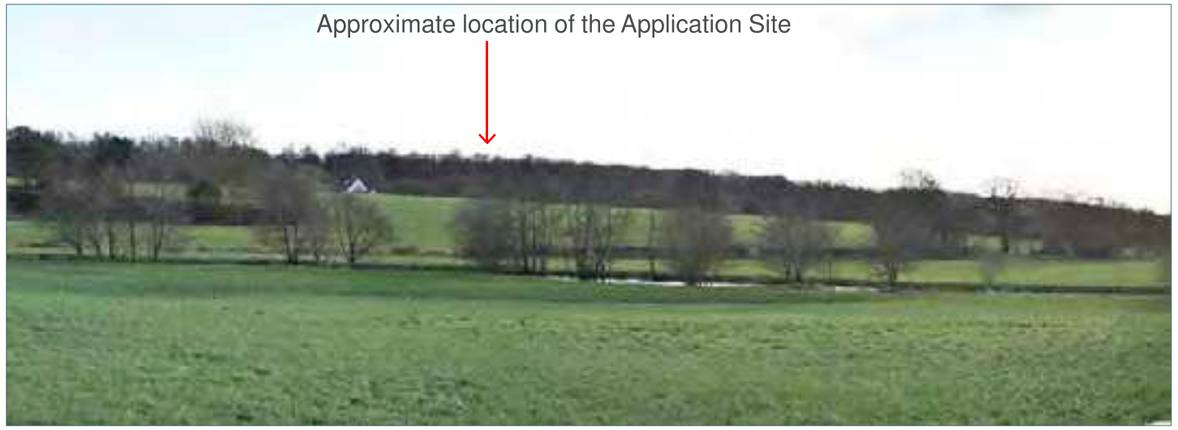
3. Visual Baseline Conditions and Sensitivities

3.3 Visual Appraisal from the Local Area

Winter Views

Photograph – Viewpoint 11 Winter View
There are no views towards the Site in winter.

Photograph – Viewpoint 12 Winter View
There are no views towards the Site in winter.



Photograph – Viewpoint 13 Winter View
There are no views towards the Site in winter. From a short section of Titchfield Lane just south-east of this viewpoint, there is a brief glimpse of the upper part of the telecommunications mast on the southern part of the Site, however, the Site and vegetation within it remains fully truncated from view due to the disused railway line and mature vegetation along it.

Photograph – Viewpoint 14 Winter View
There are no views towards the Site in winter.

3. Visual Baseline Conditions and Sensitivities

3.3 Visual Appraisal from the Local Area

Additional Winter Views

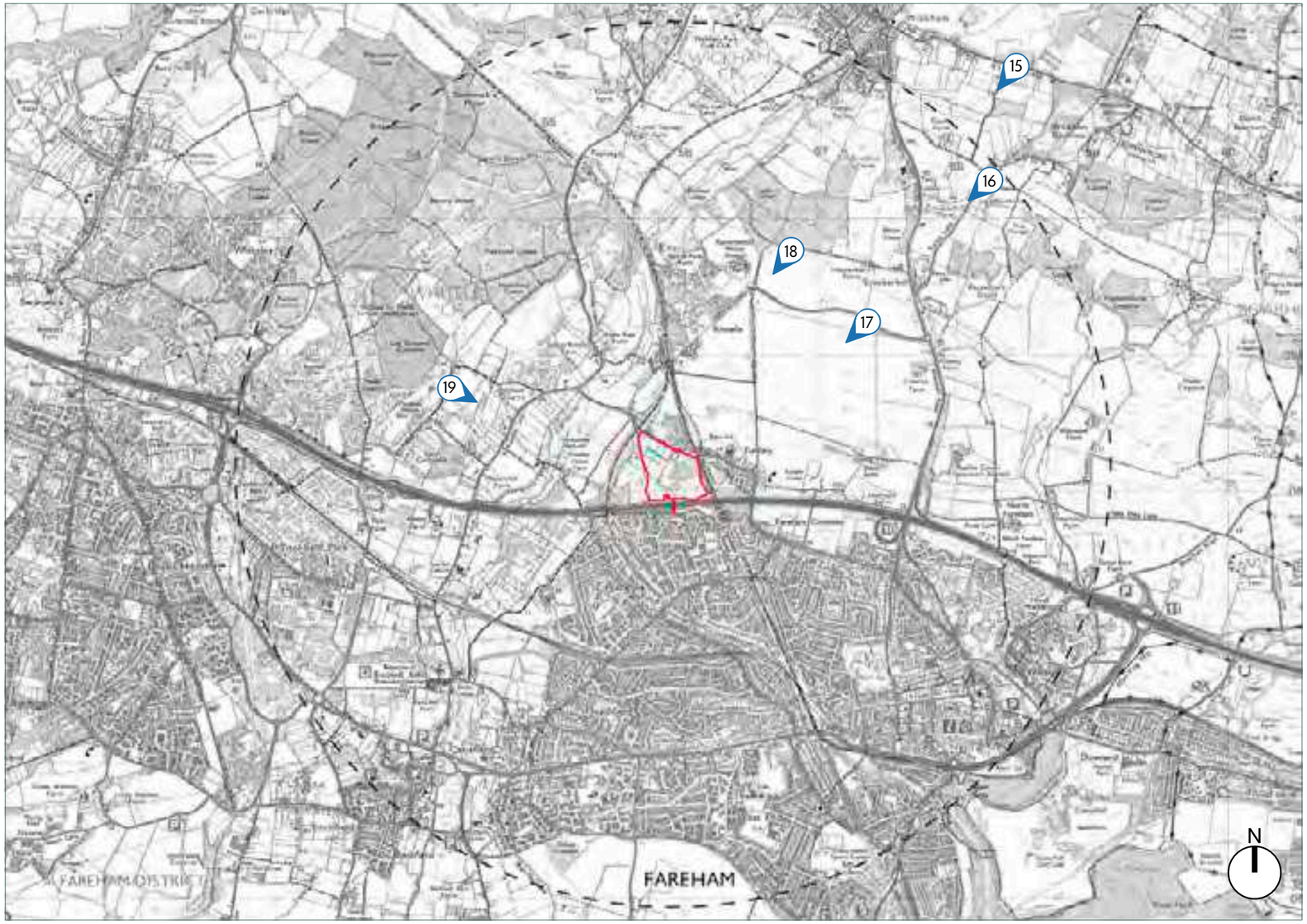
Photograph – Viewpoint 12A Additional Winter View

Winter view located near to the bridge crossing over Funtley Road. There are glimpses into the north-western part of the Site and of part of Great Beamond Coppice. Funtley Road and existing dwellings within the village are also glimpsed beyond vegetation along the disused railway line / Bridleway 515.

Photograph – Viewpoint 14A Additional Winter View

Winter view located near to the bridge crossing over Funtley Road. There are glimpses into the westerns part of the Site. Existing dwellings within the village are also glimpsed beyond vegetation along the disused railway line / Bridleway 515.

3. Visual Baseline Conditions and Sensitivities



Legend

Application Site Boundary

Location of Photographic viewpoint – Open View (An open view of the whole of the Site or open view of part of the Site).

Location of Photographic viewpoint – Partial View (A view of the Site which forms a small part of the wider panorama, or where views are filtered between intervening built form or vegetation).

Location of Photographic viewpoint – Truncated View (Views of the Site are obscured by the intervening built form and / or vegetation, or is difficult to perceive).

Figure 3.3 – Location Plan showing Visual Summary from the wider area (fabrik, 2018)

3. Visual Baseline Conditions and Sensitivities

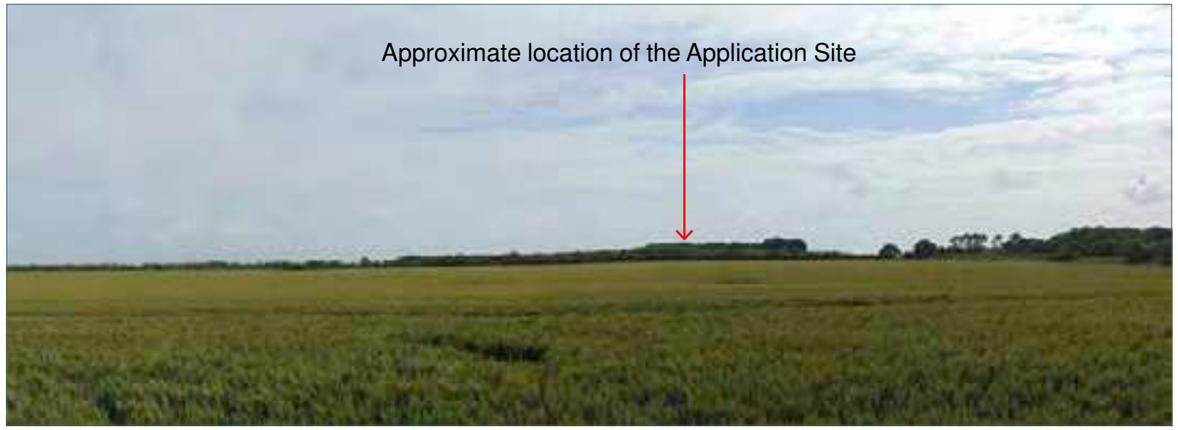
3.4 Visual Appraisal from the Wider Study Area

Summer Views

Photograph – Viewpoint 15
View looking south west towards the Application Site from Footpath 11 adjacent to Wickham Road (southern boundary of South Downs National Park). Views of existing mature vegetation along either side of the footpath dominates this view and obscures any views towards the Application Site from this location.

Photograph – Viewpoint 16
View looking south west towards the Application Site from the junction of Footpath 10 (Castle Farm Lane) and Forest Lane. Mature trees and vegetation along the lane dominate this view and create a green corridor along the lane. Views of the Application Site are wholly truncated by the intervening vegetation and topography.

Photograph – Viewpoint 17
View looking south west towards the Application Site from the cycle and footpath along the eastern section of Knowle Road. The cycle / footpath is apparent centrally within this view with mature hedgerows and vegetation evident on either side of the path. Due to intervening vegetation, views of the Application Site are wholly truncated from this location.



Photograph – Viewpoint 18
View looking south west towards the Application Site from Footpath 23b located along the southern part of Aylesbury Copse. Views of arable fields dominate this view with topography gently sloping towards the west. The existing tree belt to the south of Knowle Road is apparent in the distance from this location. Any views of the Application Site are truncated due to intervening topography and vegetation.

3. Visual Baseline Conditions and Sensitivities

3.4 Visual Appraisal from the Wider Study Area

Summer Views

Photograph – Viewpoint 19

View looking south east towards the Application Site from Bridleway 26b located in close proximity to a barn 20 metres south of Lee Ground (Grade II Listed Building) and Skylark Golf and Country Club. Mature trees and vegetation define the localised field boundaries and create a green corridor along the bridleway. Views of the Application Site are wholly truncated by the intervening vegetation and land form.

3. Visual Baseline Conditions and Sensitivities

Table 3.1 – Summary of Visual Receptors

Representative Visual Receptor Viewpoint No.	Landscape Designation	Receptors	Extent of the land visible within the Application Site	Character and Amenity of the View	Elevation	Distance to Site	Value
1	Public footpath 85	Residential; Transient receptors on foot and bike and vehicle.	The internal ground plane within the Application Site is truncated from this location. However, the glimpsed view of top section of Great Beamond Coppice along the north-eastern is evident from this location.	View looking south west towards the Application Site from the eastern section of Funtley Lane (Footpath 85). The existing residential built form along Funtley Lane dominates this view with mature hedgerow forming a vegetated edge along this part of the lane. Glimpsed views of the top section of Great Beamond Coppice along the north-eastern edge of the Application Site is apparent. Views of the internal ground plane within the Application Site are truncated. There is no significant change in the visibility of the Site in winter.	Approximately 20m AOD	Approximately 174m	Medium - Low
2	Existing Open Space	Transient receptors on foot	The internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking west towards the Application Site from an informal footpath at the edge of the lake to the south west of Lakeside (south of Funtley Road). Mature trees and vegetation dominate this view and forms a green corridor along the path. The intervening vegetation, which includes that alongside the live railway (right, truncates any views of the internal ground plane within the Application Site from this location. There is no significant change in the visibility of the Site in winter.	Approximately 20m AOD	Approximately 122m	Medium
3	Area Outside of Defined Urban Settlement Boundary	Transient receptors on foot	The internal ground plane within the Application Site is truncated from this location. However, partial views of the existing tree and vegetation across the southern section of the Application Site are evident from this location.	View looking north towards the Application Site from the footbridge to the south of the Application Site over the M27. The footbridge and the mature tree belt planted along the motorway edge dominates this view. Partial views of the existing mature trees and vegetation along the southern Application Site are evident behind the existing vegetation that lines the motorway. Views into other areas across the Application Site are truncated by the intervening vegetation and topography from this location. There is no significant change in the visibility of the Site in winter.	Approximately 50m AOD	Approximately 285m	Medium - Low

3. Visual Baseline Conditions and Sensitivities

Table 3.1 – Summary of Visual Receptors

Representative Visual Receptor Viewpoint No.	Landscape Designation	Receptors	Extent of the land visible within the Application Site	Character and Amenity of the View	Elevation	Distance to Site	Value
4	Area Outside of Defined Urban Settlement Boundary	Residential; Transient receptors on foot and vehicle.	Open views of existing vegetation and built form within the Application Site occur from this location. Open views of existing boundary vegetation, built form and ground plane of the Application Site are visible from this location	View looking east towards the Application Site from the existing hardstanding area associated with the private dwelling 'Bramleigh' located on Honey Lane. The existing boundary vegetation and pasture grassland within the Application Site dominates the view. Open view of the internal plane, boundary vegetation and the Great Beamond Coppice are apparent from this location. For the winter view see Site Internal Viewpoint 13A, which is taken from the Site-side of the hedge at the boundary with the property. Existing built form at Funtley and further north of the village is visible beyond the Site. Existing outbuildings and part of Great Beamond Coppice are visible to the right in the photo.	Approximately 35m AOD	Approximately 176m	Medium
5	Area Outside of Defined Urban Settlement Boundary	Residential; Transient receptors on foot and bike and vehicle.	Open views of existing boundary vegetation associated the Application Site occur from this location.	View looking south east towards the Application Site from Funtley Road (by properties just east of the disused railway bridge). Views of existing residential built form along Funtley Road dominate the foreground with mature trees and vegetation along the northern Application Site boundary apparent. Views of the internal ground plane within the Site are truncated due to intervening boundary vegetation. In winter, the ground plane of the Site becomes apparent without leaf cover to the northern boundary vegetation.	Approximately 18m AOD	Approximately 230m	Medium
6	Area Outside of Defined Urban Settlement Boundary	Residential; Transient receptors on foot and bike and vehicle.	Open views of existing mature tree and vegetation along the northern boundary of the Application Site occur from this location.	View looking south east towards the Application Site from the junction of Roebuck Avenue and Funtley Road. Views of existing residential built form around the entrance of Roebuck Avenue and mature trees and vegetation along the northern Site are apparent. Views of the internal ground plane within the Application Site are truncated due to intervening boundary vegetation. There is little change in the visibility of the Site in winter.	Approximately 19m AOD	Approximately 22m	Medium

3. Visual Baseline Conditions and Sensitivities

Table 3.1 – Summary of Visual Receptors

Representative Visual Receptor Viewpoint No.	Landscape Designation	Receptors	Extent of the land visible within the Application Site	Character and Amenity of the View	Elevation	Distance to Site	Value
6b	Area Outside of Defined Urban Settlement Boundary	Residential; Transient receptors on foot and bike and vehicle.	Open views of central part of internal ground plane within the Application Site occur with mature vegetation evident in the distance.	View looking south east towards the Application Site from Roebuck Avenue. The residential built form with its associated private garden along Roebuck Avenue dominates this view with the topography within the Application Site rising towards the local ridgeline. Open views of the central part within the Application Site occur, funnelled along the road with mature vegetation evident in the distance. Views into other areas within the Application Site are truncated by intervening vegetation, topography and built form from this location. There is slightly increased visibility of the Site in winter.	Approximately 20m AOD	Approximately 59m	Medium
7	Area Outside of Defined Urban Settlement Boundary	Residential; Transient receptors on foot, bike and vehicle.	Open views of existing mature tree and vegetation and the entrance access road along northern boundary of the Application Site occur. A small section of the existing northern boundary vegetation within the Application Site occur, evident in the middle distance.	View looking south west towards the Application Site from the junction of Stag Way and Funtley Road. Views of mature trees and boundary vegetation along the northern Site boundary dominate this view and form a green corridor along Funtley Road. Views of the existing access road and entrance gate within the Application Site are apparent. Views of the ground plane within the Application Site are, however, truncated by the intervening vegetation. There is slightly increased visibility into the Site in winter.	Approximately 20m AOD	Approximately 8m	Medium
8	Area Outside of Defined Urban Settlement Boundary	Residential; Transient receptors on foot, bike and vehicle.	Open views of existing mature tree and vegetation along north-eastern boundary of the Application Site occur from this location.	View looking south west towards the Application Site from Funtley Road. Views of mature boundary vegetation and tree planting along the northern boundary of the Application Site dominate this view and form a green corridor along Funtley Road. Views of the internal ground plane of the Application Site are in turn truncated due to intervening boundary vegetation. There are glimpses of the ground plane of the Site in winter without leaf cover.	Approximately 23m AOD	Approximately 60m	Medium

3. Visual Baseline Conditions and Sensitivities

Table 3.1 – Summary of Visual Receptors

Representative Visual Receptor Viewpoint No.	Landscape Designation	Receptors	Extent of the land visible within Application Site	Character and Amenity of the View	Elevation	Distance to Site	Value
9	Welborne Policy Boundary	Transient receptors on foot.	Glimpsed views of small section of existing pasture grassland and the roof section of the existing built form within southern section of the Application Site occur set within the wider panorama.	View looking south west towards the Application Site from Footpath 88. Open views of arable land dominate the foreground. The existing settlement of Funtley is evident in the distance with the topography rising sharply towards the ridgeline to the south west. Partial views of the mature vegetation along the southern boundary of the Application Site are evident. Glimpsed views of small sections of existing pasture grassland and the roof section of the existing built form within the southern section of the Application Site are also apparent in the far distance. Views of other parts within the Application Site are truncated due to intervening vegetation and landform There is slightly increased visibility of the south-eastern part of the Site in winter - existing vegetation (including Great Beamond Coppice), small part of the ground plane, southern barns and telecommunications mast. Existing built form at Funtley is also more apparent.	Approximately 23m AOD	Approximately 940m	Medium
10	Welborne Policy Boundary	Transient receptors on foot.	Glimpsed views of the top section of existing mobile mast adjacent to southern boundary of the Application Site occur with existing mature boundary vegetation evident, set within the wider panorama.	View looking west towards the Application Site from Footpath 89. Open views of grassland dominates this view with mature trees and vegetation that define localised field boundaries in the middle distance. Glimpsed views of the top section of an existing mobile communication mast helps to identify the location of the Application Site in the wider landscape. Due to intervening vegetation and landform, views of the Application Site are truncated from this location. In winter, there is very slightly increased visibility of the south-eastern part of the Site in winter, the existing vegetation, southern barns and telecommunications mast. Existing built form at Funtley is also more apparent.	Approximately 840m AOD	Approximately 15m	High

3. Visual Baseline Conditions and Sensitivities

Table 3.1 – Summary of Visual Receptors

Representative Visual Receptor Viewpoint No.	Landscape Designation	Receptors	Extent of the land visible within Application Site	Character and Amenity of the View	Elevation	Distance to Site	Value
11	Area Outside of Defined Urban Settlement Boundary; Strategic Gap	Transient receptors on foot, bike and vehicle.	Views of the internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking east towards the Application Site from Footpath 83a near a group of Listed Buildings (Ironmaster's House and Funtley House) and the Scheduled Monument (Site of Funtley Iron Works). Views of pasture land with existing mature boundary vegetation dominate the foreground of this view. Views of the Application Site are truncated due to intervening vegetation and land form. . There are no views towards the Site in winter.	Approximately 15m AOD	Approximately 540m	High
12 and 12A	Existing Open Space	Transient receptors on foot.	Views of the internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking east towards the Application Site from the southern section of Bridleway 515. Views of existing mature trees and vegetation dominate this view and form a green corridor along the footpath. Due to intervening vegetation, views of the Application Site are truncated from this location, including in winter. From 12A (winter view) located near to the bridge crossing over Funtley Road, there are glimpses into the north-western part of the Site and of part of Great Beamond Coppice. Funtley Road and existing dwellings within the village are also glimpsed beyond vegetation along the disused railway line / Bridleway 515.	Approximately 30m AOD	Approximately 240m	High

3. Visual Baseline Conditions and Sensitivities

Table 3.1 – Summary of Visual Receptors

Representative Visual Receptor Viewpoint No.	Landscape Designation	Receptors	Extent of the land visible within Application Site	Character and Amenity of the View	Elevation	Distance to Site	Value
13	Outside of Fareham Borough Council's local policy boundary	Transient receptors on foot.	Views of the internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking south east towards the Application Site from footpath 16. Views of pasture land dominate the foreground with topography gently falling to meet the River Meon in the distance. Views of the existing tree belt along Mayles Lane and River Lane are apparent in the distance and obscure any views of the Application Site from this location.. There are no views towards the Site in winter. From a short section of Titchfield Lane just south-east of this viewpoint, there is a brief glimpse of the upper part of the telecommunications mast on the southern part of the Site, however, the Site and vegetation within it remains fully truncated from view due to the disused railway line and mature vegetation along it.	Approximately 15m AOD	Approximately 745m	High
14 and 14A	Existing Open Space; Public bridleway 515	Transient receptors on foot.	Views of the internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking south towards the Application Site from the northern section of Bridleway 515. Views of existing mature trees and vegetation dominate this view and form a green corridor along the footpath. Due to intervening vegetation, views of the Application Site are truncated, including in winter. From 14A (winter view) located near to the bridge crossing over Funtley Road, there are glimpses into the westerns part of the Site. Existing dwellings within the village are also glimpsed beyond vegetation along the disused railway line / Bridleway 515.	Approximately 25m AOD	Approximately 488m	High
15	Outside of Fareham Borough Council's local boundary, but is adjacent southern boundary of South Downs National (along Wickham Road)	Transient receptors on foot and bike and vehicle.	Views of the internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking south west towards the Application Site from Footpath 11 adjacent to Wickham Road (southern boundary of South Downs National Park). Views of existing mature vegetation along either side of the footpath dominates this view and obscures any views towards the Application Site from this location.	Approximately 45m AOD	Approximately 3.74km m	Medium - High

3. Visual Baseline Conditions and Sensitivities

Table 3.1 – Summary of Visual Receptors

Representative Visual Receptor Viewpoint No.	Landscape Designation	Receptors	Extent of the land visible within Application Site	Character and Amenity of the View	Elevation	Distance to Site	Value
16	Area Outside of Defined Urban Settlement Boundary; Public footpath 10	Transient receptors on foot and bike and vehicle.	Views of the internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking south west towards the Application Site from the junction of Footpath 10 (Castle Farm Lane) and Forest Lane. Mature trees and vegetation along the lane dominate this view and create a green corridor along the lane. Views of the Application Site are wholly truncated by the intervening vegetation and topography.	Approximately 55m AOD	Approximately 3km	Medium - High
17	Welborne Policy Boundary	Transient receptors on foot and bike.	Views of the internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking south west towards the Application Site from the cycle and footpath along the eastern section of Knowle Road. The cycle / footpath is apparent centrally within this view with mature hedgerows and vegetation evident on either side of the path. Due to intervening vegetation, views of the Application Site are wholly truncated from this location.	Approximately 45m AOD	Approximately 1.62km	Medium
18	Welborne Policy Boundary	Transient receptors on foot.	Views of the internal ground plane and the existing vegetation within the Application Site truncated from this location.	View looking south west towards the Application Site from Footpath 23b located along the southern part of Aylesbury Copse. Views of arable fields dominate this view with topography gently sloping towards the west. The existing tree belt to the south of Knowle Road is apparent in the distance from this location. Any views of the Application Site are truncated due to intervening topography and vegetation.	Approximately 42m AOD	Approximately 1.74km	Medium - High
19	Public bridleway 26b; in close proximity of Barn 20m south of Lee Ground (Grade II Listed Building) and Skylark Golf & Country Club	Transient receptors on foot and horseback.	Views of the internal ground plane and the existing vegetation within the Application Site are truncated from this location.	View looking south east towards the Application Site from Bridleway 26b located in close proximity to a barn 20 metres south of Lee Ground (Grade II Listed Building) and Skylark Golf and Country Club. Mature trees and vegetation define the localised field boundaries and create a green corridor along the bridleway. Views of the Application Site are wholly truncated by the intervening vegetation and land form.	Approximately 35m AOD	Approximately 1.72km	Medium - High

4. Landscape Constraints and Opportunities

4.1 Introduction

The following landscape elements form a series of constraints and opportunities that will inform future development proposals:

4.2 Constraints

- The Ancient Woodland is to be retained and protected by a 15m buffer, with no development within this zone.
- Existing tree groups designed as SINC and TPO within the Site are to be retained and protected.
- Retention of the majority of the existing hedgerows along the ownership boundaries, with limited removal required to facilitate safe access into and out of the Site.
- The rooting zones and canopies of existing trees and hedges to be retained would be protected during construction works in accordance with the recommendations of the project arboriculturist and ecologist.
- While land within north-eastern part of the Site is designated as open space within the Core Strategy (adopted August 2011) in fact this is privately owned pasture land used for horse keeping and is not currently accessible to the public. The area is also proposed for deletion in the emerging local plan. The proposed development explores options to relocate this elsewhere within the Site, so that development within this less sensitive location near to the road and existing settlement may be developed.
- The existing topography within the northern section of the ownership is gently sloping towards Funtley Road. However, the undulating topography then rises sharply from the central part of the Site to meet the southern western boundary, and then falls again towards the south-eastern boundary. This restricts development to the area of land in the vicinity of Funtley Road.
- Timber pylons carrying overhead wires within the north-western part of the Site may be undergrounded where practicable.
- Due to the existing land form and close proximity to the neighbouring residential built form, there are a number of open views of the boundary vegetation, or views of the internal ground plane within the Site evident from neighbouring houses and the transient receptors in vehicles / on foot using Funtley Road and Honey Lane.

4.3 Opportunities

- Existing access into the Site (opposite Stag Way) to be retained and enhanced for vehicular and pedestrian access into the future development parcels.
- Bus route along Funtley Road passing by the Site.
- Large mature trees surrounding and within the Site present an opportunity to create a mature, well-established green structure.
- The potential to create green buffers with the opportunity for additional tree planting around future development parcels to provide an improved green settlement edge.
- To create a positive interface with the landscape where development parcels front the green infrastructure.
- Potential to create areas of public open space with pedestrian links within the development and to the wider landscape beyond. This may include opening up access to the bridge crossing over the M27.
- Potential to create a well-designed, discrete and accessible urban extension to Funtley and Fareham, rounding off the settlement, which is well contained by the existing boundary vegetation and topography of the Site.
- Land within the Site historically subject to excavation has been since reinstated back to agricultural use (as discussed in section 2.10). Therefore this land does not pose a constraint to development in terms of further excavation.

4. Landscape Constraints and Opportunities

Legend

- Application Site boundary
- Existing ancient replanted woodland (Great Beamond Coppice) retained
- Existing tree block within the ownership boundaries to be retained
- Existing trees within the ownership boundaries retained (subject to tree survey)
- Existing hedgerow within the ownership boundaries retained
- Site of Importance for Nature Conservation (designated within the Core Strategy adopted August 2011)
- Existing open space (designated within the Core Strategy adopted August 2011)
- Tree Preservation Order within the Site to be retained
- Railway line
- Bridleway
- Existing contours (1m interval)
- Direction of slope
- Existing access into the Site
- Opportunities for landscape buffer along the Site
- Views of the internal ground plane of the Site from adjacent built form
- Partial views out to the local residential built forms

Figure 4.1 – Plan showing the landscape constraints and opportunities (fabrik, 2018)

5. Illustrative Proposed Development Parameters

5.1 Landscape Development Parameters

The landscape development parameters illustrated on **Figure 5.1** have been prepared by considering the landscape features of the Site and other areas within the Site along with landscape policy, landscape character and the visual constraints associated with the local landscape.

The parameters therefore seek to:

- Locate the development parcels on the lower slopes of the Site to the north to minimise cut and fill as well as in-keeping within the local residential character of Funtley and the northern fringe of Fareham.
- Minimise the visual impact of the future development by providing landscape buffer planting along the development boundaries.
- Maintain and enhance the existing landscape features of the Site by retaining, where possible, existing trees and supplementing with additional trees, woodland and hedgerow planting.
- Make use of the existing access to the Site for access to the proposed development, and provide replacement and enhancement planting within this area. A secondary emergency access from Funtley Road may also be required to the north-west of this.
- Where appropriate, contribute to an improved ecological value of the Site through the incorporation of native species within the landscape planting and grassland proposals.
- Make use of any sustainable drainage features to integrate a more diverse range of plant species, suited to temporary flooding.
- Provide public open space within the development and to the south. Incorporate pedestrian links to serve the new residents and the wider community within Funtley and Fareham. This would provide an alternative option to the existing designated open space within the north-western part of the Site (Core Strategy 2011). Pedestrian links may extend to the south through the opening up of the M27 footbridge.

5. Illustrative Proposed Development Parameters

Legend

- Application Site Boundary
- Existing designated woodland retained
- Existing tree groups (including SINC/TPOs) within the ownership boundaries to be retained
- Existing trees within the Site retained (subject to tree survey findings)
- Existing hedgerow along the Site to be retained
- Railway Line
- Bridleway
- Opportunities for development parcels
- Opportunities for green infrastructure and new public open space
- Opportunities for landscape buffer along development parcels to provide a improved green settlement edge
- Opportunities for existing entrance be improved to provide vehicular access links within the development (a secondary emergency vehicular access may also be provided north-west of this point)
- Opportunities for pedestrian routes within public open space
- Opportunities for pedestrian links to beyond the development parcel
- Opportunity for a public open space within the built area
- Existing Site contours

Figure 5.1 – Plan showing the illustrative landscape development parameters (fabrik, 2018)

6. Appraisal of Landscape and Visual Effects

6.1 Effects on Heritage Assets

The Site does not contain nor is adjacent to any heritage assets (such as Listed Building, Scheduled Ancient Monument and Conservation Areas). Therefore, there will be no change to the character of the landscape around these assets, and no views towards the proposed development are predicted from them (**neutral** effect).

6.2 Effects on Topography

Study area topography:

There will be no physical change to the existing topography across the wider study area since the changes will occur at Site and immediate Site level only.

The value is low - medium; susceptibility is low; and sensitivity is low. The magnitude of change would be neutral. Therefore the effect on the topography at the study area level is **neutral**.

Site topography:

The proposed development parcels have been carefully located on the lower slopes within northern part of the Site. Some limited regrading where the Site meets the public highway may be required to facilitate ease of access for all. There may be some localised modifications to the existing landform within the proposed development parcels, to facilitate access and to form effective development platforms. In addition, localised excavations would be made to create sustainable drainage features. It is expected that suitable excavated material would be retained on Site and reused in the open spaces where grassed areas and planting are proposed. Care would be taken to avoid impacts on the rooting zones of existing vegetation. Any inert spoil excavated may be suitable for reuse within areas of proposed hardstanding, subject to confirmation by the project engineer.

The value is medium; susceptibility is low - medium; and sensitivity is low - medium. The magnitude of change would be low - medium. Therefore, the effects on this receptor is likely to result in **minor - moderate** adverse effects at the construction phase. Since no further earthworks would occur beyond the construction stage, the operational phase effects on the Site topography would be **neutral**.

6.3 Effects on Land Use

Study area land use:

Farmland

At wider landscape level, there will be no direct change to the wider arable and pasture lands across the study area as the proposed changed to the existing land use will occur at Site level only. Furthermore, existing areas of farmland are largely separated from the Site by existing settlement, the existing and disused railway lines and mature vegetation.

During construction, there may be some views of construction plant / structures from elevated areas of private farmland north of Funtley, up to Knowle village (indirect effect). During operation, there may be some partial views of the upper elements of the built form (namely rooflines) from this private farmland, seen in context with existing built form within the valley through which Funtley Road passes. Any views of open and planted land south of the proposed development would remain. This is also an indirect effect and no direct changes to these farmed areas would occur.

Settlement and transport corridors

The Site forms a context and setting to a small part of the existing Funtley village and a short section of Funtley Road. This would change through the introduction of built development within the northern part of the Site. This would result in a limited change to the settlement pattern and character of the road corridor by extending built form to the south of Funtley Road. A broad context of open, unbuilt land would remain to the south of the proposed built area. In addition, longer views towards the elevated land within the southern parts of the Site from existing built areas and of the canopy of mature trees and woodland in these parts of the Site, are likely to be maintained. The road corridor would become more enclosed by built form, albeit this is proposed to be set well back from the existing Site boundary hedge, incorporating open space, sustainable drainage features and additional planting.

The settlement pattern of Fareham would remain unchanged, and there would be no change to the pattern of roads around the Site or wider study area.

Open spaces

There would also be no physical change to existing open spaces across the study area, including that at Lakeside to the east of the Site.

Appraisal of study area land use effects

The value of the land use at study area level is low - medium; susceptibility is low; and sensitivity is low - medium. The magnitude of change would be low - medium, with the greatest level of change experienced by those land uses within very close proximity to the Site (Funtley Road and a part of Funtley village). A number of areas would experience no change (Fareham and rural landscapes east and west of the Site). Limited indirect visual change may be experienced from farmland further north of Funtley up to Knowle village. Therefore, the effect on land use at the study area level would be at worst, **minor** negative, with the effects being very localised to the Site.

The many areas of mitigation planting associated with the proposed development would reduce the effects to at worst **minor** negative to **neutral** in the long term (year 15). Other positive benefits are predicted through the creation of new public open spaces that would be accessible to both existing and new residents.

There would therefore be a **neutral** effect to the settlement pattern of Fareham, existing open spaces and the existing transportation network.

6. Appraisal of Landscape and Visual Effects

6.3 Effects on Land Use (continued)

Site land use:

The areas within the Site would be permanently changed from privately owned pasture land to a residential development. The new uses would include associated green infrastructure incorporating, retained vegetation and woodland; new trees and boundary buffer planting; planting throughout the built areas; sustainable drainage features and a series green, open spaces within the built area and to the south of it.

The Site lies entirely within the landscape designation of Area Outside Of Defined Urban Settlement within the Core Strategy (adopted August 2011) and a part of the Site to the north-west is designated as existing open space within the Core Strategy. The latter is not currently accessible to the public and the land is within private ownership for equestrian uses.

The changes to incorporate a built development and new publicly accessible open spaces within these areas is consistent with Local Plan Part 2 Policy DSP40 Housing Allocations, and with emerging the emerging Local Plan 2036, which allocates the Site for residential development. In addition, the supporting Landscape Assessment update (part of the evidence base to the Plan) indicates that small scale and sensitively integrated development may be appropriate in this location, given the existing residential areas of Funtley Road.

At enabling construction stage, the existing uses of the Site would change, particularly in the areas proposed for built development and new access. However, change would be limited within the proposed open spaces of the community park to the south, except for the creation of new paths, and implementation of green infrastructure such as sustainable drainage, new grasslands and planting.

The construction site would gradually change to a built development, with associated landscape planting. The built element, while wholly changing land use, would only occur in a part of the Site to the north. The proposed community park would retain a largely open character to land to the south, and would incorporate new paths for walkers. This park, together with further linear greenspaces and an open space incorporating play features, would be provide facilities for use by new and existing residents.

The value of the land use at Site level is medium; the susceptibility is medium - high; and sensitivity is medium - high. The magnitude of change would be medium - high at the enabling, construction and early years operational stages. Therefore, as with any greenfield site, the level of effects would be **moderate** - **major** negative, arising principally from the introduction of built form to the paddocks In addition, the provision of publicly accessible open spaces would result in a **minor** - **moderate** positive effect from completion of development (Year 1).

By Year 15, mitigation planting would further temper the effects on the Site land use, so that at worst, **minor** negative effects are predicted. The positive effects of the open spaces would remain, while the many new areas of planting within the Site, and management of existing vegetation are also expected to give rise to positive effects (see para. 6.4).

6.4 Effects on Existing Vegetation

Study area vegetation:

There are expected to be no physical changes to the existing vegetation across the wider study area since the changes are proposed at Site level only. Existing vegetation along the north side of Funtley Road is not expected to be affected by the provision of new access into the Site.

The value is low - medium; susceptibility is low; and sensitivity is low. The magnitude of change would be neutral. Therefore the effect on the vegetation at the study area level is **neutral**.

Site vegetation:

The Great Beamond Coppice, the existing tree groups near the existing access entrance and the tree blocks within the south-western part of the Site are designated as Sites of Importance for Nature Conservation in the Core Strategy. The mature vegetation and trees within these areas are to be retained and protected during the construction works, with careful consideration given to the recommendations of the project ecologist and arboriculturist.

The proposed development would protect and retain the Ancient Replanted Woodland of Great Beamond Coppice and majority of mature trees and boundary vegetation within the Site. A 15m buffer would be retained to the Coppice.

There is expected to be some loss of existing trees and boundary vegetation within the Site to accommodate the proposed development parcels and access roads. A part of this includes dense, ornamental conifers of limited value to landscape character. Further arboricultural works may be undertaken to other vegetation within the wider Site area, if deemed necessary by the relevant professional for health and safety reasons, to remove any dead, dying, diseased or dangerous parts of the retained vegetation.

The value of the vegetation at Site level is medium; susceptibility is medium; and sensitivity is medium. The magnitude of change arising from the limited necessary vegetation loss at enabling / construction stage is predicted to be medium, giving rise to at worst, **moderate** negative effects. However these effects would be localised to the northern part of the Site where built form is proposed.

Effects on the majority of the vegetation within the Site are expected to be **neutral** or potentially positive, where management of vegetation would ensure its retention and longevity.

There is ample opportunity within and around the proposed built area and proposed community park, for replacement and additional tree, hedge, shrub and other planting, including landscape buffer planting, making use of species appropriate to the space, position and function. This would mitigate for and improve, the visual and landscape effects of the vegetation removal required to facilitate effective development.

Further details are set out in the Design and Access Statement (DAS) accompanying the planning application.

6. Appraisal of Landscape and Visual Effects

6.4 Effects on Existing Vegetation (continued)

The planting would be implemented during the construction stage with the effects in place by Year 1 of the operational stage. The low magnitude of change would give rise to **minor** positive effects. The positive effects of this planting on the landscape assets of the Site, and views within and towards the built area, would further increase over time, as this matures. The effect on the Site vegetation by Year 15 would therefore be **moderate** positive.

6.5 Effects on Public Rights of Way

Study area public rights of way:

There would be no physical change to the existing public rights of way network during construction or operation. Visual effects are considered separately.

The value is medium - high; susceptibility is low; and sensitivity is medium. The magnitude of change would be neutral. Therefore the effect on the topography at the study area level during construction and operation is **neutral**.

There are opportunities to provide pedestrian connections between the proposed development and existing Bridleway 515 (along the disused railway line) to the immediate west. It may also be possible to open up a connection to Fareham via the footbridge over the M27 to the immediate south of the Site. This in turn could facilitate access by existing residents in this location to the open space and rights of way network north of the motorway.

As such, at the operational stage, the magnitude of change is predicted to be low, with effects the effects being **minor** - **moderate** positive in Years 1 and 15.

6.6 Effects on Landscape Character

National and county landscape character:

There would be **negligible** effects to the landscape character at national character level (NCA128 South Hampshire Lowlands) and county character level (LCA 3E Meon Valley). This is because the limited scale of the proposed development, and relatively high level of physical and visual enclosure of the Site, would result in changes that occur principally at the Site, and immediate local level.

There would be no change to the Portsdown Hill chalk ridge or Meon River described at NCA level, and the proposed development would form a very small part of NCA128 that is described as being dominated by large towns and with fragmentation by major transport links including the M27.

At county level, the proposed development would not affect the recreational route along the disused railway line to the west, and would retain a significant area of unbuilt land to the south, separating it from the motorway and Fareham settlement. Vegetation within the Site would be retained and protected as far as is practicable and potential adverse effects on the SINCs and Ancient Replanted woodland within the Site have been designed out of the development proposals.

The value of the national and district character varies from low - high; susceptibility is low; and sensitivity is low - medium. The magnitude of change would be negligible, and therefore the effects would be **negligible**.

Borough and Site landscape character:

At Fareham Borough level, the Site lies within LCA 6: Meon Valley. While the Site comprises of pasture land, it is nonetheless subject to the nearby influences of relatively recent built form at Funtley, the live railway to the east and M27 and Fareham urban fringe to the south. The proposed development would form a limited addition to this existing built context.

The proposed development is set out to closely follow the parameters for the Site allocation set out in the emerging Local Plan. Thus, there would be built form in the northerly, lower lying and more level parts of the Site, forming a limited extension to the existing Funtley village. Like the existing residential development north of Funtley Road, development would be set back to allow a leafy green and spacious character to be retained along the road. Development is not proposed on the steep slopes or high ground of the Site.

In accordance with the LCA, the proposal protects the important landscape features of the Site - the steeply sloping landforms, unbuilt skyline, mature vegetation and openness to the south; while proposing to integrate many new areas of planting, including in association with new sustainable drainage features.

Development would, like the existing village, be kept to the relatively low lying part of the valley within which it lies, limiting the potential for widespread visual effects.

The proposed built form would respond to the positive aspects of existing built form both north of Funtley village and within the wider settled areas. A generous network of green infrastructure and open spaces are proposed. Further details are set out in the DAS accompanying the planning application.

The value of the borough character varies from low - medium; susceptibility is medium; and sensitivity is low - medium. The magnitude of change would be medium - high at the Site level only, reducing to negligible - low with distance across LCA6 from the Site. Therefore, the effects would be at worst, **moderate** - **major** negative for the parts of the Site proposed for built development at the construction and operational stage (Year 1). This is due to the change in character from semi-enclosed pasture fields to a residential development.

The changes beyond the proposed built area, would be at worst, **minor - moderate** negative (Year 1) for those areas immediately around the proposed built area - the existing village to the north and open land retained to the south - due to changes to the context and setting of these areas.

6. Appraisal of Landscape and Visual Effects

6.6 Effects on Landscape Character (continued)

However, further afield, the effects would be at worst, **minor** or **negligible,** due to the physical and visual separation of the Site from most of the area of Fareham borough LCA 6: Meon Valley.

As the planting associated with the green infrastructure areas matures through time, the landscape and visual effects would improve, so that at Site level, these are expected to be no greater than **minor** negative (on a clear day in winter) and at best, **minor** - **moderate** positive (Year 15) due to the additional physical enclosure, landscape integration and visual softening and screening provided by the proposed planting. In turn, the effects on the parts of the character area surrounding the Site would also be further tempered in the medium to long terms.

6.7 Effects on Visual Receptors

Residential Receptors

The residential receptors that will experience the most direct and proximate views of the construction site and emerging built development would be occupants of the few dwellings to the north side of Funtley Road, just east of the railway Bridge (Viewpoint 5).

Some additional residents along the north side of Funtley Road would also experience direct views, albeit with filtering of views through tall vegetation along both sides of Funtley Road - see Viewpoints 6, S13A, and winter views S3 and 7. This vegetation becomes more of a screen in summer views (with leaf cover). However, parts of this may require removal to facilitate access into the Site from Funtley Road and the built development, which in turn, may further increase visibility into the Site in the short term.

Further visual receptors along Roebuck Avenue and Stag Way may experience some partial and oblique views of the construction site and emerging built form where the roads themselves allow visibility toward parts of the Site - see Viewpoints 6b and 7 (winter view). The Site boundary vegetation provides a greater level of visual screening to some views in summer. As above, some loss of vegetation may be required to facilitate access into the Site and the development itself, which may further increase visibility into the Site in the short term.

In all of these views, construction hoardings may partially obscure views.

There would also be oblique and more distant views of the construction site and emerging built development from the property (Bramleigh) at the south end of Honey Lane, due to its position on elevated ground and the relatively low level hedge at the boundary with the Site (Viewpoints S5, S6 and S13A, and summer Viewpoint 4). The views would be in context with existing views towards built form north of Funtley Road. While built form would be brought forward in the view, existing longer distance views towards the lower Downs, part of Knowle village and other built areas to the north of Funtley would be largely retained.

The completed development and newly implemented planting would create a new element in these views, replacing part of existing views of pasture fields. The areas of the Site remaining unbuilt would appear as a park with new areas of planting.

The value of the residential receptors is medium; susceptibility is medium - high; and sensitivity is medium - high. The magnitude of change at the construction and Year 1 operational stage would be medium - high, and therefore the effects would be at worst, **moderate** - **major** negative (Year 1), for the relatively limited number of residents with potential views towards the proposed development. The many areas of mitigation planting would contribute to some visual softening of the built areas in the early years. However in the mid to long terms this is predicted to create a significant amount of visual softening and screening, and therefore a bettering of the visual effects. Thus by Year 15, the effects are predicted to reduce to at worst, **minor** negative (the greater effects being on a clear day in winter).

Views from the dwelling at the south end of Honey Lane would retain long views out to the distant countryside to the north, albeit beyond additional areas of built form and planting within the valley. Views from dwellings to the north side of Funtley Road are likely to retain some partial views of the higher, southern parts of the Site, as a backcloth to the built form in the foreground.

Receptors using Roads

The views would be very similar to those described for the residential receptors above, and therefore includes parts of Funtley Road, Honey Lane, Roebuck Avenue and Stag Way (see Viewpoints 4-7, 8 and S13A). In all cases, the views would be transitory and Site hoardings may partly screen views.

Views from the western part of Funtley Road are likely to be more open due to the more limited nature of existing vegetation here, albeit the necessary vegetation removal to facilitate access and development to the east may also increase visibility into the Site in the short term.

Views from Honey Lane are rather more limited by existing vegetation at the boundary with the Site, even in winter. Visibility is mainly from two gaps in this vegetation at the north and south ends of the lane.

The value of the receptors using the roads is low; susceptibility is low; and sensitivity is low. The magnitude of change at the construction and Year 1 operational stage would be medium - high, and therefore the effects would be at worst, **minor**- **moderate** negative (Year 1). The setback of development from the roads edging the Site and landscape buffer planting would contribute to mitigating effects in the short to medium terms. By year 15, the landscape buffers would provide more robust visual softening and screening, reducing the effects to at worst, **minor** negative.

6. Appraisal of Landscape and Visual Effects

6.7 Effects on Visual Receptors (continued)

Receptors using Public Rights of Way and M27 footbridge

There is a slight possibility that users of Public Footpaths 88 and 89 to the east of Funtley (Viewpoints 9 and) may be aware of tall construction plant within the Site, should this be required to facilitate development. There may also be some awareness of works to provide the proposed community park in the south-eastern part of the Site. Any potential views to the construction site would be distant and form part of a wide panorama that includes parts of Funtley, the telecommunications mast on the Site and pylons carrying overhead wires, as well as farmland and vegetation in the intervening areas. The construction effects are therefore predicted to be **negligible**.

Due to the landform of the Site and vegetation and built form in the intervening areas, no notable views of the proposed development or associated proposed community park are predicted from these two footpaths. The operational effects are therefore predicted to be **neutral**.

From Public Bridleway 515 to the immediate west of the Site, walkers and equestrians in the vicinity of the bridge crossing over Funtley Road are likely to gain glimpsed views of the construction site and emerging built form. Views would be filtered by existing vegetation along the disused railway embankment and less apparent from the section north of Funtley Road than from that to the south - see winter Viewpoints 12A and 14A. By the operational stage, these glimpses would be replaced by a completed development, seen in context with existing partial views through the vegetation of existing dwellings north of Funtley Road.

The value of the receptors using Bridleway 515 is medium; susceptibility is medium; and sensitivity is medium. The magnitude of change at the construction and Year 1 operational stage would be medium, and therefore the effects would be at worst, **moderate** negative (Year 1). The setback of development from the western and northern edges of the Site and landscape buffer planting here and to the south would contribute to mitigating effects in the short to medium terms. By year 15, the landscape buffers would provide more robust visual softening and screening, reducing the effects to at worst, **minor** negative. In summer, views to the proposed development are likely to be less evident as existing vegetation would reduce visibility towards the Site.

From the bridge crossing over the M27, there is little opportunity for views into the Site and no notable views of the construction phase for the southern community park are proposed. The land proposed for the built development would not be visible either during or following construction. Therefore effects are judged to be **minor** for this receptor.

Discounted Visual Receptors

No views during construction or operation are predicted from the following middle distance and wider area locations as the views are truncated by landform, vegetation and / or built form: Viewpoints 1 and 2 - Funtley Lane and Lakeside; summer Viewpoints 12 and 14 from Bridleway 515, to the west; and more distant Viewpoints 11, 13 and 19 (from the west / north-west) and 15 - 18 (from the north-east). No views towards the Site were identified from the South Downs National Park.

7. Policy Compliance

7.1 Emerging Fareham Local Plan 2036 (Draft Consultation Version)

The proposed development is consistent with the Development Allocation for the Site (Policy HA10), set out in the emerging Fareham Local Plan 2036 (see Figure 2.4). It confines the proposed development to the northern parts of the Site; and creates new public open space in the form of parkland with paths to the south. It respects a 15m buffer to Great Beamond Coppice and protects the majority of the existing vegetation within and bounding the Site. The proposal creates new public open space with play elements in the north, incorporating existing vegetation designated as a SINC. The proposed open spaces more than compensate for the loss of the existing designated open space land within the Site (which is not currently accessible to the public).

Access is proposed to be taken from Funtley Road, making use of the existing access track into the Site. Green corridors, buffers and spaces are integral to the proposed built and green infrastructure areas. Sustainable drainage features are proposed, potentially contributing to the biodiversity and landscape value of the Site. View corridors would be retained between development blocks, allowing views towards the undeveloped southern slopes from Funtley Road to be retained. In accordance with emerging Policy CF6, the open space provision would more than compensate for the change of use of the existing open space designation with the Site (which is not currently accessible to the public).

A total of 55No dwellings are proposed in accordance with the Site allocation. The built form would respect the positive aspects of existing settlement character, and further details on this, and the proposed landscape mitigation are set out in the DAS. Community facilities and pedestrian and cycle links to surrounding areas to the north, south, west and east are also proposed (Policy D1).

The setbacks of the proposed development from the Site boundaries to the north and west, and proposals for landscape buffers with many new areas of planting here and to the south, would create a significant landscape framework that together with the retained vegetation would contribute to effective landscape integration of the built areas.

In turn, this planting, as well as planting within the built areas would contribute to meaningful visual softening and partial screening of the development from surrounding built areas, while partial views of the higher, undeveloped slopes of the Site would be retained. This is consistent with the aims of the policy.

The confinement of the proposed built area to the existing, developed valley floor (through which Funtley Road runs) would limit the extent to which the proposals would impact on the character of the Site and wider surrounding landscape (Policies NE1 and D1). This is because this part of the Site already benefits from a high degree of landscape and visual containment, by surrounding landform (including railway embankments), built form and existing mature and dense vegetation. The higher slopes of the Site, which are intervisible with elevated farmland north of Funtley and up to Knowle village, would remain undeveloped and additional planting is proposed in these locations.

7.2 National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG)

In terms of section 7 of the NPPF and NPPG section ID 26 relating to design, the proposed development seeks to provide attractive, high quality and inclusive design; with a strong sense of place, that is integrated with and respectful to the character and pattern of the local area. The proposed provision of a community building, community park and public open space with play areas provide opportunities for social interaction and active lifestyles. The built areas would be developed on the basis of perimeter blocks with good natural surveillance to all public areas. Adaptability and efficiency of the built environment would be important considerations. The proposed development carefully considers the topography of the Site and potential impact on views in the layout and form of the built areas.

In accordance with sections 8 (healthy communities) and 10 (climate change) of the NPPF, the areas of green and blue infrastructure would support action to combat effects of climate change through provision of shading, water attenuation, and carbon absorption. Consistent with section 10 of the NPPF. Regarding NPPF section 11 (natural environment) the proposals protect the undulating landform of the Site and the majority of the existing vegetation, and seek to improve the biodiversity of the Site by creating further diversity to the range of planting and grassland types within it.

In accordance with NPPG Paragraphs 009 and 015 the proposed development promotes green infrastructure including a number of open and green public spaces; it respects natural features, and promotes a high quality landscape with many areas of planting that contributes to the quality of the local area. By placing development in the lower parts of the Site, and in association with existing built form, the wider landscapes of the Site would be maintained as open, while there would be negligible impact on surrounding areas (NPPG section ID 8).

7.3 Fareham Local Development Framework, Core Strategy (Adopted August 2011)

In turn, these proposals for the Site are consistent with the Fareham Core Strategy (2011) Strategic Objectives SO10 (to manage, maintain and improve the built and natural environment to deliver quality places, taking into account the character and setting of existing settlements); SO11 (to protect sensitive habitats and maintain separate settlement identity); as well as Policy CS4 (protection of habitats important to biodiversity and provision of accessible green space for informal recreation); Policy CS14 (to protect countryside from adverse effects on landscape, character and function arising from development); Policy C17 (to create high quality development that adheres to good urban design and sustainability principles, that is respectful of landscape, scale, form and spaciousness, and that includes greenways and trees within the public realm); Policy CS21 (to seek to provide alternative, and better public open space provision to replace the designated area of open space within the Site); and, Policy CS22 (the proposal does not affect the Strategic Gap located west of the disused railway line).

7. Policy Compliance

7.4 Fareham Borough Local Plan Part 2: Development Sites and Policies (Adopted June 2015))

Referring to the Fareham Borough Local Plan Part 2 (2015), the proposed development:

- Seeks to mitigate and improve any potential impacts on neighbouring development and adjoining land, through respectful layout and provision of a robust landscape framework (In accordance with Policies DSP2 and DSP40);
- Does not adversely affect heritage assets (In accordance with Policies DSP5 and DSP40);
- Lies outside of the Defined Urban Settlement Boundary, but is located close to and would be in keeping with the character, scale and appearance of surrounding areas; is sited and designed to integrate with the existing settlement and prevent detraction from existing landscape; and is laid out to respect views into and out of the Site and to the elevated land to the south (In accordance with Policies DSP6 and DSP40);
- Protects designated nature conservation sites and provides additional planting within or around these; provides a wide range of new grassland, herbaceous, aquatic, shrub, hedge and tree planting, including native species and species supporting potential habitat creation, nectar and pollen provision; and retains the majority of the existing vegetation on the Site, providing a number of new landscape buffers and other areas of planting, as well as sustainable drainage ponds that would contribute to maintaining and reinforcing the biodiversity network (In accordance with Policies DSP13 and DSP40); and
- Does not adversely affect a Strategic Gap (In accordance with Policy DSP40).

In terms of the Planning Obligations Supplementary Planning Document for the Borough of Fareham (Excluding Welborne) Adopted April 2016, the proposed development provides a village green integrating play features to the north; and a community park to the south. In total, over 53% of the Site area (8.62ha out of 16.18ha) would remain undeveloped, for use as open spaces and for green and blue infrastructure.

7.5 Landscape Character

In accordance with Statement of Opportunity 1 (SEO1) set out in the profile for **National Character Area 128: South Hampshire Lowlands**, the proposed development promotes creative and effective sustainable development, including a well-connected network of high-quality greenspace, which would benefit local communities, protect local distinctiveness, encourage public understanding and enjoyment of the natural environment, and help to mitigate the impacts of climate change.

In addition, in accordance with SEO2, the proposed development would protect, manage and enhance the area's historic well-wooded character – including its ancient semi-natural woodlands and hedgerows – to link and strengthen habitats for wildlife, and improve recreational opportunities.

There is also opportunity, in accordance with SEO3 to diversify the grassland habitats with the Site, providing recreational opportunities and potential improved biodiversity.

In accordance with the opportunities for **Hampshire County Landscape Character Area 3E: Meon Valley**, the proposed development:

- Keeps development within the valley bottom and avoids building on the slopes and elevated parts of the Site;
- Retains the majority of the existing vegetated boundary structure to the Site;
- Provides many areas of green infrastructure with retained and new planting; and
- Creates potential pedestrian / cycle links to existing settlements and public rights of way.

In accordance with the priorities for enhancement for F**areham Borough Landscape Character Area 6: Meon Valley,** the proposed development:

- Protects important landscape and ecological resources, woodland and the slopes and ridge of the Site, which form part of the valley within which it lies;
- Creates a development that is limited in extent and which relates well to the existing Funtley village, maintaining an informal, rural character to the southern parts of the Site (community park);
- Provides opportunity to remove unslightly features from the Site;
- Sets development away from the Site boundaries, providing space to reinforce existing boundary vegetation with additional landscape buffers, that protect the character of the nearby roads and settlement. Where vegetation removal is required to facilitate safe access and egress from the Site, this would be minimised as far as possible, with new planting provided within the Site, outside of visibility splays; and
- Reinforces the retained green infrastruture network with many new areas of planting, including as part of the sustainable drainage strategy.

8. Summary and Conclusions

8.1 Summary of the baseline conditions

The Site is located at south-western edge of Funtley village in Hampshire and is bound by Funtley Road to the north and Honey Lane to the west.

The Site lies wholly within the landscape designation of 'Areas outside of Defined Urban Settlement' as defined in the proposal map of the Fareham Borough Core Strategy (adopted August 2011), whilst the area within north-western part of the Site is also designated as 'Existing Open Space' albeit this is not currently accessible to the public. The Ancient Woodland of Great Beamond Coppice is also located within the north east of the Site.

The Great Beamond Coppice is designated as a Site of Importance for Nature Conservation together with the existing tree groups located near the existing access entrance along the northern boundary and south-western boundary as shown on Figures 2.1 and 4.1. There are no other landscape designations within the Site. The Site is also subject to the influences of the nearby M27 motorway, settlement at Funtley village and the live railway to the east; with the addition of a telecommunications mast and timber poles carrying overhead lines within the Site. Therefore, the existing Site is considered to have a medium landscape value overall.

The Site is allocated for residential units in the emerging Fareham Local Plan 2036, subject to Policy HA10. In addition, the updated Borough Landscape Assessment (part of the Local Plan evidence base) indicates that small scale and sensitively integrated development could be accommodated in this location. The development allocation would remove the open space designation within the Site, albeit other existing policy provision seeks the provision of alternative or better uses. Several new, publicly accessible open spaces are therefore included as part of the scheme proposals.

Across the study area, there are a number of heritage assets comprising of Listed Buildings, Scheduled Ancient Monuments and local non-designated heritage asset Historic Parks and Gardens. There are no heritage assets located within or adjacent to the Site and none would be affected by the proposed development.

Views of the Site from the wider landscape (including the South Downs National Park) are truncated due to the undulating landform and intervening vegetation, whilst open and partial views of the internal ground plane and vegetation within and along the Site are apparent from the receptors located within close proximity of the Site - along parts of Funtley Road, Stag Way, Roebuck Avenue, Honey Lane; along part of Bridleway 515 to the west, near the bridge crossing over Funtley Road; and from parts of Public Footpaths 88 and 89 to the east of Funtley.

8.2 Summary of the landscape effects

The proposed development within the Site would not noticeably alter the landscape character at the national or county levels as discussed in this LVIA (**negligible** effects).

It is predicted that there would be, at worst, a **moderate** - **major** negative effect on land use landscape character at Site level - that is, the parts of the Site proposed for built development, due to the change in character from semi-enclosed pasture fields. Beyond this built area, the effects on the character of the wider Site and immediate context is predicted to be at worst, **minor** - **moderate** negative, but on the wider Borough character area, effects would be no greater than **negligible** or **minor**. Nevertheless, the proposed development is sited in close proximity to existing settlement and would not affect separate settlement identity or gaps.

Some modifications to landform would be required within the Site to provide safe access into, out of and within the proposed development, and to provide effective development platforms. The more steeply sloping and elevated parts of the Site would not be built on, with localised ground modelling only required to construct new pedestrian and cycle paths.

The effect on the Site landform is predicted to be at worst, **minor - moderate** negative at the construction stage only. Vegetation removal within the Site would be limited to that essential to facilitate effective development, to provide a safe area for new residents, or for other arboricultural or ecological reasons as identified by the relevant project specialists. The effects are predicted to be at worst, **moderate** negative at the construction stage, albeit these effects would be largely localised to the area proposed for built form.

The proposed development would, from the outset, be contained within an existing landscape framework of retained and protected mature hedges, trees, tree belts and woodland. There would also be retained open land (for community park uses) to the south. The proposed village green open space to the north would include play facilities and incorporate the retained SINC.

As the many areas of proposed landscape mitigation planting mature, the short term negative effects on land use and landscape character identified above would improve considerably with time, further reinforcing landscape integration, visual softening and partial screening.

Thus the effects on Site character and the immediate context would reduce by Year 15 to at worst **minor** negative (a clear day in winter) to at best **minor** - **moderate** positive, due to the ongoing positive management of the existing vegetation within the Site, and reinforcement of this with an additional robust network of varied landscape planting, diverse grasslands and planting associated with the proposed sustainable drainage features.

The many new areas of planting proposed would replace vegetation lost, while providing a considerable additional resource to the Site. Therefore, the effect on the Site vegetation is predicted to be **minor** positive in Year 1 and **moderate** positive by Year 15 when this is maturing.

8. Summary and Conclusions

8.2 Summary of the landscape effects (continued)

In terms of land use and the designated open space area of the Site, the provision of a total of 8.62ha of new publicly accessible open space with the proposed development is predicted to give rise to **minor** - **moderate** positive effects from Year 1 of operation. This would mean that over 53% of the total Site area of 16.18ha) would remain undeveloped and semi-rural in character.

Furthermore, the potential to provide pedestrian and cycle links to existing settlement north of Funtley Road, to Bridleway 515 to the west, and to Fareham to the south (by opening up the bridge link over the M27), the proposed development is predicted to give rise to **minor** - **moderate** positive effects on the public rights of way network from Year 1.

8.3 Summary of the visual effects

Regarding visual effects, the most noticeable visual change arising from the proposed development would be for the road users of Funtley Road and residents along the north side of the road, including a few residents of Stag Way and Roebuck Avenue. The views would be direct and in close range of the Site, albeit some views would be partly filtered by existing boundary vegetation.

Residents of Bramleigh at the south end of Honey Lane would have more distant and elevated views to the proposed development, seen in context with existing development at Funtley, and the farmland, and built areas including part of Knowle village to the north of Funtley. While development would be brought forward in these views, overall, the character and amenity of the panoramic views would be retained.

The construction and Year 1 operational effects are predicted to be at worst, **moderate** - **major** negative for residents along Funtley Road / Stage Way / Roebuck Avenue / Honey Lane; and **minor** - **moderate** negative for the transient receptors using Funtley Road. The mitigation planting associated with the built development would reduce these visual effects to at worst, **minor** negative for Funtley Road residents and road users by Year 15. The scheme proposes to retain views beyond the built area to the elevated and more open higher ground within the community park to the south.

No notable visual effects are predicted from Public Footpaths 88 and 89 to the east of Funtley, due to the limited areas of the Site visible, and screening by landform, built form at Funtley and vegetation in the intervening areas.

From Bridleway 515 to the west, some partial views and glimpses of the proposed development would be seen beyond existing vegetation along the embankments of the disused railway line. These views would be in context with partial views and glimpses of existing built form to the north of the Site, and would be in context with retained semi-open parkland with additional planting south of the built area. The Year 1 effects are predicted to be at worst, **moderate** negative, and only from a short section of the Bridleway in the vicinity of the bridge crossing over Funtley Road. By Year 15, the softening and enclosing effect of mitigation planting is predicted to reduce the visual effects to at worst, **minor** negative There would be no views of the development from most sections of the Bridleway due to physical and visual separation by dense vegetation in the intervening areas.

8.3 Conclusions

It is considered that the proposed development, which is subject to an allocation in the emerging Fareham Local Plan 2036, would represent a relatively limited and logical extension to an existing settlement. No widespread landscape or visual effects are predicted, and those effects predicted to occur at a Site and immediate site context level can be effectively mitigated and compensated for. The proposed development also offers opportunity for long term management of the Site and its mature vegetation (including Ancient Replanted Woodland); and provision of an additional robust structure of green infrastructure incorporating a diverse range of planting and grasslands, including within the areas of sustainable drainage. There would be the provision of a considerable area of new publicly accessible open space. The development is proposed to be well connected to existing settlement and public rights of way. In conclusion, therefore, with careful consideration of the constraints and opportunities of the Site, an appropriate development can be provided without substantial harm to landscape or views, but which provides a number of community and landscape benefits.

Appendix 1 – fabrik LVA Methodology

A1.1 Introduction

The methodology employed in carrying out an LVA or LVA with an impact statement of the Site, is drawn from the Landscape Institute and the Institute of Environmental Management and Assessment's "Guidelines for Landscape and Visual Impact Assessment" (GLVIA) Third Edition (Routledge 2013).

The term landscape is defined as an area perceived by people, whose character is the result of the action and interaction of nature and / or human factors. It results from the way that different components of our environment – both natural and cultural / historical interact together and are perceived by us. The term does not mean just special, valued or designated landscapes and it does not only apply to the countryside. The definition of landscape can be classified as:

- All types of rural landscape, from high mountains and wild countryside to urban fringe farmland (rural landscapes);
- Marine and coastal landscapes (seascapes); and
- The landscape of villages, towns and cities (townscapes).

An LVA with an impact statement provides a description of the baseline conditions and sets out how the study area and site appears, or would appear, prior to the proposed development. The baseline assessment is then used to predict the landscape and visual impacts arising from the proposed development. The assessment of impact is carried out as part of the iterative design process in order to build in mitigation measures to reduce the impacts as much as possible. The impact assessment will identify and assess effects during the construction and operational stages of the proposed development.

A1.2 Summary Overview of LVA Methodology

The LVA baseline assessment describes:

- Each of the landscape elements which then collectively inform landscape character for the contextual area to the site and the site itself;
- The character, amenity and degree of openness of the view from a range of visual receptors (either transient, serial or static views);
- The current baseline scenarios;
- The value of each of the landscape and visual receptors.

Landscape effects derive from changes in either direct or in-direct changes to the physical landscape, which may give rise to changes to the individual landscape components which in turn effects the landscape character and potentially changes how the landscape is experienced and valued.

Visual effects relate to the changes that arise in the composition, character and amenity of the view as a result of changes to the landscape elements.

The assessment of effects therefore systematically:

- Combines the value of the receptor with the susceptibility to the proposed change to determine the sensitivity of the receptor;
- Combines the size, scale, geographic extent, duration of the proposals and its reversibility in order to understand the magnitude of the proposal.
- Combines the sensitivity of the each of the receptors and the magnitude of effect to determine the significance of the effect.
- Presents the landscape and visual effects in a factual logical, well-reasoned and objective fashion.
- Indicates the measures proposed over and above those designed into the scheme to prevent/avoid, reduce, offset, remedy, compensate for the effects (mitigation measures) or which provide an overall landscape and visual enhancement;
- Sets out any assumptions considered throughout the assessment of effects.

Effects may be positive (beneficial) or negative (adverse) direct or indirect, residual, permanent or temporary short, medium or long term. They can also arise at different scales (national, regional, local or site level) and have different levels of significance (major, moderate, low, negligible or neutral / no change). The combination of the above factors influences the professional judgement and opinion on the significance of the landscape and visual effect.

The following sections sets out in more detail the assessment process employed.

A1.3 Establishing the Landscape Baseline

Desk and Field Studies: The initial step is to identify the existing landscape and visual resource in the vicinity of the proposed development – the baseline landscape and visual conditions. The purpose of baseline study is to record and analyse the existing landscape, in terms of its constituent elements, features, characteristics, geographic extent, historical and cultural associations, condition, the way the landscape is experienced and the value / importance of that particular landscape. The baseline assessment will also identify any potential changes likely to occur in the local landscape or townscape which will change the characteristics of either the site or its setting.

An desk study is carried out to establish the physical components of the local landscape and to broadly identify the boundaries of the study area. Ordnance survey (OS) maps and digital data is used to identify local features relating to topography/ drainage pattern, land cover, vegetation, built developments/settlement pattern, transport corridors/definitive public rights of way and any historic or prominent landscape features, which together combine to create a series of key characteristics and character areas. Vertical aerial photography will be used, to supplement the OS information. At this stage, any special designated landscapes (such as Areas of Outstanding Natural Beauty, National Parks, Green Belt, Conservation Areas, Listed Buildings, Areas of Special Character); heritage or ecological assets are identified. A review of information available in terms of any published historic landscape characterisation together with any other landscape / capacity / urban fringe and visual related studies is carried out at this stage.

Landscape character assessment, is the tool for classifying the landscape into distinct character areas or types, which share common features and characteristics. There is a well established methodology developed in the UK by the Countryside Agency and Scottish Natural Heritage in 2002, with further guidance published by Natural England in 2014. The national and regional level character assessments are often available in published documents, however the local / district or site levels may need to be set out based on a combination of desk studies and field survey work. The character assessment will also identify environmental and landscape opportunities, recent changes, future trends and forces for change where they may be important in relation to the proposal, especially considering how the landscape appears, or would appear prior to the commencement of development. The condition of the landscape, i.e. the physical state of an individual area of landscape, is described as factually as possible. The assessment of landscape importance includes reference to policy or designations as an indicator of recognised value, including specific features or characteristics that justify the designation of the area. The value of that landscape by different stakeholders or user groups may also influence the baseline assessment.

If published local / site level landscape character assessments are not available, the landscape is to be classified into distinctive character areas and / or types, based on variations in landform, land cover, vegetation / settlement pattern, field pattern, enclosure, condition, value and etc. The classification will take into account any National, County/District and Parish level landscape character assessments.

These desk based studies are then used as a basis for verification in the field.

Judgements on the value of both the landscape and visual receptor are made at the baseline stage.

Landscape Value

Value is concerned with the relative value or importance that is attached to different landscapes. The baseline assessment considers any environmental, historical and cultural aspects, physical and visual components together with any statutory and non-statutory designations and takes into account other values to society, which may be expressed by the local community or consultees. These tables are considered a starting point for consideration in the field. The landscape designations are to be considered in terms of their 'meaning' to today's context. The following table sets out the criteria and definitions used in the baseline assessment to determine landscape value at the local or site level (in addition to condition / quality as set out on the previous page). Wherever possible information and opinions on landscape value is to be sought through discussions with consultees, stakeholders and user groups.

Table A1.1 sets out the criteria used to determine landscape condition / quality and value at the local or site level in the field.

Table A1.1 – Landscape Value Criteria

Criteria
High (Very Good / Good Condition) International - National - Regional Scale
• Exceptional landscape with outstanding perceptual qualities. Very attractive, intact, natural, scenic, rare, wild and tranquil. The landscape may include World Heritage Sites, National Parks, Areas of Outstanding Natural Beauty or Heritage Coast or key elements/features within them; together with any non-statutory designations. Alternatively, the landscape may be un-designated but is valued as set out in published landscape character assessments and which, for example, identify and artistic and literary connections which assist in informing the identify of a local area (such as 'Constable Country'); • Recognisable landscape or townscape structure, characteristic patterns and combinations of landform and landcover are evident, resulting in a strong sense of place; • No or limited potential for substitution and which is susceptible to small changes; • A landscape that contains particular characteristics or elements important to the character of the area; • A valued landscape for recreational activity where the experience of the landscape is important; • Good condition with -appropriate management for land use and land cover, or with some scope to improve certain elements; • Distinct features worthy of conservation; • Unique sense of place; • No or limited detracting features.

Criteria
Medium (Good - Ordinary Condition) Regional - Local Scale
• Ordinary landscape and perceptual qualities. The landscape may include local designations such as Special Landscape Areas, Areas of Great Landscape Value, Strategic or Local Gaps; or un-designated but value expressed through literature, historical and / or cultural associations; or through demonstrable use by the local community; together with any non-statutory designations. Alternatively, the landscape may be valued through the landscape character assessment approach. • Distinguishable landscape or townscape structure, with some characteristic patterns of landform and landcover; • Potential for substitution and tolerant of some change; • Typical, commonplace farmed landscape or a townscape with limited variety or distinctiveness; • A landscape which provides recreational activity where there are focused areas to experience the landscape qualities; • Scope to improve management; • Some dominant features worthy of conservation; • Some detracting features.
Low (Ordinary - Poor Condition) Local /Site Scale
• Poor landscape and perceptual qualities. Generally un-designated. Certain individual landscape elements or features may be worthy of conservation and landscape either identified or would benefit from restoration or enhancement (such as local parks and open spaces). Alternatively, the landscape may be valued through the landscape character assessment approach. • Monotonous, weak, uniform or degraded landscape or townscape which has lost most of it's natural or built heritage features and where the landcover are often masked by land use; • Tolerant of substantial change; • A landscape which provides some recreational activities with limited focus on the landscape attributes; • Lack of management and intervention has resulted in degradation; • Frequent dominant detracting features; • Disturbed or derelict land requires treatment.

A1.4 Establishing in the Visual Baseline

Desk and Field Studies: The visual baseline will establish the area in which the site and the proposed development may be visible, the different groups of people who may experience the views, the places where they will be affected and the nature, character and amenity of those views.

The area of study for the Visual Assessment is determined through identifying the area from which the existing site and proposal may be visible (the Zone of Theoretical Visibility or ZTV). The baseline ZTV of the site is determined through either manual topographical analysis (a combination of desk and field based analysis which are considered appropriate for Landscape and Visual Appraisals and projects below the EIA threshold) or digital mapping based on bare earth modelling, (which do not take account of features such as vegetation or built form) constructing a map showing the area where the proposal may theoretically be visible. The extent of the mapping will depend on the type of proposal. The actual extent of visibility is checked in the field (both in the summer and winter months if the project timescales allow) to record the screening effect of buildings, walls, fences, trees, hedgerows and banks not identified in the initial bare ground mapping stage and to provide an accurate baseline assessment of visibility. Viewpoints within the ZTV should also be identified during the desk assessment, and the viewpoints used for photographs selected to demonstrate the relative visibility of the site (and any existing development on it and its relationship with the surrounding landscape and built forms). The selection of a range of key viewpoints will be based on the following criteria for determination in the field:

- The requirement to provide an even spread of representative, specific, illustrative or static / kinetic / sequential / transient viewpoints within the ZTV and around all sides of the Site.
- From locations which represent a range of near, middle and long distance views (although the most distant views may be discounted in the impact assessment if it is judged that visibility from this distance will be extremely limited).
- Views from sensitive receptors within designated, historic or cultural landscapes or heritage assets (such as from within World Heritage Sites; adjacent to Listed Buildings - and co-ordinated with the heritage consultant - Areas of Outstanding Natural Beauty or Registered Parks and Gardens) key tourist locations and public vantage points (such as viewpoints identified on OS maps).
- The inclusion of strategic / important / designed views and vistas identified in published documents.

Views from the following are to be included in the visual assessment:

1. Individual private dwellings. These are to be collated as representative viewpoints as it may not be practical to visit all properties that might be affected.
2. Key public buildings, where relevant (e.g. libraries; hospitals, churches, community halls etc)
3. Transient views from public viewpoints, i.e. from roads, railway lines and public rights of way (including tourist or scenic routes and associated viewpoints);
4. Areas of open space, recreation grounds and visitor attractions; and
5. Places of employment, are to be included in the assessment where relevant.

A1.4 Establishing in the Visual Baseline (continued)

The final selection of the key viewpoints for inclusion in the LVA will be based proportionately in relation to the scale and nature of the development proposals and likely significant effects and in agreement with the LPA.

The visual assessment should record:

- The character and amenity of the view, including topographic, geological and drainage features, woodland, tree and hedgerow cover, land use, field boundaries, artefacts, access and rights of way, direction of view and potential seasonal screening effects will be noted, and any skyline elements or features.
- The type of view, whether panoramas, vistas or glimpses.

The baseline photographs are to be taken in accordance with the Landscape Institutes technical guidance on Photography and Photomontage in LVIA (Landscape Institute 2011). The extent of visibility of the range of receptors is based on a grading of degrees of visibility, from a visual inspection of the site and surrounding area. There will be a continuity of degree of visibility ranging from no view of the site to full open views. Views are recorded, even if views are truncated of the existing site, as the proposed development may be visible in these views. To indicate the degree of visibility of the site from any location three categories are used:

a) **Open View:**
An open, unobstructed and clear view of a significant proportion of the ground plane of the site; or its boundary elements; or a clear view of part of the site and its component elements in close proximity.

b) **Partial View:**
A view of part of the site, a filtered or glimpsed view of the site, or a distant view where the site is perceived as a small part of the wider view;

c) **Truncated View**:
No view of the site or the site is difficult to perceive.

Following the field survey (which should cover ideally both winter and summer views) the extent to which the site is visible from the surrounding area will be mapped. A Photographic Viewpoint Plan will be prepared to illustrate the representative, specific and illustrative views into / towards and within the Site (if publicly accessible) and the degree of visibility of the site noted. This Plan will be included in a Key Views document for agreement with the Local Planning Authority and any other statutory consultees as part of the consultation process. The visual assessment will include a series of annotated photographs, the location and extent of the site within the view together with identifying the character and amenity of the view, together with any specific elements or important component features such as landform, buildings or vegetation or detracting features which interrupt, filter or otherwise influence views. The photograph will also be annotated with the Value attributed to the receptor or group of receptors.

By the end of this stage of the combined landscape and visual site study, it will be possible to advise, in landscape and visual terms, on any specific mitigation measures required in terms of the developments preferred siting, layout and design.

Value of Visual Receptors

Judgements on the value attached the views experienced are based on the following criteria.

Table A1.2 – Value Attached to Views

Value	Criteria
High	Views from landscapes / viewpoints of national importance, or highly popular visitor attractions where the view forms an important part of the experience, or with important cultural associations. This may include residential receptors in Listed Buildings where the primary elevation of the dwelling is orientated to take advantage of a particular view (for example across a Registered Park and Garden or National Park).
Medium	Views from landscapes / viewpoints of regional / district importance or moderately popular visitor attractions where the view forms part of the experience, or with local cultural associations. This may include residential receptors where the primary elevation of the dwelling is orientated to take advantage of a particular view.
Low	Views from landscapes / viewpoints with no designation, not particularly important and with minimal or no cultural associations. This may include views from the rear elevation of residential properties.

Susceptibility of the Visual Receptor to the Proposed Change

The susceptibility to the proposed changes in views and visual amenity occur as a result of the occupation or activity of people experiencing the view and the extent to which their attention or interest may be focused on the views and the visual amenity they experience. The grouping of susceptibility of the visual receptors is set out later in this document.

A1.5 Predicting and Describing the Landscape and Visual Effects

An assessment of visual effect deals with the change on the character and amenity arising from the proposal on the range of visual receptors.

The assessment of effects aims to:

- Identify systematically and separately the likely landscape and visual effects of the development;
- Identify the components and elements of the landscape that are likely to be affected by the scheme;
- Identify interactions between the landscape receptors and the different components of the development at all its different stages (e.g. enabling, construction, operation, restoration etc);
- Indicate the secondary mitigation measures over and above those already designed into the scheme proposed to avoid, reduce, remedy or compensate for these effects;
- Estimate the magnitude of the effects as accurately as possible and considering this in relation to the sensitivity of the receptor; and
- Provide an assessment of the significance of these effects in a logical and well-reasoned fashion.

Having established the value of the landscape and visual receptor, the effects are then considered in relation to the magnitude of change, which includes the size / scale, geographical extent of the areas influenced and the duration and reversibility.

Wherever possible tables or matrixes will be used, linked with the illustrative plans, so that the landscape and visual effects are recorded and quantified in a systematic and logical manner. Consideration is given to the impacts on completion of development at Year 1 and at maturity (Year 15) (to represent short, medium and long term effects) so that the effects of the development after mitigation has matured are identified. Assumptions or limitations to the assessment will also be set out.

Effects will include the direct and/or indirect impacts of the development on individual landscape elements / features as well as the effect upon the general landscape character and visual receptors.

Landscape Susceptibility

Landscape susceptibility is evaluated by its ability to accommodate the proposed change (i.e. the degree to which the landscape is able to accommodate the **proposed** change without undue consequences for the maintenance of the baseline situation and / or the achievement of landscape planning policies and strategies) as set out in Table A1.2.

As part of the assessment of the landscape character and its component parts, conclusions will be drawn as to the overall susceptibility of the landscape / landscape elements and visual environment to the type of development proposed. Existing landscape capacity assessments may form a starting point for the refinement of the assessment of landscape susceptibility at the local and site level.

Table A1.3 – Landscape Susceptibility Criteria

Susceptibility	Criteria
High	A landscape or townscape particularly susceptible to the proposed change, which would result in significant negative effects on landscape character, value, features or individual elements.
Medium	A landscape or townscape capable of accepting some of the proposed change with some negative effects on landscape character, value, features or elements.
Low	A landscape or townscape capable of accommodating the proposed change without significant negative effects on landscape character, value, features or elements.

Landscape Sensitivity

The assessment of landscape sensitivity is then combined through a judgement on the value attributed to that landscape receptor / component and the susceptibility of the landscape receptor to the proposed change using the following matrix.

Table A1.4 - Landscape Sensitivity

		Landscape Receptor Susceptibility		
		High	**Medium**	**Low**
Landscape Value	**High**	High	High - Medium	Medium
	Medium	High - Medium	Medium	Medium - Low
	Low	Medium	Medium - Low	Low - Negligible

Visual Susceptibility

The susceptibility of the different types of people to the changes proposed is based on the occupation of the activity of the viewer at a given location; and the extent to which the persons attention or interest may be focussed on a view, considering the visual character and amenity experienced at a given view. The criteria used to assess the susceptibility of a visual receptor are summarised below.

Table A1.5 – Visual Susceptibility Criteria

Susceptibility	Criteria
High	People with particular interest in the view, with prolonged viewing opportunity, including: Residents where views contribute to the landscape setting enjoyed by the community; those engaged in outdoor recreation, such as those using public rights of way; views from within the designated landscapes and heritage assets where the views of the surroundings are an important contributor to the experience; travellers along scenic routes.
Medium	People with moderate interest in the view and their surroundings, including: Communities where the development results in changes in the landscape setting or value of views enjoyed by the community; people travelling through the landscape, where the appreciation of the view contributes to the enjoyment and quality of that journey; people engaged in outdoor recreation, where their appreciation of their surrounding and particular view is incidental to their enjoyment of that activity.
Low	People with momentary, or little interest in the view and their surroundings, including: People engaged in outdoor sport; People at their work place; Travellers where the view is fleeting or incidental to the journey.

Visual Sensitivity

The sensitivity of visual receptors in views is based on the professional judgement combining the value and susceptibility to change on that visual receptor.

Table A1.6 - Visual Sensitivity

		Visual Receptor Susceptibility		
		High	**Medium**	**Low**
Value of Visual Receptor	**High**	High	High - Medium	Medium
	Medium	High - Medium	Medium	Low
	Low	Medium	Low	Low - Negligible

A1.6 Magnitude of Effects

In determining the magnitude of landscape effects, this will consider:

1. Scale and size of the change in the landscape (considering the changes to individual components and the effect this has on contribution to landscape character; the degree to which aesthetic or perceptual aspects of the landscape are altered; whether the effect changes the key characteristics of the landscape);
2. Geographic extent over which the landscape effects will be experienced (effects limited to the site level; effects on the immediate setting; effects relating to the scale of the landscape type or character area; effects on a larger scale such as influencing several landscape character areas); and
3. The duration, permanence and reversibility of the proposal.

Similar to landscape effects, the magnitude of visual effects will consider:

1. Scale and size of the change to the view (considering loss or addition of features to the view and proportion of the view occupied by the proposed development; the degree of contrast or integration of any new landscape features or changes in the landscape and characteristics in terms of form, scale, mass, line, height, colour and texture; and the nature of the view of the proposed development relative to the time over which it will be experienced and whether views will be full, partial or glimpses).
2. Geographical extent (including the angle of the view; the distance of the viewpoint to the proposed development; and the extent of the area over which the changes would be visible).
3. The duration, permanence and reversibility of the proposal.

A1.7 Significance of Effects

The two principal criteria determining the significance of effects are the sensitivity of the receptor in relation to the magnitude of effect. A higher level of significance is generally attached to the magnitude of change on a sensitive receptor; for example, a low magnitude of change on highly sensitive receptor can be of greater significance than very high magnitude of change on low sensitivity receptor. Therefore, whilst the table opposite sets out a starting point for the assessment, it is important that a balanced and well reasoned professional judgement of these two criteria is provided and an explanation provided.

In order to develop thresholds of significance, both the sensitivity of receptors and the magnitude of change must be classified for both landscape receptors and visual receptors as set out in the tables below. Where landscape effects are judged to be adverse, additional mitigation or compensatory measures are to be considered. The significant landscape effects remaining after mitigation are then to be summarised as the residual effects.

Magnitude Elements					Overall Magnitude of Change
Size / Scale	**Geographic Extent**	**Duration**	**Permanence**	**Reversibility**	
Major	Wide or Local; Direct and open view	Long - Short Term	Permanent or Temporary	Irreversible or Reversible	**High**
Major	Site Level; Direct and open view	Long - Short Term	Permanent or Temporary	Irreversible or Reversible	**High - Medium**
Moderate	Local / Site Level; Direct or oblique, partial view	Long - Short Term	Permanent or Temporary	Irreversible or Reversible	**Medium - Low**
Minor	Local / Site level; Oblique partial or glimpsed view	Long - Short Term	Permanent or Temporary	Irreversible or Reversible	**Low**
Negligible	All of the above and a truncated view	Long - Short Term	Permanent or Temporary	Irreversible or Reversible	**Negligible**

The criteria for each of the above is to be determined relative to the size and scale of the individual project applying professional judgement and opinion.

However, the following are typically used:

Size and Scale: relates to the combination of the following (and are linked to the descriptions set out under table A1.9):

- extent of existing landscape elements that will lost (to proportion of the total extent that is lost) and the contribution that the element has to landscape character;
- the degree to which aesthetic or perceptual aspects of the landscape are altered (addition or removal of features and elements)
- whether the effect changes the key distinctive characteristics of the landscape;
- size and scale of change in the view with respect to the loss or addition of features in the view and changes to the composition, including the proportion of the view occupied by the proposed development;
- the degree of contrast or integration of any new features or changes in the townscape with the existing or remaining townscape or landscape elements and characteristic terms of form, scale, mass, line, height, colour and texture;
- the nature of the view of the proposed development, in terms of relative amount of time over which it will be experienced and whether views will be open, partial, glimpsed.

Geographic Extent: The geographic area over which the landscape effects will be felt relative to the proposal; and relative to visual receptors is to reflect the angle of the view; the distance of the viewpoint; the extent of the area over which the changes would be visible.

Duration, Permanence and Reversibility: These are separate but linked considerations and are project specific. For example, changes to a brownfield urban site could be reversible. Construction impacts are likely to be short term, temporary, but see the start of a permanent change. Operational effects are likely to be long term, permanent and either irreversible or reversible, depending on the nature of the project.

No change: If there is no change to the landscape or visual receptor then the overall magnitude of change will be **Neutral.**

A1.7 Significance of Effects (continued)

Effects will be described clearly and objectively, and the extent and duration of any negative / positive effects quantified, using four categories of effects, indicating a gradation from high to low.

Table A1.7 - Sensitivity and Magnitude of Effects

		Landscape and Visual Receptor Sensitivity		
		High	**Medium**	**Low**
Magnitude of Change	**High**	Major	Moderate to Major	Moderate
	Medium	Moderate to Major	Moderate	Minor - Moderate
	Low	Moderate to Major	Minor - Moderate	Minor
	Negligible	Negligible	Negligible	Negligible
	Neutral	Neutral	Neutral	Neutral

The degree of effect is graded on the following scale in relation to the significance criteria above:

Table A1.9 - Significance of Landscape and Visual Effects

Effect Significance	Criteria
Substantial negative / adverse effect	Where the proposals would cause the substantial or significant loss of key mature landscape elements and characteristic features / a significant deterioration in the character and amenity of the view in terms of perceptual qualities / or introduce element(s) considered to be wholly and substantially uncharacteristic of the area; and where the proposals would result in a significant change, or more notable change in more distant views, on the character and amenity of the view from the range of visual receptors.
Major negative / adverse effect	Where the proposals would cause the total loss of key mature landscape elements and characteristic features / a major deterioration in the character and amenity of the view in terms of perceptual qualities / or introduce element(s) considered to be wholly and substantially uncharacteristic of the area; and where the proposals would result in a significant change, or more notable change in more distant views, on the character and amenity of the view from the range of visual receptors.
Moderate negative / adverse effect	Where the proposals would cause the loss of some of the key landscape elements and / or particularly representative characteristic features / or introduce elements considered significantly uncharacteristic of the area; and a noticeable deterioration in the character and amenity of the view from the range of visual receptors.
Minor negative / adverse effect	Where the proposals would cause the loss of some landscape elements or characteristic features / introduce elements characteristic of the area; and a barely perceptible deterioration in the character and amenity of the view from the range of visual receptors.
Negligible	Where the proposals would have no discernible deterioration or improvement in the existing baseline situation in terms of landscape elements or view.
Neutral	Where the proposals would result in no change overall (resulting in no net improvement or adverse effect).
Minor positive / beneficial effect	Where the proposals would result in minor loss or alteration or improvement of the key elements and features / provide a small enhancement to the existing landscape elements or characteristic features; and cause a barely perceptible improvement in the existing view for the range of receptors.
Moderate positive / beneficial effect	Where the proposals would cause some enhancement to the existing landscape elements or characteristic features / noticeable improvement in the character and amenity of the existing view from a range of visual receptors.
Major positive / beneficial effect	Where the proposals would cause a major enhancement to the existing landscape elements or characteristic features / noticeable improvement in the character and amenity of the existing view from a range of visual receptors.
Substantial positive / beneficial effect	Where the proposals would cause a significant enhancement to the existing landscape elements or characteristic features / wholesale improvement in the character and amenity of the existing view from a range of visual receptors.

Effects assessed as being greater than moderate are considered to be a significant effect.

A1.8 Effects During Site Enabling and Construction

It is recognised that project characteristics and hence sources of effects, will vary through time. The initial effects arise from the site enabling and construction works. Sources of landscape and visual effects may include:

- The location of the site access and haulage routes;
- The origin and nature of materials stockpiles, stripping of material and cut and fill operations / disposal and construction compounds;
- The construction equipment and plant (and colour);
- The provision of utilities, including lighting and any temporary facilities;
- The scale, location and nature of any temporary parking areas and on-site accommodation;
- The measures for the temporary protection of existing features (such as vegetation, trees, ponds, etc) and any temporary screening (such as hoarding lines); and
- The programme of work and phasing of development.

A1.9 Effects During Operation (at Year 1)

At the operational stage, the sources of landscape and visual effects may include:

- The location, scale, height, mass and design of buildings in terms of elevational treatment; structures and processes, including any other features;
- Details of service arrangements such as storage areas or infrastructure elements and utilities and haulage routes;
- Access arrangements and traffic movements;
- Lighting;
- Car parking;
- The noise and movement of vehicles in terms of perceived effects on tranquillity;
- Visible plumes from chimneys;
- Signage and boundary treatments;
- Outdoor activities that may be visible;
- The operational landscape, including landform, structure planting, green infrastructure and hard landscape features;
- Land management operations and objectives; and
- The enhancement or restoration of any landscape resource of particular view.

A1.10 Mitigation and Compensatory Measures

The purpose of mitigation is to avoid, reduce and where possible, remedy or offset, any significant (major to minor) negative (adverse) effects on the landscape and visual receptors arising from the proposed development. Mitigation is thus not solely concerned with "damage limitation", but may also consider measures that could compensate for unavoidable residual effects. Mitigation measures may be considered under three categories:

- Primary measures that intrinsically comprise part of the development design through an iterative process;
- Standard construction and operational management practices for avoiding and reducing environmental effects; and
- Secondary (or residual) measures designed to specifically address the remaining effects after the primary and standard construction practices have been incorporated.

If planting is required as part of the mitigation measures, it is proposed that areas of planting are introduced as part of the proposed development and the height of this planting will be considered as follows (dependent on plant specification and details of the scheme):

- Planting at completion / short term: 3-5 metres (dependent on plant specification).

Strategies to address likely negative (adverse) effects include:

- Prevention and avoidance of an impact by changing the form of development;
- Reduce impact by changing siting, location and form of development;
- Remediation of impact, e.g. by screen planting;
- Compensation of impact e.g. by replacing felled trees with new trees; and
- Enhancement e.g. creation of new landscape or habitat.

A1.11 Guidelines for Mitigation:

- Consultation with local community and special interest groups, if possible, on the proposed mitigation measures is important;
- Landscape mitigation measures should be designed to suit the existing landscape character and needs of the locality, respecting and building on local landscape distinctiveness and helping to address any relevant existing issues in the landscape;

Many mitigation measures, especially planting, are not immediately effective. Where planting is intended to provide a visual screen for the development, it may also be appropriate to assess residual effects for different periods of time, such as day of opening at Year 1.

- The proposed mitigation measures should identify and address specific landscape issues, objectives and performance standards for the establishment, management maintenance and monitoring of new landscape features.
- A programme of appropriate monitoring may be agreed with the regulatory authority, so that compliance and effectiveness can be readily monitored and evaluated.

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Report presented by

Fabrik Ltd.,

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Report presented by

Rummey environmental

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Fareham Borough Council Local Plan 2037 Consultation (Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012)

Consultation Response Pinks Hill, Wallington

Prepared on behalf of Vistry Homes Limited December 2020

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Appendix 1b – FBC Local Plan 2036 Consultation Response (Dec 2017)

Appendix 2 – Hampshire County Council Response to app 19/0894/OA in relation to Pinks Hill road

Appendix 3 – Site Access Drawing SK05

1.0 Introduction

1.1 These representations have been prepared by WYG on behalf of Vistry Group who have an interest in the land at Pinks Hill, Fareham which is in a single ownership. The Group was formed in January 2020 following the successful acquisition by Bovis Homes Group PLC from Galliford Try Plc of Linden Homes and their Partnerships & Regeneration businesses. Vistry Partnerships is the Group's affordable homes and regeneration specialist. Working in close partnership with housing associations, local authorities and government agencies, it is one of the UK's leading providers of affordable housing and sustainable communities.

1.2 This representation follows various previous representations made during the preparation of the Fareham Borough Council (FBC) plan. Most recently this included a representation in relation to the FBC Draft Local Plan 2036 Supplement in January 2020. Our previous representations are appended at Appendix 1. The site has previously also been promoted as part of the Council's Call for Sites and Draft Local Plan Regulation 18 consultation, and these previous representations remain valid.

1.3 This representation relates to Fareham Borough Council's Regulation 19 consultation in relation to the Fareham Borough Council Local Plan 2037 (hereafter referred to as 'the plan').

1.4 The site extends to approximately 5.3 hectares and had, until the publication of the current version of the plan, been proposed by FBC for allocation for residential development, with an indicative capacity of 80 dwellings, in the Fareham Borough Draft Local Plan (2017) under Policy HA8.

1.5 These representations consider the Local Plan and the supporting evidence base, which are the subject of a Regulation 19 Consultation which runs until 18th December 2020, focusing on whether it: has been positively prepared; is legally compliant and sound; and whether the duty to cooperate has been met. This document will demonstrate that the decision to seek to deliver a lower number of houses than the adopted Method for Calculating Housing Need requires is not justified or sound and undermines the Council's Duty to Cooperate. It will then go onto show that the removal of draft policy HA8 is not justified by the sites available, achievable and deliverable status and its highly sustainable location in Wallington, which is borne out by the Council's own evidence.

2.0 Local Plan Housing Strategy

2.1 On the 22nd of October 2020 FBC's Cabinet? approved the publication Local plan for regulation 19 consultation ahead of submission to the Secretary of State for independent examination. The publication of the 'submission' local plan followed several previous iterations, tweaks and consultation on the emerging plan. This included major changes to the plan in 2018 and 2019 to accommodate additional housing to reflect the Government's adopted Method of Calculating Housing Need.

2.2 In August 2020 the Government published a document entitled 'Changes to the current planning system', which proposed an alternative Standard Method for Assessing Housing Numbers in strategic plans (hereafter referred to as the 'SMAHN'). The current iteration of The Plan was subsequently based on the SMAHN.

2.3 On the 16th December 2020 the Government announced their response to the consultation, confirming that they "…have decided the most appropriate approach is to retain the standard method in its current form".[1] Alongside the announcement, the Government published a table confirming the indicative local housing need for Fareham would be 514, the same need as identified by FBC in their Local Plan Supplement. The Planning Practice Guidance has also been updated to reflect the announcement.

2.4 We appreciate the untimely change in approach by central government has placed the council in a difficult position. However, for the plan to be 'sound' the housing requirement will need to be revised to reflect the latest planning practice guidance. Owing to the resultant and significant changes this entails, we are of the view that a further round of consultation should be undertaken prior to The Plan's submission. This representation is made on the assumption that FBC will review their approach in light of the Government announcements and changes to the PPG in relation to calculating housing need made on the 16th December 2020. If the plan is submitted in its current form, we request the opportunity to participate in and comment further on the currently proposed housing requirement and the methodology behind it.

2.5 Vistry Group maintain that site HA8 remains available and deliverable and can help meet the council's housing requirement in the short term.

[1] https://www.gov.uk/government/consultations/changes-to-the-current-planning-system/outcome/government-response-to-the-local-housing-need-proposals-in-changes-to-the-current-planning-system [accessed 16.12.202]

Summary

2.6 In summary, there have been fundamental changes in circumstances since The Plan was produced. As a result The Plan in its current form fails to deliver the housing the area needs owing to the abandonment of the proposed revisions to the SMAHN. Consequentially, Policy H1 relating to the strategy to deliver the housing the area needs is therefore unsound. The current adopted housing method would represent a far more robust starting point to help deliver the housing the Borough requires.

3.0 Sustainable Development at Pinks Hill

3.1 Vistry Group (which encompasses Linden homes) has previously submitted various promotion documents and representations confirming that the site is deliverable, achievable and suitable for development. Our previous site promotion has demonstrated that development of the site represents sustainable development in an accessible location. Until this most recent iteration of the plan, the site had been proposed for allocation with reference HA8, which demonstrates that FBC also considered it a suitable site for development.

Housing Site: HA8	**SHLAA Reference:** 1998
Name: Pinks Hill	**Proposed Use:** Residential & Employment
Location: Wallington	**Indicative Capacity:** 80
Size: 5.3 ha	**Planning Status:** None

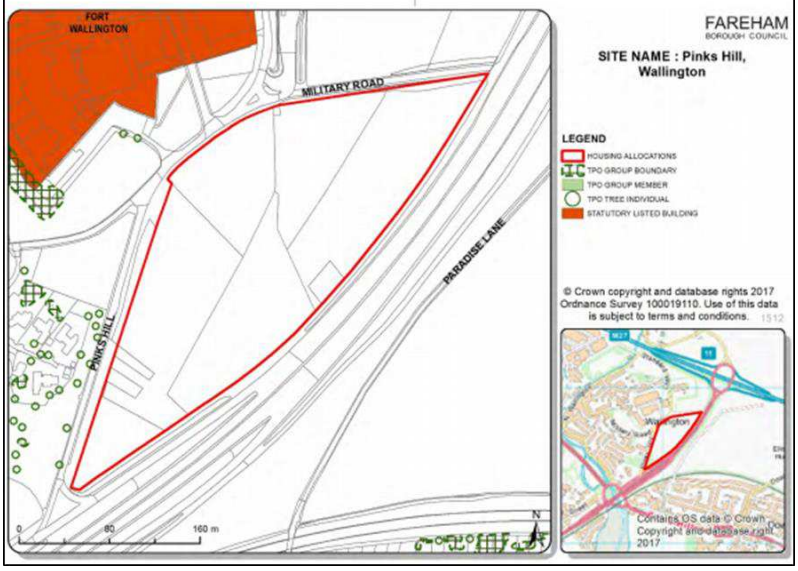


Figure 1 - Extract from Fareham Draft Local Plan (2017)

3.2 The January 2020 consultation on the local plan supplement continued to consider the site in accordance with the Council's intended strategy for development as the extract from the 2036 supplement demonstrates, showing Pinks Hill continuing to be allocated:

Figure 2 - Extract from Fareham Local Plan 2036 Supplement

3.3 However, the regulation 19 plan, subject of this consultation, excludes the site from allocation,. Given the change in circumstances and the resultant uplift in housing requirement, Vistry Group can confirm that site HA8 remains available and developable for reasons set out below.

3.4 Firstly, the site is within walking and cycling distance of a range of facilities, including Fareham Town centre. It also has excellent access to the strategic road network and good access to public transport. There are no overriding technical constraints to its development.

3.5 The site is not considered an area of landscape sensitivity, nor is it in an identified gap where development of the site could physically or visually be considered to result in landscape harm or coalescence. It is also a well contained site with strong defensible boundaries formed by a mixture of existing built form, including the A27 to the south-east, and strong planting.

3.6 In respect of Highways, it has been demonstrated that a suitable access can be provided to the site (see appendix 3). Vistry is committed to providing suitable pedestrian access to the site to provide a safe and convenient route for people to access the facilities and services in Wallington and Fareham. Formal details of pedestrian routes would be submitted with a planning application, but, the adjoining roads are in public ownership and no overriding constraints to their provision are envisaged.

3.7 In terms of traffic impacts of the development on the surrounding road network, and in particular Pinks Hill road, it has been demonstrated that no overriding issues arise. Pinks Hill and Military road, avoiding the site, are not adopted highways managed by the Highways

Authority (HCC) - they are though owned and managed by a public body, Fareham Borough Council, meaning ownership issues are not an overriding constraint. HCC, in its formal responses to extant planning applications in Wallington (P/19/0894/OA), has confirmed that with suitable works to Pinks Hill, the cumulative impacts of development in the area can be appropriately accommodated (Appendix 2). Indeed, upgrading the road to potentially adoptable standard offers an opportunity for FBC, as owners of the road, to potentially remove its liability for maintenance and management through offering it for adoption to the Highways Authority.

3.8 In regards noise from nearby uses and roads, we have also demonstrated that, with suitable mitigation in place, the site can form a suitable living environment for residents.

3.9 The site is also not within an Air Quality Management Area (AQMA) and the proposals are located and will be designed such that sustainable forms of travel, such as walking and cycling, will be prioritised to reduce CO_2 and NO_2 production.

3.10 Our previous submissions in relation to the regulation 18 consultation and supplement consultation are included at Appendix 1 and set out in more detail how the site is suitable, achievable and available when tested against the comments of the SEA and SHELAA. These comments largely remain relevant and demonstrate there are no overriding issues preventing the sites allocation and development.

3.11 The previous allocation of the site by FBC, and its designation in the 2019 SHELAA as a Suitable, achievable and available site proves that the site has no overriding constraints which would prevent its development. This includes matters relating to highways.

3.12 The site also consistently scores well in the most recent SEA. The site is considered in three different ways by the SEA, despite being promoted as a single residential site. Nonetheless, the site consistently scores positively whether appraised as a whole site or in parts.

ID	Fareham Town Centre & other brownfield sites	SA1	SA2	SA3	SA4	SA5	SA6	SA7	SA8	SA9	SA10	SA11
1998	Land at Pinks Hill (south-east part)	++	+/-	+	+	++	+/-	+/-	--	0	0	+
1352	Land at Pinks Hill, Wallington (north-west part)	++	+/-	+	+/-	+	+/-	+/-	--	0	0	-
1998	Pinks Hill, Wallington	++	+/-	+	+/-	+	-	+/-	--	0	0	+

Figure 3 - Extract from the SEA (November 2020)

3.13 Overall, the submission version SEA confirms the site is suitable for development and should be selected.

1998	Pinks Hill, Wallington	Selected - suitable site, low landscape sensitivity

Figure 4 - Extract from Appendix G of the SEA November 2020

3.14 The site also scores comparably, and in some instances better than sites chosen for allocation, including against sites not yet benefitting from planning permission or a resolution to grant.

3.15 The site's sustainability was confirmed by the SHELAA December 2019 which concluded that the site is suitable, available and achievable. However, the latest SHELAA (September 2020) confusingly then suggests the site is not suitable or achievable, despite its previous acceptability in the 2019 SHELAA, and its positive scoring in the latest SA.

3.16 Vistry welcomes the fact that the latest SHELAA now considers the site for a minimum of 130 units and no employment, which we have previously argued is a more appropriate and efficient use of the site and hence this change is supported.

3.17 Furthermore, the latest SA sets out an even more positive appraisal of the site.

3.18 Overall, the site offers an excellent opportunity to deliver at least 130 homes on a sustainable and accessible site. The sites suitability for development continues to be recognised by the evidence published supporting the plan, which ranks the site highly on the majority of SA objectives. Development of the site also continues to cohere with FBC's preferred plan strategy (option 2F). There are also no overriding technical constraints to the site's development. The site should therefore be reincluded for allocation in the plan to make an important and sustainable contribution to FBC's housing need. Failure to include the site in the plan to meet the increase in housing requirement would represent an unsound and unjustified approach to the consideration of sites for development which does not cohere with the requirement that plans be positively prepared to meet the areas housing need.

4.0 Other Policies

Policy HP5 – Affordable housing

4.1 Vistry is committed to providing an appropriate quantum and mix of affordable housing on site to meet local needs.

4.2 Vistry supports the wording of part (iv) of policy HP5 which recognises that local need and site characteristics are key drivers of mix but suggest that Market Signals also be added to the considerations.

Policy HP9 – Self and Custom Build Housing

4.3 Custom build and self-build development is an important part of the Government's agenda to widen the choice of homes and encourage greater variety by supporting small and medium size housebuilders. The need for self and custom build plots is recorded through registers kept by Councils and a duty has been placed on LPAs to grant planning permission to satisfy this need in full. As set out in our regulation 18 representation to the 2017 draft plan, it is considered that the policy is too blunt and fails to account for the particular needs and requirements of potential self and custom home builders. Self/custom building housing is a dynamic housing need that can vary considerably year-on-year and therefore a more dynamic policy is required that enables the requisite amount of self/custom building development land to come forward in places and on sites that reflects the actual need as identified by the local self-build register.

4.4 It is not clear whether the Council has considered alternative approaches to the delivery of self-build plots. It is important that the Council examines all options in line with PPG before placing additional burdens on the development industry. The PPG also sets out at para 025 of the Self build and custom build housebuilding page that the Council should seek to encourage landowners to consider the provision of self-build plots and facilitate access where they are interested. The approach taken by the Council clearly goes beyond encouragement as it requires the provision of plots without site specific prior engagement about was is realistic and achievable on a given site, taking account of its particular context and local circumstances.

4.5 It is also questionable whether there will be a high demand for self-build plots within a wider residential estate. In our experience, self-builders seek either bespoke 'self-build' sites (such as that proposed by application P/19/0130/OA – see below) or individual self-build units, often in the countryside. Provision as part of a larger scale site is hence likely to lead to poor take up of

the self-build plots and not meet the requirements of those on the register, whilst also resulting in additional cost and wasted developable space on sites such as Pinks Hill.

4.6 If the Council considers that a quota-based policy is the preferred approach to satisfying the self/custom build need in Fareham then a more flexible approach should be adopted. For example, the proportion of plots being brought forward as self-build should only reflect the need demonstrated on the register. This should also factor in locational choice as clearly demand exhibited in one part of the Borough is specific to that location and it would be unreasonable to expect those on the register to satisfy their need elsewhere. If a specific quota is applied, then this should be regarded as a starting point for negotiations and with the relevant caveat that such a requirement could be set aside or reduced on the grounds of viability or contextual factors relevant to the site.

4.7 Vistry Group do offer a 'self-finish' product whereby the developer works with the potential home buyer to design the interior layout, fixtures and fitting to provide a bespoke interior product for the purchaser, akin to custom build options. This offers an alternative, more appropriate, route for delivery of a self/custom build type product as part of a larger site, whilst still making the most efficient use of the site and the time and resources required.

4.8 In the case of Pinks Hill, an application for an entirely self-build scheme of 26 dwellings is under consideration adjacent to the site (FBC ref P/19/0130/OA). This would likely take the foreseeable demand within Wallington for Self-build plots on a site designed to cater specifically to the self and custom build market. If further plots where delivered on Pinks Hill, there is a very real risk that these plots could be left empty due to the saturation of self-build plots in the very immediate area. This is a good example of why draft Policy HP9 is too blunt and needs to be made more flexible and dynamic, responding to the actual demand for self-build plots as identified on the register.

4.9 Notwithstanding the above, if the quota-based approach is adopted, Vistry support the inclusion of the 'fall back' that any self-build plots that are not taken up can be developed as standard units as part of the wider site. It is suggested that this fall back be made more agile by reducing the period to six months to reduce potential expensive delays on site. Consideration should also be given to how any self-build plots would fit conveniently and safely within the wider development site as their inclusion introduces logistical and health and safety challenges not recognised by the policy or supporting text.

Policy NE2 – Biodiversity net Gain

4.10 Vistry is committed to protecting and enhancing ecology on the sites it delivers and welcomes efforts to utilise opportunities to improve biodiversity on sites. However, there appears to be inconsistent consideration of the potential affects of imposing a Biodiversity Net Gain (BNG) requirement on the deliverability and viability of sites, which could have implications for site delivery.

4.11 Firstly, in viability terms, we note that a £500 sum per dwelling has been assumed as the 'cost' of implementing BNG, based on figures provided by Natural England. However, the basis on which this 'average' figure has been arrived at by Natural England is not apparent from the published evidence base. The BNG cost is also likely to vary substantially depending on the baseline ecological value of a particular site and the ability to provide enhancements.

4.12 There also does not appear to have been an assessment of how the requirement to provide BNG might affect site capacity. Some habitats which may require enhancement are particularly land intensive and so may reduce the developable area of sites, which in turn may reduce site yields and viability.

4.13 A blanket £500 per dwelling assumption in testing the viability of the policy is therefore too blunt a measure of its affect on viability.

4.14 Finally, recognition, either within the policy or supporting text, should be given to the potential use of 'credits' to achieve BNG where net gains are not achievable on site.

Policy NE8 – Air Quality

4.15 Vistry is pleased that amendments have been made to this policy. However, whilst improved from its original wording, it still remains somewhat ambiguous, particularly the first paragraph of the policy which states that major development "shall…contribute to the improvement of local air quality". It should be made abundantly clear within the policy that this does not mean major developments need to demonstrate they are 'air quality neutral'. This still could have the unintended consequence that, where a development has even a slight negative change to air quality, it could be refused. To reiterate however, that alongside requirements for electric vehicle charging points should be measures to ensure security of supply and sufficient capacity from National Grid and local distribution networks, to support the promotion of, and increased reliance on, electric vehicles. Vistry nonetheless supports the overall principle of the policy and strongly endorses adopting measures to minimise harm to air quality in the area. This will include

imbedding measures in the design of the site that will encourage people to walk and cycle to local facilities and services, reducing the need to travel by car.

5.0 Conclusion

5.1 In conclusion, the Fareham Borough Council draft Local Plan 2037 in its current form is not sound for the reasons set out in this representation. The principal reason the plan is not considered sound and not positively prepared following the abandonment of the SMAHN published by the Government for consultation in August 2020. The Council should instead utilise the adopted methodology as set out by the PPG which indicates a local need of 514 units per annum.

5.2 A reconsideration of the housing numbers upwards to reflect the adopted housing method, the actual sub regional housing shortfall and the historic under delivery in the Borough resulting in affordability issues would allow FBC to plan positively for good growth to positively meet its housing needs. Owing to the significant changes to the Plan this necessitates we would urge the Council to undertake a further round of consultation on a revised plan reflective of housing needs as set out in the PPG. This approach will significantly reduce the risk of The Plan being found unsound at EiP.

5.3 The land at Pinks Hill represents a suitable, achievable and available site, ready for allocation in a revised plan to meet the Council's actual housing need. The site has historically been proposed for allocation, and even on the latest Council Evidence, the site is considered 'suitable' for development due to its sustainable location and in accordance with the Council's chosen strategy. The site can provide new housing supply early in the plan period, within the first 5 years of the plan, which will help mitigate any potential delays to the delivery of larger sites such as but not limited to Welborne. The site should therefore be reallocated for development to help meet the evidenced housing need in the Borough. Vistry look forward to working with the Council to bring forward the site development.

The countryside charity
Hampshire

Em[redacted]

Working locally and nationally for a beautiful
and living countryside

15th December 2020

FAO: planningpolicy@fareham.gov.uk

Fareham Local Plan 2037 Publication
Regulation 19 Consultation

Dear Sirs,

Please find attached comments from CPRE Hampshire regarding the Regulation 19 Fareham Local Plan 2037 consultation.

Firstly, a general point; CPRE Hampshire is extremely pleased to see that Fareham BC have approached their new Local Plan from a landscape-based perspective, a process which we wholly support. Furthermore, we fully endorse Fareham BC's inclusion of a Climate Change policy, which must underpin all other policies and spatial planning.

Furthermore, we are pleased to see that Fareham have adopted housing numbers based on the latest available housing projections from the ONS, the 2018-based projections, which show a considerable reduction in estimated local need.

However, we remain disappointed that there seems to be no mention of a potential new South Hampshire **Green Belt** in the Reg 19 consultation. In an earlier consultation by Fareham BC in July 2019, there were a number of mentions of this option, notably in Section 10c regarding the Meon Valley, where it said "The Council will also be working with PUSH to consider the potential for greenbelt land across local authority areas, and there could be scope for this area to become part of a South Hampshire greenbelt." As CPRE Hampshire has long campaigned for a sub-regional area of restraint in order to encourage urban regeneration and prevent sprawl, this was very much welcomed. Sadly, this does not seem to have been included in the Reg 19 document, and we consider its exclusion to be a significant wasted opportunity, as the NPPF allows local authorities to designate Green Belt as part of the Local Plan process. It has been agreed that the PfSH authorities are to consider a new Green Belt as part of their forthcoming Statement of Common Ground and we would have hoped to see Fareham BC leading the way.

CPRE Hampshire has completed Response forms for individual policies which are attached below this letter, but in summary our headline comments are as follows:

Development Strategy

Strategic Policy DS1 Development in the Countryside: CPRE Hampshire agrees with these principles but notes that a South Hampshire Green Belt could aid considerably in achieving these goals.

Strategic Policy DS2 Strategic Gaps: We note the decision to re-define strategic gaps (the Meon and Fareham-Stubbington gaps) and suggest that a new Green Belt could achieve this. An area could easily be defined to encompass the Meon Valley, which could link to an area of larger Green Belt to the north of the Borough in Winchester District.

Strategic Policy DS3 Areas of Special Landscape Quality: CPRE Hampshire agree with Fareham BC's analysis of the Borough's varied landscapes and supports any intention to define them as Areas of Special Landscape Quality, illustrated in Figure 3.3. However, CPRE Hampshire suggests that some of these could be further protected if they also formed part of a wider South Hampshire Green Belt, in particular the Upper Hamble Valley, the Meon Valley, the Forest of Bere and Portsdown Hill.

Climate Change

Strategic Policy CC1 Climate Change: CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. The aspirations in Policy CC1 are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. We consider that this is a missed opportunity. However, we feel that Criterion a) does not go far enough. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes "Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle." It must be a fundamental tenet of the Fareham Local Plan that NO development should be permitted that relies on the car as its main means of access.

Nothing less than a drastic change to spatial strategy and a move away from South Hampshire's historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture. The adoption of a South Hampshire Green Belt would assist this by encouraging urban redevelopment, and preventing sprawl into the countryside where modal change to walking, cycling and public transport is very much more difficult to achieve.

Housing

Policy H1 Housing: CPRE Hampshire recognises that the current guidance from MHCLG requires the calculation of local housing need (LHN) based on figures from the 2014-based household projections, although a recent MHCLG consultation suggested a new methodology. Whatever the methodology, CPRE Hampshire supports Fareham BC in using the most up-to-date household figures based on the 2018-based projections. We also welcome the removal of Policy HA2 from the Reg 19 Local Plan.

Policy HA1 Warsash: CPRE Hampshire does not believe that the proposed development around Warsash can be consider truly sustainable, reliant as it is on the car as the main means of transport. We are concerned about the lack of a masterplan and believe the proposed framework does not fulfil a place making function.

Policy HP4 Five-Year Housing Land Supply: CPRE Hampshire has significant concerns about the unintended consequences of this policy, specifically its linkage with DS1, and believe that it may lead to site selection looking outside the Urban Area in the first instance.

Policy HP6 Exception Sites: The potentially inadvertent use of the word OR in Criterion c) could allow significantly large exception sites to be allowed, as long as they remain below the threshold of 5% of the size of the adjacent settlement. There should be a fixed upper limit.

Natural Environment

Strategic Policy NE1 Protection of Nature Conservation, Biodiversity and the Local Ecological Network: CPRE Hampshire supports the use of ecological network mapping to conserve nature and protect biodiversity and as a tool for influencing spatial planning.

Policy NE2 Biodiversity Net Gain: CPRE Hampshire supports the requirements for 10% biodiversity net gain on all development.

Policy NE4 Water Quality effects on the SPAs, SACs and Ramsar sites of the Solent: CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse the proposed policy until the legal issues have been resolved.

Policy NE6 Trees, Woodlands and Hedgerows: CPRE Hampshire agrees with any policy that supports the preservation or enhancement of trees, woodlands and hedgerows.

Policy NE8 Air Quality: CPRE Hampshire supports the requirements for air quality improvement but considers more could be achieved if development were only to be permitted in locations around mass public transport hubs, rather than being car dependent.

Policy NE9 Green Infrastructure: CPRE Hampshire agrees that green infrastructure is important to the wider ecological network and to the health and wellbeing of residents but suggests that it would be better protected in perpetuity were it to be formalised as part of a new Green Belt.

Transport and Other Infrastructure

Strategic Policy TIN1 Sustainable Transport: CPRE Hampshire recognises that Fareham BC aspire to have 'good growth' with existing and proposed transport corridors influencing choice of development, but we feel the policy does not go far enough. The Council should feel empowered to reject development which is not already located around, or can provide, public mass transit hubs, in particular the rail network.

The principles of development and transport as set out in the Transport for New Homes checklist should be followed - https://www.transportfornewhomes.org.uk/the-project/checklist-for-new-housing-developments/.

Design

Strategic Policy D1 High Quality Design and Placemaking: The design quality of future developments starts with overall masterplanning and landscape context as well as specific building details. Fareham has seen a proliferation of poorly designed car dependant nondescript developments over recent years, and it is critical that major improvements are made for the future.

Yours faithfully,

Caroline Dibden

Vice-President
CPRE Hampshire

The countryside charity
Hampshire

A1 Is an Agent appointed:

No, an agent is not appointed

A2 Please provide your details below:

Title:	**Mrs**
First Name:	**Caroline**
Last Name:	**Dibden**
Job Title:	**Vice-President**
Organisation:	**CPRE Hampshire, the countryside charity**
Address:	[redacted]
Telephone:	[redacted]
Email Address:	[redacted]

POLICY DS1: Development in the Countryside

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.29 – 3.36

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS1: Development in the Countryside

B1c Which part of the Policies Map?

Areas of Special Landscape Quality and Strategic Gaps

a) East of Welborne,
b) the Strategic Gap along the Meon, and
c) to the north-west of the borough.

2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire STRONGLY SUPPORTS the overall approach taken by Fareham BC in the Fareham Local Plan 2037 for a spatial strategy based on countryside, which is justified as it is in accordance with the aspirations as set out in the NPPF for development to be brownfield first, and for countryside to be protected for its intrinsic value and beauty, and for protection of Best and Most Versatile agricultural land. It is also supported by the Government's 25-year Environment Plan and for the recommendations as set out by the Climate Change Committee.

Furthermore, CPRE Hampshire SUPPORTS the Vision for the Fareham Local Plan 2037 which states that Fareham BC seek to retain its identity, and the identity of individual settlements within the Borough, through measures that seek to retain the valued landscapes and settlement definition.

We also SUPPORT Strategic Priority 2 which seeks to maximise development in the urban area and away from the wider countryside, valued landscapes and those of special quality and spaces that contribute to settlement definition.

CPRE Hampshire believes that the Vision and Strategic Priority 2 would both be better achieved if a new Green Belt was designated, due to its permanence and effectiveness. We submitted to Fareham BC and to PfSH a report by NEF Consulting on the potential socio-economic and environmental benefits of a Green Belt: https://www.cprehampshire.org.uk/our-campaigns/south-hampshire-green-belt/. This demonstrates the considerable financial benefits as well as to health and wellbeing, climate change and natural capital of protecting the green space near to population centres, in perpetuity, something that only Green Belt is designed to achieve.

Looking at the specific policy wording, CPRE Hampshire believes that criterion (e) of **Policy DS1** is unsound, specifically in the way it permits development in the countryside that is compliant with Policies **HP4, HP5 and HP6**. Permissions that might be compliant with these polices appear to be in direct contradiction with the other criteria in **Policy DS1**, and the policy is therefore internally inconsistent.

HP4 relates to the Five Year Housing Supply (5YHLS) and allows residential development outside the urban area boundary where the Council is unable to demonstrate a 5YHLS. It is believed that the Government intends to remove 5YHLS test in the planning reforms, so this policy may be redundant and should be reworded to future proof its deletion. However, that notwithstanding, the main problem is that the wording of Policy HP4 and its linkage with **DS1** could unintentionally lead to countryside locations taking priority over alternative, more sustainable, urban or brownfield locations.

HP5 relates to the provision of affordable housing on sites of 10 or more, and its linkage to **DS1** could unintentionally suggest that Fareham BC accepts in principle the development of ANY affordable housing site outside the urban area boundary. The risk is that the linkage could potentially enable large scale housing development in the countryside as long as it could be demonstrated that 40% affordable housing would be achieved.

HP6 relates to small rural affordable housing exception sites, and whilst CPRE Hampshire supports the provision of rural affordable housing, the concern is that the linkage with **DS1** could inadvertently lead to a series of separate applications which in combination amount to significant levels of development in the countryside. The cumulative impact on the separation of settlements resulting from a number of sites each individually sub- 1 hectare or <5% of the adjacent settlement must be considered, but at the moment the policy has no mechanism for dealing with this potential eventuality. See separate comments on **Policy HP6** as regards the use of the word *OR*.

CPRE Hampshire SUPPORTS criteria i) to v) of **Policy DS1** and believe they provide a sound underpinning of the principles aspired to by Fareham BC.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Fareham BC should look at the areal extent of a possible South Hampshire Green Belt as part of this Local Plan, as it has been confirmed by Leader Cllr Woodward that they wish to see such a designation to protect the countryside and gaps.

Remove the linkage of **Policies HP4, HP5 and HP6** with **Policy DS1**.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Including a proposed South Hampshire Green Belt would be in accordance with the aspirations as set out by the Council in council meetings, PfSH meetings and in press releases.

Removing the linkage of **Policies HP4, HP5 and HP6** with **Policy DS1** would remove the internal inconsistency by removing the possibility of inadvertent development in the countryside.

B4c Your suggested revised wording of any policy or text:

Remove the linkage of **Policies HP4, HP5 and HP6** from Policy **S1 (e).**

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for Local Plans to take the countryside into account when devising spatial development strategy, and we would like to appear at the Hearings to support Fareham BC in choosing this approach. Our expertise lies in spatial strategy and reconciling development requirements with the environmental constraints of countryside, and its uses and purposes.

POLICY DS2: Development in Strategic Gaps

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.43 to 3.46, Para 3.10

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS2: Development in Strategic Gaps

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC to designate strategic gaps between Fareham / Stubbington and the Western Wards (Meon Gap) and between Fareham / Bridgemary and Stubbington / Lee-on-the-Solent (Fareham- Stubbington Strategic Gap). However, a study carried out on behalf of CPRE Hampshire in January 2019, by consultants West Waddy, showed that historically strategic gaps in South Hampshire have failed to adequately prevent coalescence of settlements. This report was shared with Fareham BC as a member of the Partnership for South Hampshire, and can be submitted as part of our evidence on this matter to the examination hearings.

"An Assessment of the Effectiveness of Settlement Gap Policies in South Hampshire in preventing Urban Sprawl & the Coalescence of Settlements" – January 2019, West Waddy.

The conclusions show that through appeals and permissions the gaps designated in South Hampshire (including Fareham) have been significantly reduced over time, and are thus an ineffective policy and thus unsound. Para 3.10 confirms that this has been the case in Fareham.

The findings of this report show that "In the national context, South Hampshire is fairly unique among the large urban areas in England in having no designated Green Belt, with reliance instead being placed upon Gaps designated in Local Plans to prevent the coalescence of settlements."

Furthermore "given the major urban extensions currently being proposed and the past history of erosion of Gaps through subsequent permissions being granted, a strong argument can be made that the current Gap policies across the sub-region are failing in their remit to prevent coalescence and sprawl, which is ultimately likely to lead to currently separate settlements forming one large South Hampshire conurbation and expanding out into the adjoining areas of countryside. The exceptional circumstances therefore exist to demonstrate that a new stronger policy backed by explicit Government advice is needed to prevent this happening and the tool for this is a Green Belt, which is already in use around most large urban areas in England. South Hampshire is the exception in having no such designation."

CPRE Hampshire has submitted to Fareham BC and to PfSH a report by NEF Consulting on the potential socio-economic and environmental benefits of a Green Belt: https://www.cprehampshire.org.uk/our-campaigns/south-hampshire-green-belt/

Notwithstanding the above comments regarding a new Green Belt, CPRE Hampshire SUPPORTS the removal of the earlier proposed Strategic Growth Area SGA, previously entitled HA2 (in the Reg 18 consultation version) from the now proposed Fareham-Stubbington Strategic Gap. The previous inclusion of the SGA was clearly subject to objections by neighbouring Gosport BC, which would have undermined any Duty to Co-operate and thus soundness. It was also objected to by many CPRE members and is therefore of concern to us.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Fareham BC should look at the areal extent of a possible South Hampshire Green Belt as part of this Local Plan, as it has been confirmed by Leader Cllr Woodward that they wish to see such a designation to protect the gaps between settlements.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Including a proposed South Hampshire Green Belt would be in accordance with the aspirations as set out by the Council in council meetings, PfSH meetings and in press releases, and would lead to a much more rigorous policy to prevent coalescence which is Fareham BC's stated aim.

A need for a South Hampshire Green Belt was confirmed by Cllr Woodward in the Fareham BC Executive Committee at 6pm on Monday 7th December 2020. Its omission from the Reg 19 Local Plan consultation is thus not in accordance from the council's own publicly announced policy.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for a new South Hampshire Green Belt, and we would like to appear at the Hearings to further explain our justification and why Fareham merits the exceptional circumstances required to designate a new Green Belt. We have a petition which has been signed by nearly 15,000 people asking Fareham BC (alongside Eastleigh BC, Winchester CC and Test Valley BC) to designate a Green Belt as part of its Local Plan process.

POLICY DS3: Landscape

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.48 to 3.58

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS3: Landscape

B1c Which part of the Policies Map?

All Areas of Special Landscape Quality

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE fully SUPPORTS the approach taken by Fareham BC in respect of analysing and including Areas of Special Landscape Quality as part of its development strategy and as Strategic Policy S3. This is in accordance with the aspirations outlined in the NPPF to value landscape for its intrinsic character and beauty of the countryside, as outlined in NPPF Para 170 a) and b).

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for Local Plans to take landscape into account when devising spatial development strategy, and we would like to appear at the Hearings to support Fareham BC in choosing this approach. Our expertise lies in spatial strategy and reconciling development requirements with the environmental constraints of, and impacts upon, the wider landscape.

POLICY H1: Housing Provision

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 4.1 to 4.20

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy H1: Housing Provision

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

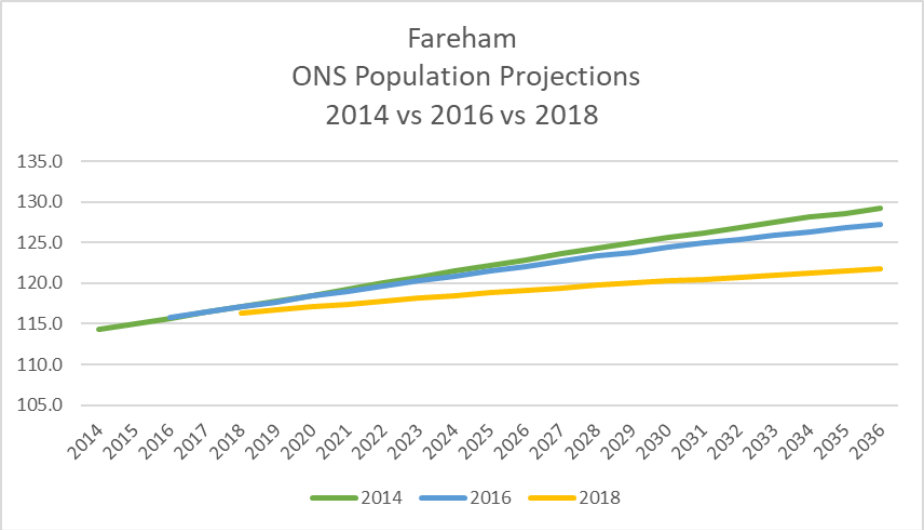
B3 Please provide details you have to support your answers above

The approach taken by Fareham BC to calculating housing need for this Reg 19 version is based upon the MHCLG consultation on a new standard method in August 2020, which showed Fareham's housing need to be lower (403 dpa) than using the previous standard method (514 dpa). CPRE Hampshire SUPPORTS the use of the latest base data on household projections (the 2018-based projections from the ONS) as it conforms with Para 31 of the NPPF "The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals."

As can be seen from the graph below, the most up-to-date population projections (in 000's) for Fareham evidences the trend towards a lower requirement, and this would translate into a lower household projection. The impact of Covid-19, and corresponding economic fallout, on migration patterns will remain unclear for some time, and it is therefore sensible to use a cautious approach to planning and development.

However, for Fareham to agree to take unmet need from Portsmouth is premature, predating as it does the revised statement of common ground from PfSH, and therefore Policy H1 is unsound.

It is also clear that there remains a significant reliance on delivery of housing at Welborne, which is subject to a separate plan. Delays to infrastructure finding at Welborne could have an impact on Fareham's overall strategy for delivery of its housing needs in the plan period.



B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Remove the requirement to take housing from Portsmouth CC.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a recognised authoritative voice on Hampshire's housing numbers, the standard methodology and has been involved in this aspect of Fareham's Local Plans since the time of the South East Plan in 2005, and the formation of PfSH (Partnership for South Hampshire).

CPRE Hampshire is part of an expert group in the National CPRE network on housing numbers, and would like to appear at the hearing sessions to SUPPORT the use of the most up-to-date household projections.

POLICY HA1: North and South of Greenaway Lane, Warsash

B1 Which part of the Local Plan is this representation about?

	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA1 North and South of Greenaway Lane, Warsash

B1c Which part of the Policies Map?

Figure 4.1

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire has significant concerns about the piecemeal development already seen, and proposed, in the Warsash area. Population growth in the 10 years 2009-2019 has reached 9% in Warsash and the western wards, while Fareham itself has only grown by 4%. As Warsash has no access to the rail network, this pattern of development could not be considered sustainable. It therefore fails the soundness tests.

An indicative framework as shown in Figure 4.1, but this does not meet the requirements for a masterplan, and it is not adequate for long-term planning to integrate the various separate sites and applications by a series of different developers. Policy HA1 will fail to meet any government aspirations for placemaking as set out in the NPPF Chapter 12, Paras 124 to 130, and is therefore unsound.

Para 124 of the NPPF states “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

Para 125 of the NPPF states "Design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics." It is apparent from discussion with CPRE Hampshire members that there has not, to date, been any meaningful involvement of local communities.

It is clear that the settlement policy boundaries have been moved to accommodate the applications pending for Warsash. This is not consistent with a plan-led approach but is simply reactive to a developer-led situation, and takes no account of the area's defining features.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

More analysis of the sustainability criteria for the overall development strategy, such as access to public transport is required before sites such as HA1 are confirmed. Has every opportunity for brownfield development around rail networks been ruled out?

Much more consultation with the local community is required before the proposed HA1 framework meets NPPF prerequisites.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has worked for some years with local campaign group Save Warsash and the Western Wards, and a number of our members will be affected by the proposals for such a large allocation of housing to one small settlement. We would like to take part in the hearing sessions to represent their concerns for initial choice of an unsustainable site, loss of countryside and open space in Warsash, and poor design due to lack of a masterplan.

POLICY HP4: Five-year housing land supply

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 5.22 to 5.28

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy HP4: Five-year housing land supply

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

Policy HP4 states "If the Council cannot demonstrate a five-year supply of land for housing against the housing requirement set out in Policy H1, additional housing sites, outside the Urban Area boundary, may be permitted where they meet all of the following criteria….." The problem with this policy is that inadvertently it encourages the first choice of sites to be "outside the Urban Area". CPRE Hampshire is sure that this is not what Fareham BC intends, and in any event it would not be in accordance with the councils own aspirations for a brownfield first approach, nor in accordance with the NPPF Para 137, and is therefore unsound. A sequential approach should be used, even in the event of a lack of a five-year housing land supply.

The problem is exacerbated by the linkage of **Policy HP4** with **Policy DS1**, particularly **DS1 Criterion (e)** as discussed above**.**

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HP4 should be rewritten to include a sequential approach, which "makes as much use as possible of suitable brownfield sites and underutilised land" as per Para 137 (a) of the NPPF.

The linkage of **Policy DS1 (e)** and **Policy HP4** should be removed.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be in accordance with the NPPF.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is part of an expert group in the National CPRE network on housing numbers, and the five-year housing land supply, and would like to appear at the hearing sessions to discuss its impact on the Fareham Reg 19 Local Plan.

POLICY HP6: Exception Sites

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 5.43 to 5.51

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy HP6: Exception sites

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The second part of **Policy HP6, Criterion (c)**, would allow exception sites with a limit of 1 hectare *OR* a proviso that the scheme does not exceed 5% of the size of the adjacent settlement. The problem is the word OR, as this could lead to large sites adjacent to large settlements being permitted as they would still be beneath the 5% cut-off. For example, Fareham town is a large settlement, of some 20,000 households, and so an exception site of up to 5% could itself number 1,000 dwellings. CPRE Hampshire is sure that this is not what was intended by Fareham BC as the aspiration is for small sites on urban boundaries.

The problem is exacerbated by the linkage of **Policy HP6, Criterion (c)**, with **Policy DS1**, particularly **DS1 Criterion (e)** as discussed above**.**

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HP6 should be rewritten to include a sequential approach, which "makes as much use as possible of suitable brownfield sites and underutilised land" as per Para 137 (a) of the NPPF.

Criterion c) should be reworded to remove the reference to *OR* 5% of the size of the adjacent settlement and have a fixed upper limit of what is meant by 'small sites' as identified in the justification text (Para 5.46).

The linkage of **Policy DS1 (e)** and **Policy HP6** should be removed.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Any ambiguity on what a "small site" means would be removed giving clarity for applicants and for FBC.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of affordable housing, such that it is located and designed appropriately, and would like to appear at the hearing sessions to discuss the impact of Policy HP6 on the Fareham Reg 19 Local Plan.

STRATEGIC POLICY CC1: Climate Change

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 8.1 to 8.10

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy CC1: Climate change

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		**NO**
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire generally SUPPORTS the approach taken by Fareham BC to Climate Change. But we believe that **Policy CC1, Criterion (a)** does not go far enough to encourage/enforce a truly sustainable pattern of development and is unlikely to lead to a meaningful reduction of emissions from private car use.

Section 19(1A) of the Planning and Compulsory Purchase Act 2004 requires that a local authority's development plan documents must: (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.

The NPPF Para 148 further includes the requirement that "the planning system should support the transition to a low carbon future in a changing climate", should "shape places in ways that contribute to radical reductions in greenhouse gas emissions" and Footnote 48 "in line with the objectives and provisions of the Climate Change Act 2008."

CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. The aspirations in **Policy CC1** are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. We consider that this is a missed opportunity. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes "Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle." It must be a fundamental tenet of the Fareham Local Plan that NO development should be permitted that relies on the car as its main means of access.

Nothing less than a drastic change to spatial strategy and a move away from South Hampshire's historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture.

Policy CC1 is therefore not legally complaint unless the large part of Fareham's spatial strategy is geared to development around mass public transport hubs and avoiding sites which are car-dependant. It is clear that sites such as Policy HA1 would fail to meet this condition.

CPRE Hampshire recommends the checklist provided by Transport for New Homes, which sets out an objective approach to planning new housing areas without dependence on cars: https://www.transportfornewhomes.org.uk/wp-content/uploads/2019/10/checklist.pdf

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

CPRE Hampshire recommends strengthening **Policy CC1, Criterion (a)** to enable a spatial strategy more likely to meet the requirements set out in Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and the NPPF, by including a requirement for mass public transport hubs to be the first approach for development, and to enable Fareham to refuse car-dependent applications.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be in accordance with Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and the NPPF Para 148.

B4c Your suggested revised wording of any policy or text:

(a) A development strategy that minimises the need to travel by allocating sites and generally directing development to locations **near to mass public transport hubs**, with better services and facilities, or where they are capable of being improved.

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning housing, such that it is located and designed appropriately around public transport hubs to minimise emissions and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy CC1** in this regard.

POLICY NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.5 to 9.27

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

B1c Which part of the Policies Map?

The Local Ecological Network map in Appendix C

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The approach taken by Fareham BC is sound, and CPRE Hampshire SUPPORTS the requirement for nature to be conserved and ecological networks to be protected as per the forthcoming Environment Act.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning development, such that it is located and designed appropriately to conserve and enhance the biodiversity of the area and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE1** in this regard.

POLICY NE2: Biodiversity net gain

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.28 to 9.44

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE2: Biodiversity net gain

B1c Which part of the Policies Map?

The Local Ecological Network map in Appendix C

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The approach taken by Fareham BC is sound, and CPRE Hampshire SUPPORTS the requirement for biodiversity net gain as per the forthcoming Environment Act.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning development, such that it is located and designed appropriately to see a net gain in biodiversity of the area, and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE2** in this regard.

POLICY NE4: Water quality effects on the SPAs, SACs and Ramsar sites of the Solent

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.50 to 9.54

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE4: Water quality effects on the SPAs, SACs and Ramsar sites of the Solent

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		**NO**
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse the proposed policy until the legal issues have been resolved.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire's remit covers protection and enhancement of both land and seascape, including Hampshire's iconic chalk streams and rivers, and the Solent. In the absence of an outcome on the legal matters, the hearing session may be the first opportunity to evaluate the effectiveness and legality of the proposed policy.

POLICY NE6: Trees, woodland and hedgerows

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.79 to 9.89

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE6: Trees, woodland and hedgerows

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE6** is sound. The Climate Change Committee has called for a 40% increase in the extent of hedgerows by 2050 to help tackle the climate emergency, and we would thus like to see more hedgerows planted and restored in Fareham BC.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

NO Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

POLICY NE8: Air quality

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.98 to 9.118

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE8: Air quality

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE8** is sound.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

NO Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

POLICY NE9: Green infrastructure

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.119 to9.125

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE9: Green infrastructure

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE9** is sound. However, we believe that a link with **Policy HE1** should be included within **Policy HE9** itself, rather than just within the supporting text in **Para 9.122**. CPRE Hampshire further believes that much better Green Infrastructure provision could be safeguarded over the long term if it were to be incorporated within a South Hampshire Green Belt.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of green infrastructure alongside planning development, such that it is located and designed appropriately, in order to benefit biodiversity, natural capital, but also residents' health and wellbeing. We would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE9** in this regard, and to discuss whether a South Hampshire Green Belt could ensure green infrastructure is protected in perpetuity.

POLICY TIN1: Sustainable transport

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 10.1 to 10.11

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy TIN1: Sustainable transport

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy TIN1** to be a good starting point. CPRE Hampshire recognises that Fareham BC aspire to have 'good growth' with existing and proposed transport corridors influencing choice of development, however we feel **Policy TIN1** does not go far enough. The Council should feel empowered to reject development which is not already located around, or can provide, public mass transit hubs, in particular the rail network. The policy as it stands does not give Fareham BC a sufficiently robust mechanism for achieving this. It is therefore unlikely to comply with the aspirations to meet climate change objectives as set out in **Policy CC1** or for air quality in **Policy NE8**.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

The principles of development and transport as set out in the Transport for New Homes checklist should be followed - https://www.transportfornewhomes.org.uk/the-project/checklist-for-new-housing-developments/.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

The policy would then comply with climate change and air quality objectives.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning housing, such that it is located and designed appropriately around public transport hubs to minimise emissions and impacts on climate change. We would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy TIN1** in this regard.

POLICY D1: High quality design and place making

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 11.1 to 11.36

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY D1: High quality design and place making

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire welcomes the approach taken by Fareham BC towards high quality design in **Policy D1** but would like to see the inclusion of the words countryside and landscape into **Criterion (i)**. The omission of these words makes it inconsistent with **Strategic Policies DS1 and DS3** and therefore unsound.

The design quality of future developments starts with overall masterplanning and landscape context as well as specific building details. Fareham has seen a proliferation of poorly designed car dependant nondescript developments over recent years, and it is critical that major improvements are made for the future.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include the words countryside and landscape into **Criterion (i).**

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

This would then be in accordance with **Strategic Policies DS1 and DS3**.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire has many members in Fareham who are keenly interested in the design of future developments and would like to see major improvements over previous failures in design quality, which has historically resulted in large spawling estates of car-dependant nondescript housing.

Representations | Robert Marshall

1812-4594

Respondent details:

Title:	Mr
First Name:	Robert
Last Name:	Marshall
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	Fareham Society
Address:	[redacted]
Postcode:	[redacted]
Telephone Number:	[redacted]
Email Address:	[redacted]

1) Policy: HP1 - New Residential Development

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This Policy is unsound in so far that it contains no restriction on the size of replacement dwellings or house extensions. Overlarge replacement dwellings and extended dwellings can detract from the undeveloped rural character and appearance of the countryside. Thus the Policy as worded fails to have regard to NPPF para. 170 which seeks to ensure that ensure that new development contributes to and enhances the natural and local environment. This is of particular importance given that the extensively built-up nature of the Borough means that the rural areas are highly valued as a counterpoint. Moreover, the quality of the rural area is high, with much of it designated in this plan as an Area of Special Landscape Quality (ASLQ). Thus it is all the more important that the intrinsic character and beauty of the countryside is recognised and valued landscapes protected.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The proposed Policy merely seeks that replacement dwellings be of an appropriate character to their location. This is insufficient in itself to adequately control such development, and nor does it take account of extensions. The modification that is necessary is to impose, in addition, a floorspace limitation upon replacement dwellings and extended dwellings.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b The suggestion is, in addition, to require replacement dwellings to have a floorspace increase no larger than 30% over and above the existing dwelling. To ensure that the Policy only applies where the added floorspace of an extension would have an adverse visual impact floorpace provided within the existing building envelope would not be taken into account in determining the percentage increase.

Your suggested revised wording of any policy or text:

B4c The Policy should be reworded to add b) it is for a replacement dwelling which is of an appropriate character to the location and in any event no greater than 30% larger than the existing dwelling c) it is for an extension that would result in an increase in floorspace which is of an appropriate character to the location and in any event no more than a 30% increase in floorspace over and above the existing dwelling. Explanatory text should be added to say that "for the interpretation of this Policy floorspace figures should be measured externally, for extensions any addition within the existing building envelope shall not be taken into account in determining the percentage increase, and in determining whether a replacement dwelling or extended dwelling is of an appropriate character to the location regard shall be had of the need to avoid harm though the cumulative effect of such development and the impact of past development will be taken into account.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's view are discussed and an opportunity is given to respond to the views of others.

---

2) Policy: HP2 - New Small-scale Development Outside Defined Urban Areas

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound because the impact of development of this scale, and potentially in depth, beyond the settlement boundary would harm the rural character and appearance of the countryside. It has the potential to substantially consolidate the built form in these areas (see figure 5.1 in the emerging plan), the cumulative impact of which would blur the important distinction between the countryside and the urban area. It fails to have regard to NPPF para. 170 which seeks to ensure that new development contributes to and enhances the natural and local environment. This is of particular importance given that the extensively built-up nature of the Borough means that the rural areas are highly valued as a counterpoint. Moreover, the quality of the rural area is high, with much of it designated in this plan as an Area of Special Landscape Quality (ASLQ. Thus it is all the more important that the intrinsic character and beauty of the countryside is recognised and valued landscapes protected.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. To make the plan sound this Policy should be deleted from the Plan. To ensure that some residential development could take place beyond the settlement boundary a Policy similar to Policy DSP6 of the adopted plan could be used. This allows limited frontage infill of up to 2 dwellings. This would have less impact on the character and appearance of the countryside and thus accord with the NPPF.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would ensure that replacement and extended dwellings would meet the NPPF objective in para 170.

Your suggested revised wording of any policy or text:

B4c. The suggested rewording: "New residential development will be permitted outside the defined urban settlement boundaries (as identified on the Policies Map) where it comprises one or two new dwellings which infill an existing and continuous built-up residential frontage, where: a) The new dwellings and plots are consistent in terms of size and character to the adjoining properties and would not harm the character of the area; b) It does not result in the extension of an existing frontage or the consolidation of an isolated group of dwellings; and c) It does not involve the siting of dwellings at the rear of the new or existing dwellings.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

---

3) Policy: HP3 - Change of Use to Garden Land

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound in so far that it fails to have regard to a key factor, ancillary buildings on garden land, that can lead to such changes of use detracting from the character and appearance of areas beyond the development boundary. Thus, the Policy as worded fails to have regard to NPPF para. 170 which seeks to ensure that ensure that new development contributes to and enhances the natural and local environment. This is of particular importance given that the extensively built-up nature of the Borough means that the rural areas are highly valued as a counterpoint. Moreover, the quality of the rural area is high, with much of it designated in this plan as an Area of Special Landscape Quality (ASLQ). Thus it is all the more important that the intrinsic character and beauty of the countryside is recognised and valued landscapes protected.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. To make the Policy sound refence must be made to the impact of ancillary buildings.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would ensure that garden extensions would meet the the NPPF objectives in para 170.

Your suggested revised wording of any policy or text:

B4c. Amend HP3b to say “It, along with ancillary buildings allowed as permitted development will not detract from the existing landscape”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

---

4) Policy: HP6 - Exception Sites

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 The Policy on rural exception sites is unsound as its wording and that of the explanatory text clearly indicates that it refers to rural areas. This District although it contains countryside is not categorised as a rural authority and has no rural communities. It thus does not have all the particular housing and social issues that need to be addressed in such areas.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The Policy on rural exception sites should be deleted from the plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b It would remove an irrelevant Policy on rural exception sites.

Your suggested revised wording of any policy or text:

B4c Not applicable

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the vies of others.

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5) Policy: HP8 - Older Persons' and Specialist Housing Provision

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound in so far that it opens up the possibility of such accommodation being provided in the countryside beyond the settlement boundary. Such development is often large in scale and such would detract from the character and appearance of the countryside. Re-development opportunities do arise within the urban area and older person/specialist housing provision should be treated no differently than normal flatted development. Thus, the Policy as worded fails to have regard to NPPF para. 170 which seeks to ensure that ensure that new development contributes to and enhances the natural and local environment. This is of particular importance given that the extensively built-up nature of the Borough means that the rural areas are highly valued as a counterpoint. Moreover, the quality of the rural area is high, with much of it designated in this plan as an Area of Special Landscape Quality (ASLQ). Thus, it is all the more important that the intrinsic character and beauty of the countryside is recognised and valued landscapes protected.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a To make the Policy sound the possibility of older person/specialist accommodation outside the urban boundary should be deleted.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b This would ensure that there is no contravention of the requirements in para 170 of the NPPF..

Your suggested revised wording of any policy or text:

B4c. Revise the last sentence in the Policy simply to say “New older persons or specialist housing shall be provided within the Urban Area boundary.”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed an an opportunity is given to respond to the view of others.

6) Policy: HP10 - Ancillary Accommodation

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound, in part, on 3 counts. First, much of the explanatory text is so essential to the satisfactory operation of the Policy that it should be within the Policy itself. Second, the Policy should specifically require ancillary accommodation to be close to the principal dwelling. This is to prevent later pressure, which may be difficult to resist, for such accommodation to be turned into separate dwellings contrary to the aim of the NPPF in providing well designed places. And in rural areas the potential for ancillary buildings to become separate dwellings would be contrary to NPPF para. 170 which seeks to ensure that new development contributes to and enhances the natural and local environment. It would also thereby, in rural areas, give rise to car dependent housing contrary to the NPPF environmental objective of seeking to use natural resources prudently and moving to a low carbon economy. Third, explanatory paragraph 5.82 needs to be more clearly worded to make it clear that it is saying that an unrelated unit of accommodation is in effect a new dwelling and will not be regarded as Ancillary Accommodation under this Policy.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. Move much of the explanatory test into the main Policy and amend the Policy to require to require ancillary accommodation to be close to the principal dwelling.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would prevent the harm outlined in B3 above.

Your suggested revised wording of any policy or text:

B4c. Amend HP10a to “a) It is within the curtilage of the principal dwelling and close it;” Add to HP10: f) The ancillary accommodation shall remain within the curtilage of, and in same ownership as, the principal dwelling. A planning condition will be imposed to prevent the use of the ancillary accommodation as a separate dwelling. g) the principal dwelling shall remain larger than the ancillary accommodation. Explanatory paragraph 5.83 altered to “an unrelated unit of accommodation is in effect a new dwelling and will not be regarded as ancillary accommodation under this Policy.”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

7) Policy: HA45 - Rear of 77 Burridge Road

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound in so far that the necessary mitigation required given the site's location on and partly adjoining a SINC would require the developer or occupier to have ownership of, or some rights over, the SINC. There is no evidence from the past history of the site that this is so. The site's allocation would thus conflict with NPPF requirements on conserving and enhancing the natural environment by protecting and enhancing sites of biodiversity in a manner commensurate with their identified quality in the development plan.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. To make the plan sound the allocation should be removed

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. By preventing conflict with NPPF requirements on conserving and enhancing the natural environment.

Your suggested revised wording of any policy or text:

BC4c Not applicable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

8) Policy: R1 - Retail Hierarchy and Protecting the Vitality and Viability of Centres

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This is unsound in so far that the second paragraph of the Policy refers to main town centres uses being permitted within defined town centres. The whole of the designated Fareham Town Centre is so widely drawn that it includes important residential areas and large open spaces unsuitable for town centre uses. Such uses outside the designated Primary Shopping Area would conflict with the NPPF requirement of achieving well-designed places and better places in which to live.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The policy should be reworded so that it applies to the more limited designated Primary Shopping Area, where such uses would be acceptable.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b By preventing main town centre uses in areas where they would no longer acceptable.

Your suggested revised wording of any policy or text:

B4c The second paragraph should be amended to say “Where planning permission is required, main town centre uses, as defined in the National Planning Policy Framework (NPPF), will be permitted within the defined Primary Shopping Area of Fareham Town Centre, district and local centres.”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of ohers.

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9) Policy: R4 - Community and Leisure Facilities

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound in so far that it does not deal with the limitations that should apply to any of these uses, such as sports venues and open space, that may be applied for outside settlement boundaries. Such uses, if large scale and containing substantial buildings, can be especially intrusive in the countryside. Thus they should only be allowed if they are small scale uses and the associated buildings are also small scale. Without this limitation such development would detract from the character and appearance of the countryside. Thus, the Policy fails to have regard NPPF para. 170 which seeks to ensure that new development contributes to and enhances the natural and local environment. This is of particular importance given that the extensively built-up nature of the Borough means that the rural areas are highly valued as a counterpoint. Moreover, the quality of the rural area is high, with much of it designated in this plan as an Area of Special Landscape Quality (ASLQ). Thus, it is all the more important that the intrinsic character and beauty of the countryside is recognised and valued landscapes protected.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The Policy should specify that such uses are generally acceptable only within the development boundaries but that any that may be considered acceptable beyond those boundaries, such as sports venues and open space, must be small scale uses with small scale buildings.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b By preventing the harm identified above.

Your suggested revised wording of any policy or text:

B4c A criteria e) should be added “Such facilities should generally be permitted only within the development boundary, and any uses outside those boundaries such as sports venues and open space shall, as well as complying with the other criteria above, need to be small scale use with small scale buildings”.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity given to respond to the views of others.

10) Policy: E1- Employment Land Provision

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This Policy is sound in all but one respect on the two Daedalus allocations. This is a strategic allocation originally brought forward in adopted Core Strategy CS12. This said that development will be permitted on the site where, amongst other things, it delivers, or facilitates the delivery of high quality development including a) employment development that retains and strengthens the marine and aviation employment clusters, particularly those that require direct access to an operational airfield. This accords with the Council's vision for the site and the Lambeth Smith Hampton background paper to the emerging Local Plan refers to this and says that the advanced manufacturing such as that pursued at Daedalus is a sector regarded as one of the most significant opportunities for the UK to rebalance and reinvigorate the economy. The emerging Policy does not promote the idea of such advanced manufacturing for the site, and without doing so there is a danger that this valuable site could be lost to commercial uses less valuable to the economy. This would run counter to the requirement in the NPPF of building a strong and competitive economy and that each area should build on its strengths especially where Britain can be a leader in innovation.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The Policy should be revised to include the wording similar to that of Core Policy CS12 referred to above.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4bThis would ensure that the Policy met the objective of the NPPF on the building of a strong and competitive economy.

Your suggested revised wording of any policy or text:

B4c See B4a above.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

11) Policy: NE8 - Air Quality

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This Policy is unsound in so far that the main text of the Policy does not make it clear that explanatory text paragraphs 9.108 – 9.110 set out what may be required to meet the Policy requirement. This may lead to developers, especially small-scale developer, to be unaware of the requirements and prevent them being taken on board and discussed with the LPA. This runs counter to the intentions of Government policy (PPG on Air Quality (2019)) which says that it is important that applicants engage early on with the local planning authority and environmental health departments to establish the need for and scope of any assessment to support an application.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The Policy should guide applicants for small scale schemes to the relevant explanatory text.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b It would ensure that developers of minor development take on board relevant requirements and discuss them with the LPA.

Your suggested revised wording of any policy or text:

B4c Amend the second sentence of the Policy to read “Minor development should reduce its impacts on air quality and have regard to explanatory text paragraphs 9.108 – 9.110.”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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12) Policy: NE9 - Green Infrastructure

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This Policy is unsound in so far as there is no indication that it would be effective. To be effective applicant’s and Council case officers would need an easy and ready way of knowing where future and proposed Green Infrastructure existed. For this a single compendium of such space is required, indicating where they exist, to obviate the necessity for looking at the myriad of resources referred to.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a A compendium, capable of being updated, should be provided of Green Infrastructure in the District. The Policy should then be amended to make reference to this.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b By ensuring that applicants and Council case officers are aware of the location of Green infrastructure so as to ensure it is safeguarded.

Your suggested revised wording of any policy or text:

B4c By adding to the Policy “all Green infrastructure covered by this Policy may be found on the Council’s compendium of such spaces.”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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13) Policy: NE10 - Provision and Protection of Open Space

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This Policy is unsound in so far as it does not in the Policy text set out, or refer to, the minimum open space and play space requirements for new development set out in explanatory text paragraph 9.134 table 9.1. Thus the Policy might encourage applicants to argue for lesser space standards than what are clearly the minimum acceptable. Given this the Policy would not ensure satisfactory space standards and the NPPPF intentions that planning policies should enable and support healthy lifestyles through the provision of safe and accessible greenspace (NPPF para91) would not be met.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The text of the Plan should set the space standards set out in Table 9.1 as the minimum requirement to be met.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b By ensuring NPPF objectives on promoting healthy communities would be met.

Your suggested revised wording of any policy or text:

B4c By amending the penultimate sentence of the last paragraph of this Policy to read “Residential development will be required to provide open and play space that will satisfactorily meet the needs of new residents. Table 9.1 below is a minimum space standard and developments will be required to meet higher levels of open and play space provision where that is necessary to make the development acceptable.” The final sentence to be retained.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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14) Policy: FTC1 - Palmerston Car Park

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This proposed allocation is unsound on 2 grounds. First, there would be an unacceptable loss of town centre car parking spaces well located to meet the needs of the town centre shopping area and the shops in West Street. Second, the proposed indicative yield of 20 dwellings would lead to housing forward of the building line to detriment of the character and appearance of the area generally and the adjoining Osborn Conservation area to the north of Osborn Road. The Osborn Road Conservation Area Character Assessment Feb 2006 describes the area as comprising a series of Victorian villas set in large gardens. It describes the development pattern as being unique in Fareham and says that its setting includes the land opposite the Conservation Area to the South of Osborn Road, which thus includes the allocation site. Where modern development to the south of Osborn Road has been undertaken it has been well set back from the road and screened by mature planting. The provision of residential development forward of the building line would seriously detract from the character and appearance of the Conservation Area. On the first ground the proposed allocation would be harmful to the vitality of the town centre and West Street and as such conflict with the NPPF. Whilst the NPPF supports some housing in Town Centres for the role it plays in their vitality, this is with the caveat that it should be on appropriate sites, and this is not such a site (NPPF para 85.f) Harm on the second ground conflicts with NPPF policies on protecting Heritage Assets.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The allocation should be withdrawn from the Plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would prevent the conflict with the NPPF referred to above.

Your suggested revised wording of any policy or text:

B4c Not applicable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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15) Policy: FTC2 - Market Quay

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This allocation is unsound as the site is considered incapable of accommodating the extent of mixed-use development referred to. There are also reservations over the maximum suggested height of development given the prominence of the site off a major traffic roundabout and the extent to which the site rises in height from south to north and is seen from short, medium and long-distance viewpoints. No sketch site briefs have been provided to indicate otherwise. Given the importance of this town centre site, and the multiplicity of uses suggested a detailed development brief is essential to guide future development of the site to ensure a site that functions well and enhances this part of the town centre. However, the Policy does not set out this requirement. Given the above the allocation as proposed would fail to ensure that future development of the site would meet the NPPF requirements for achieving well designed places set out in paragraphs 124-127.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. In the absence of evidence to support the building heights proposed reference to specific building heights should be removed. And it should be stated that the Council will support a mixed-use development incorporating some of the uses set out. The allocation should specify that a comprehensive development of the site will only take place in accordance with a detailed development brief.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would ensure that development of this important town centre site is undertaken in a way that complies with the NPPF objective of achieving well designed places.

Your suggested revised wording of any policy or text:

B4c. The supporting text to the allocation should say that “The Council will support a mixed-use development incorporating some of the uses set out in the bullet points and subject to development being in accordance with a development brief (to be subject to public consultation) that sets out how the site will function and enhance this part of the town centre and have regard to the prominence and visibility of the site.” Reference in the bullet points to commercial/leisure floorspace and housing numbers should be removed, along with reference to building heights.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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16) Policy: FTC3 - Fareham Station East

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This is a sustainable location for housing given its proximity to Fareham railway station, bus routes and shops etc. and an element of retail and café uses would also fit in well. However, the site has the following constraints to development: Much of the site comprises the railway station car park and this is essential in encouraging rail travel. The Policy refers to retention of sufficient car parking to serve the railway station without saying how much this is. The fire station may need to be retained on site if it can’t be relocated; Sufficient space is required to ensure a good public realm at the station approach. The adjacent gravel yard would potentially be a bad neighbour in terms of noise and dust – and this has not been taken into account. No evidence has been put forward to show that the maximum 5 storey height would not be too high. It has not been shown how, in light of the above, the proposed development at the scale outlined could be satisfactorily achieved. Given the above the allocation as proposed would fail to ensure that future development of the site would to meet the NPPF requirements for achieving well designed places set out in paragraphs 124-127.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. This is not an allocation that can be agreed to at this stage as there is no evidence, by way of a development brief, that the site could be developed as proposed in a satisfactory way. The allocation should be delated from the plan

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. By preventing development of the site until a development brief has been prepared to show that development could be undertaken satisfactorily given all the constraints referred to.

Your suggested revised wording of any policy or text:

B4c.Not applicable .

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others

17) Policy: HA26 - Beacon Bottom East

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This site is sound in relation to its proximity to public transport and shops. However, the proposed site allocation is unsound given the indicative yield on 9 dwellings. Undetermined application F/19/1061/FP for this number of houses on the site indicated houses would so close the highway as to the detrimental to the character and appearance of the area and harmful to the setting of the adjoining locally listed cottage. A tall western boundary hedge would have unacceptably shaded the gardens of many houses on the site. Given how small the site is revised layouts are unlikely to overcome this harm. There would thus be conflict with NPPPF requirements that: planning should ensure that developments add to the overall quality of the area and be sympathetic to local character (NPPF para 127); and on the prevention of harm to Heritage Assets (paras 193/4)

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The allocation should either be withdrawn from the Plan or alternatively the indicative yield deleted or substantially reduced in number.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b Prevent the harm outlined in B3 above.

Your suggested revised wording of any policy or text:

B4c. See above - potentially the removal of the indicative yield or its revision downwards.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

18) Policy: HA36 - Locks Heath District Centre

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This allocation is unsound as it would result in the loss of car parking for the Locks Heath District Centre. A detailed assessment of this Centre was carried out in the Fareham Retail and Commercial Leisure Study: Update Report Litchfields 2020, a background paper to the Local Plan. This report refers to a large area of free surface parking adjacent to the Centre and says that this is one of its strengths. This is unsurprising because this centre, built in 1983, lies in an area known as the Fareham Western Wards developed in the 1970/80's and which, typical of that period, is highly car dependant. The loss of a substantial portion of the car park would thus be detrimental to the Centre's health and vitality. This would be contrary to Strategic Policy R1 of the emerging Local Plan which says that any development that would significantly harm the vitality and viability of a defined centre will not be permitted. It would also be contrary to the NPPF which seeks to ensure the vitality of town centres and which, although recognising the role that housing can play in such areas, says that this must be on appropriate sites.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The allocation should be removed from the Local Plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would prevent the harm outlined above to the health and vitality of the centre

Your suggested revised wording of any policy or text:

B4c Not applicable

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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19) Policy: HA36 - Locks Heath District Centre

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This allocation is unsound as it would result in the loss of car parking for the Locks Heath District Centre. A detailed assessment of this Centre was carried out in the Fareham Retail and Commercial Leisure Study: Update Report Litchfields 2020, a background paper to the Local Plan. This report refers to a large area of free surface parking adjacent to the Centre and says that this is one of its strengths. This is unsurprising because this centre, built in 1983, lies in an area known as the Fareham Western Wards developed in the 1970/80's and which, typical of that period, is highly car dependant. The loss of a substantial portion of the car park would thus be detrimental to the Centre's health and vitality. This would be contrary to Strategic Policy R1 of the emerging Local Plan which says that any development that would significantly harm the vitality and viability of a defined centre will not be permitted. It would also be contrary to the NPPF which seeks to ensure the vitality of town centres and which, although recognising the role that housing can play in such areas, says that this must be on appropriate sites.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The allocation should be removed from the Local Plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would prevent the harm outlined above to the health and vitality of the centre.

Your suggested revised wording of any policy or text:

B4c Not applicable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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20) Policy: HA37 - Former Locks Heath Filing Station

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This allocation is unsound as it would result in the loss of car parking for the Locks Heath District Centre (although the allocation simply refers to the site as a former petrol filling station it also encompasses a significant parking area for the Centre). A detailed assessment of this Centre was carried out in the Fareham Retail and Commercial Leisure Study: Update Report Litchfields 2020, a background paper to the Local Plan. This report refers to a large area of free surface parking adjacent to the Centre and says that this is one of its strengths. This is unsurprising because this centre, built in 1983, lies in an area known as the Fareham Western Wards developed in the 1970/80's and which, typical of that period, is highly car dependant. The loss of a substantial portion of the car park would thus be detrimental to the Centre's health and vitality. This would be contrary to Strategic Policy R1 of the emerging Local Plan which says that any development that would significantly harm the vitality and viability of a defined centre will not be permitted. It would also be contrary to the NPPF which seeks to ensure the vitality of town centres and which, although recognising the role that housing can play in such areas says that this must be on appropriate sites.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The allocation should be removed from the Local Plan

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would prevent the harm outlined above to the health and vitality of the centre.

Your suggested revised wording of any policy or text:

B4c Not applicable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of othes.

21) Policy: HA38 - 68 Titchfield Park Road

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This is a sound site for housing in locational terms. However, the site appears too small to accommodate the indicative yield of 9 dwellings without unacceptable tree loss and harm to the living conditions of those directly to the north. There would thus be conflict with NPPPF requirements that: planning should ensure that developments add to the overall quality of the area and be sympathetic to local character (NPPF para 127); and on the social objective of ensuring a well- designed environment.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The allocation should either be withdrawn from the Plan or alternatively the indicative yield deleted or substantially reduced in number.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b Prevent the harm outlined in B3 above.

Your suggested revised wording of any policy or text:

B4c. See above - potentially the removal of the indicative yield or its revision downwards.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

22) Policy: HA42 - Land South of Cams Alders

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This allocation is unsound as the Proposals Map seems to show most if it in a SINC and close to Fort Fareham, an ancient monument. Development of the site would be harmful to the ecological interest of the SINC and potentially harmful to the setting of the ancient monument. It would also detract from the pleasant wooded aspect of the southern boundary of Cams Alders which, with land on nearby Fort Fareham, provides an attractive area for casual recreation. As such the allocation would conflict with the objectives of the NPPF on ecology, the protection of Heritage Assets and on securing attractive spaces.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The allocation should be removed from the Plan

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b By preventing the harm found above.

Your suggested revised wording of any policy or text:

B4c Not applicable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

FAREHAM Local Plan 2037

Introduction

The Council has published the Publication Version of the Local Plan. This consultation is the final stage before the Plan is submitted to a Government Planning Inspector for independent examination.

The Statement of Representations Procedure and Statement of Fact sets out how and when you can view the Local Plan and respond to the consultation.

You can make comments on the Plan, known as representations, up to 18 December 2020.

What can I make a representation on?

This consultation is different from previous ones as it no longer seeks views on alternative options. You will be asked whether you think the Plan is:

- **Legally Compliant**: Does the Plan meet the legal requirements for plan making as set out by planning laws?
- **Sound**: Has the Plan been positively prepared? Is it justified, effective, and consistent with national policy?
- **Complies with the Duty to Co-operate**: Has the Council engaged and worked effectively with neighbouring authorities and statutory bodies?

You can make a representation on any part of the plan, but only comments that address the three questions above can be taken into account.

You can find out more about each of the questions by reading Fareham Today and the Frequently Asked Questions.

What happens next?

A Planning Inspector will be appointed to consider the Plan and comments from the consultation on behalf of the Secretary of State. All representations will be forwarded, together with the Publication Plan, to the Planning Inspector for

PERSONAL DETAILS

Data Protection Privacy Statement – Consultation on the Local Plan in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012

In order to deliver services to the citizens and communities in Fareham Borough, it is necessary for the Council to collect, gather and process personal data.

In relation to the consultation on the Local Plan in accordance regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, Fareham Borough Council will collect and process personal data for the following processing purposes:

- Receiving representations to the consultation and submitting the Local Plan for examination in public.

The Council is processing this personal data by virtue of the following Lawful

- Compliance with a legal obligation
- Performance of a task carried out in the public interest.

Consultation responses will be entered onto the online consultation form. The company that host the online consultation form, Snap Surveys are ISO 27001 certified and will store the data on a secure UK server.

The Town and Country Planning (Local Planning) (England) Regulations 2012 requires that, when the Council submits the Local Plan and associated documents to the Secretary of State, for examination in public, the responses made to the consultation on the Local Plan must also be submitted. This includes the personal data collected, such as name, address and contact details.

In addition, any representations submitted will be made available on the Fareham Borough Council website. Addresses, email addresses and phone numbers will not be published.

Representations linked to plan making will be retained for no more than 5 years following adoption of the Local Plan. We will not keep this information for longer than is necessary.

You have certain rights under the General Data Protection Regulations (GDPR) in respect of your personal information. More information about your rights can be found on the Council's website or on request.

A1 Is an Agent Appointed?

☐ Yes ☒ No

A2 Please provide your details below:

Title:	Mr
First Name:	Jayson
Last Name:	Grygiel
Job Title: (where relevant)	Manager of Planning Policy
Organisation: (where relevant)	Gosport Borough Council
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

A3 Please provide the Agent's details (if applicable):

Title:	
First Name:	
Last Name:	
Job Title: (where relevant)	
Organisation: (where relevant)	
Address:	
Postcode:	
Telephone Number:	
Email Address:	

You can check which paragraph, policy etc you want to comment on by looking at the Publication Local Plan.

You can find out more about what you can comment on by reading Fareham Today and the Frequently Asked Questions.

B1 Which part of the Local Plan is this representation about?

- [x] A paragraph — Go to B1a
- [x] A policy — Go to B1b
- [ ] The policies map — Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.122-9.125

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE9: Green Infrastructure

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	☐	☐
Sound	☐	☒
Complies with the duty to co-operate	☐	☐

B3 Please provide details you have to support your answers above

Whilst the Council supports the aims of this policy it considers that the policy and supporting text needs to highlight opportunities to secure strategic green infrastructure improvements across Fareham Borough including within the Fareham, Gosport, Lee-on-the-Solent and Stubbington Strategic Gap. The Council considers that amendments are required to the wording in order for the policy to be deemed **effective** to deliver cross-boundary strategic objectives.

Comments continued on next page

B3 Extension:

Appended to this representation is this Council's suggested approach put forward in 2018(Gosport Response 11v Appendix 1a and 1b). The Council considers that the Strategic Gap offers significant opportunities for mitigating and adapting to climate change (renewable energy, flood storage), improving informal recreational access to an urban population, and enhancing biodiversity. Since this time a number of Government proposals including the 25 Year Environment Plan and proposals for nitrate mitigation and mandatory biodiversity net gain have been proposed which could be delivered in the Strategic Gap. Given the importance of the Strategic Gap it is recommended that Policy NE9 includes specific reference to the potential for green infrastructure improvements in this area.

Such reference would reflect an announcement by the Leader of Fareham Borough Council included in a recent press release (Gosport Response 11v Appendix 2).

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Reference should be made in the Green Infrastructure Policy and justification text to strategic green infrastructure opportunities.

Reference should be made to this Council's proposal that Fareham Borough Council and Gosport Borough Council will work together to develop a joint strategy for the Strategic Gap between Fareham, Gosport, Lee-on-the-Solent and Stubbington

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

This suggested modification would make the whole Local Plan sound as it would set out an effective strategy to improve green infrastructure for the residents of both Fareham and Gosport Borough and would provide a degree of certainty for the long term future of the Strategic Gap. It would maximise potential opportunities arising from Government proposals set out in the 25 Year Environment Plan by enhancing biodiversity and delivering environmental net gain.

B4c Your suggested revised wording of any policy or text:

We would take the opportunity to work with colleagues at Fareham Borough Council for a joint statement on this issue.

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

☐ **Yes, I want to take part in a hearing**

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

The Council is prepared to attend any session regarding the future of the Strategic Gap between Fareham, Gosport, Lee-on-the-Solent and Stubbington.

The Inspector will decide on who will appear at the hearing(s). You may be asked to takepart when the Inspector has identified the matters and issues for examination.

Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

GOSPORT
Borough Council

Mr Richard Jolley
Director of Planning and Regulation
Fareham Borough Council
Civic Offices,
Civic Way,
Fareham,
Hampshire.
PO16 7AZ

Please ask for:
Debbie Gore
Direct dial:
[redacted]

1st October 2018

By e-mail

Dear Richard

Gosport, Fareham, Lee-on-the-Solent and Stubbington Gap Policy

As mentioned during our recent conversation, a report was presented to Gosport Borough Council's Economic Development Board on 19th September relating to the settlement/strategic gap between Gosport, Fareham, Lee-on-the-Solent and Stubbington.

The Board resolved to continue to support the integrity of the Gap in order to prevent coalescence of settlements and maintain their identity, as well as safeguarding the Gap's function as an effective transport corridor.

It was also resolved that Fareham Borough Council is invited to work with Gosport Borough Council to consider a joint approach for the future of the Gap for a number of reasons including:

- As part of the statutory duty to cooperate;
- To secure the Gap's coherence over the longer term; and
- To investigate options for delivering multi-functional benefits for residents of both Boroughs.

In the light of this I thought it would be useful if we could meet, together with our respective planning policy managers, for initial discussions to explore a common approach and what further work, if any, is required.

I trust you are amenable to such discussions and if so please could you provide a list of possible dates to meet.

If in the meantime if you have any queries on this matter please do not hesitate to contact me.

Yours sincerely

Debbie Gore
Head of Planning and Regeneration Services

AGENDA ITEM NO.

Board/Committee:	Economic Development Board
Date of Meeting:	19th September 2018
Title:	Gosport, Fareham, Lee-on-the-Solent and Stubbington Gap Policy
Author:	Manager of Planning Policy
Status:	For Decision

PURPOSE

To consider the role of the current settlement/strategic gap between Gosport, Fareham, Lee-on-the-Solent and Stubbington and to support the principle of maintaining the integrity of this Gap.

RECOMMENDATION

That this Council

- Agree the principle of maintaining a settlement/strategic gap between Gosport, Fareham, Lee-on-the-Solent and Stubbington as part of the forthcoming Gosport Borough Local Plan Review.

- Continue to support the necessity of maintaining the integrity of the Gap beyond the Borough boundary in order to prevent the coalescence of settlements and maintain their identity; and safeguard the Gap's function as an effective transport corridor.

- That Fareham Borough Council are invited to work with this Council on a bilateral basis to consider a joint approach for the future of the Gap:

  - as part of the statutory duty to cooperate;

  - to secure it coherence over the longer term; and

  - to investigate options for delivering multi-functional benefits for residents of both Boroughs.

- Refer to the Gap as a 'Strategic Countryside Gap' in the Local Plan Review for reasons set out in Section 2 of this report.

1 Background

1.1 The current adopted Gosport Borough Local Plan (GBLP) (October 2015) includes a Settlement Gap policy (part 10 of Policy LP3) which aims to retain a sufficient gap between Gosport, Fareham, Lee-on-the Solent and Stubbington in order to protect the identity of each settlement and ensure proposals do not physically and visually diminish these open areas.

1.2 This settlement gap is considered of sub-regional importance and was identified, together with three others, in the PUSH[1] South Hampshire Strategy (Policy 15) (October 2012). The local boundaries, as defined on the Policies Map of the GBLP, were defined in cooperation with Fareham Borough Council (FBC) as part of the production of both current adopted local plans and consequently the gap is included within FBC's current Local Plan (linked to Policy CS22 of Part 1 of the Fareham Local Plan: Core Strategy). A plan showing the current boundary of the gap is shown in Appendix 1. The gap within the Borough includes the Alver Valley, Browndown and playing fields associated with HMS Sultan and Bay House School.

1.3 The South Hampshire gaps are tracts of undeveloped land within the sub region which keep settlements separate from each other. The prevention of significant development within these Gaps has been a feature of strategic and local planning documents in South Hampshire for over 35 years.

1.4 In 2008 the PUSH Joint Committee adopted a Policy Framework which set out criteria for the designation of Gaps to ensure consistency across South Hampshire. It was recognised that Gaps which cross authority boundaries need a coordinated approach to ensure that their designation and their extent is aligned across the boundary.

1.5 The criteria to define the boundaries were included in Policy 15 of the South Hampshire Strategy (Oct 2012) (and therefore relevant to both the current Gosport and Fareham Local Plans). The criteria are as follows:-

- the designation is needed to retain the open nature and/or sense of separation between settlements;
- the land to be included within the Gap performs an important role in defining the settlement character of the area and separating settlements at risk of coalescence;
- the Gap boundaries should not preclude the provision being made for the development proposed in this Strategy;
- the Gap should include no more land than is necessary to prevent the coalescence of settlements having regarding to maintaining their physical and visual separation.

1.6 The South Hampshire Strategy makes it clear that, '*the purpose of Gaps is to shape settlement patterns and to influence the location of planned development; not to stifle it altogether. So the boundaries of Gaps must be defined in tandem with providing sufficient land to meet development needs*.'

1.7 In June 2016 the PUSH authorities agreed the Spatial Position

[1] Partnership for Urban South Hampshire

Statement (SPS) to inform long term decisions about the level and distribution of development in the area to 2034 taking into account requirements to plan for objectively assessed housing needs. The SPS has maintained a policy on Gaps which it recognises are important in maintaining the sense of place, settlement identity and countryside setting for the sub region and local communities.

1.8 The SPS only specifically identifies the Meon Valley Gap in Position Statement 1 as it demarks the boundary of the Portsmouth and Southampton Housing Market Areas. The SPS however recognises that in addition to this area, '*Councils should identify in their Local Plans other local strategic countryside gaps of sub-regional importance as appropriate*.' It adds that, '*Given the long term need for development, the number and extent of gaps should only be that needed to achieve their purpose*.'

1.9 The justification text states that such gaps should be defined in order to prevent coalescence and protect the identity of distinct settlements and maintaining green infrastructure. They are a mechanism which still allows development to come forward in appropriate sustainable locations by giving communities the confidence to plan positively for growth, whilst ensuring there is room for the necessary complimentary uses such as recreation areas, transport corridors and environmental mitigation.

2 **Terminology**

2.1 The gaps designation is known by various terms in South Hampshire documents but importantly they are describing the same land use function. The 2012 South Hampshire Strategy refers to this designation as 'Gaps' in order to keep settlements separate from each other. Consequently the GBLP refers to these gaps as 'Settlement Gaps' whereas the Fareham Local Plan refers to them as Strategic Gaps which was the term formerly used. It is important to note that there is no difference whatsoever in the designation. They both relate to the Gaps designation in the South Hampshire Strategy. The PUSH Spatial Position Statement (June 2016) refers to the Gaps in Position Statement 1 as Strategic Countryside Gaps but also uses the term strategic gaps in the justification text. Similarly this is referring to the same designation.

2.2 It is proposed that the Gap policy in the forthcoming Gosport Borough Local Plan Review will be termed 'Strategic Countryside Gaps' to be consistent with PUSH Spatial Position Statement, recognising that this is only a change in terminology and that the role of the gap is unchanged.

3 **Report**

3.1 As part of the forthcoming Gosport Borough Local Plan Review which will cover the period to 2036 it will be necessary to review the detailed boundary of the Gap within Gosport Borough. This will be

undertaken at the same time as the review of the urban area boundary (as currently defined in Policy LP3 (point 2) and the Policies Map of the GBLP). However it is clear that the principle of the Gap remains applicable particularly when considering the criteria outlined by the previously agreed PUSH Framework on this issue.

3.2 The key issue however arises from concern regarding Fareham Borough Council's commitment to the Gap given their latest proposal in the Draft Fareham Local Plan (DFLP) (Regulation 18) published in October 2017. As Members will recall FBC has proposed a significant new development allocation of up to 475 dwellings in land currently in the strategic gap to the east of the new Newgate Lane (Newgate Lane East). As part of this allocation it is proposed to remove this land from the strategic gap accordingly. This proposal is commonly referred to as 'HA2.' Appendix 2 shows how this proposal as well as a number of speculative housing developments could significantly be detrimental to the function of the gap both individually and cumulatively.

3.3 In response to the DFLP, this Council resolved (Regulatory Board 6th December 2017) to make a strongly worded objection to the HA2 proposal and the need to defend the gap, which was consequently duly made. Key elements of the Council's case with reference to the Gap are set out in Appendix 3. Numerous other points referring to other issues relating to the proposed housing allocation were also made and can be viewed in the aforementioned Regulatory Board report. These key issues include:

- that the proposal will negate the benefits being provided by the new improvements to Newgate Lane with a negative impact on traffic flow and increased congestion to the detriment of Gosport residents and the local economy including accessibility to the Solent Enterprise Zone at Daedalus;
- the proposal has the potential to significantly harm the amenities of local Gosport residents with the introduction of new access points to existing residential areas, which due to the scale of the proposal would potentially increase traffic on residential roads;
- there is insufficient information on supporting infrastructure including education, medical and community facilities.

3.4 The extract in Appendix 3 identifies that this Council has a number of concerns and concludes that whilst it is recognised that the local plan process is the appropriate time to review such designations it is considered that the proposed change at Newgate Lane will affect the integrity of the remaining gap by significantly reducing its width. The residential proposal by its sheer scale will undoubtedly harm the character of the gap and will diminish the physical and visual

separation of the settlements.

3.5 The Council considers that FBCs proposals are contrary:

- to the objectives of the long-established sub-regional policy in South Hampshire to protect important gaps between settlements.
- to FBC's own evidence, submitted at its own Local Plan Examination in Public as recently as 2015 which defends the gap at this particular location.
- to the Planning Inspector findings in 2015 who states in his report, '*'although the review [of the Strategic Gap] did not specifically take into account the route of the Stubbington by-pass and the Newgate Lane improvements, there is no reason to conclude that these proposals would justify altering the boundary of the gap in those locations. Having visited the area I agree with the Council that the gap between Fareham and Stubbington is justified in order to retain visual separation and that the proposed road improvements would not justify a revision to the boundary. The Council's approach is sound*.'
- to FBC's own Landscape Assessment (2017) evidence used as part of the DFLP which states '*This is a cohesive area of undeveloped landscape which performs an important role in respect of the primary purposes of the Strategic Gap i.e. in defining the edges, separate identity and settings of Fareham and Gosport, preventing their coalescence. Even minor encroachment beyond existing settlement boundaries could have an adverse effect on these functions and the overall integrity of the landscape and Strategic Gap. It is recommended that the Gap boundaries remain unchanged.'*
- to its own Sustainability Appraisal which highlights that that Newgate Lane allocation is less sustainably located than other allocations in the DFLP.

3.6 In addition to the HA2 proposed allocation, the Gap is also under further pressure from a speculative development of 1,027 dwellings at Newlands Farm with associated community facilities. The planning application has yet to be determined and is contrary to both the current Fareham Local Plan and the emerging DFLP.

3.7 Also of concern is that a perspective developer is considering further development between Newgate Lane East and the original Newgate Lane citing the fact that as FBC has allocated the HA2 in the draft Local Plan it would release the potential for further development to take place.

3.8 In the light of the above identified pressure it is of paramount importance that Gosport Borough Council seeks to maintain the existing Gap between Gosport, Fareham, Lee-on-the-Solent and

Stubbington. The Council recognises that the development of transport infrastructure within the Gap, such as the Newgate Lane improvements and the proposed Stubbington Bypass, are compatible uses within the Gap as part of the acknowledged transport corridor function of gaps (as identified in the PUSH SPS). The Council considers that significant new residential development along this new infrastructure has the potential to significantly reduce its effectiveness as a key transport route serving the Peninsula.

3.9 It is acknowledged that the pressure on the Gap has been caused by the significant housing needs in South Hampshire and the various measures introduced by the Government to increase the rate of house building. This includes the new standardised methodology for calculating housing need and the housing delivery test recently confirmed in the Government's National Planning Policy Framework (NPPF) (July 2018), together with the previous measure of the 'Five Year Housing Supply', which Fareham Borough has not been able to meet.

3.10 It is important to recognise that this Gap has been a very established planning strategy for PUSH and its various sub-regional planning documents in order to maintain such important spaces within the wider densely built-up areas of South Hampshire.

3.11 Gosport Borough Council strongly supports Position Statement S1 on Strategic Countryside Gaps in the PUSH Spatial Position Statement (June 2016) and considers that the principle of the Gap should be maintained in the forthcoming Local Plan Review and it should seek to protect the integrity of the wider gap beyond the Borough boundary. Consequently it will continue to make representations to FBC in relation to the HA2 proposal as well as making comment on planning applications which have a detrimental impact on the sub-regional gap between Gosport, Fareham, Lee-on-the-Solent and Stubbington and its ability to function as an effective transport corridor for the Peninsula.

3.12 In the light of this and as part of both Councils' statutory duty to cooperate, as well as the new requirement to produce a 'statement of common ground' (introduced by the NPPF), it is considered appropriate to invite Fareham Borough Council to consider establishing a joint approach to the Gap which protects its key functions as established by PUSH. This could potentially lead to a joint strategy for the gap which could assist in implementing multi-functional benefits for the residents of both Boroughs.

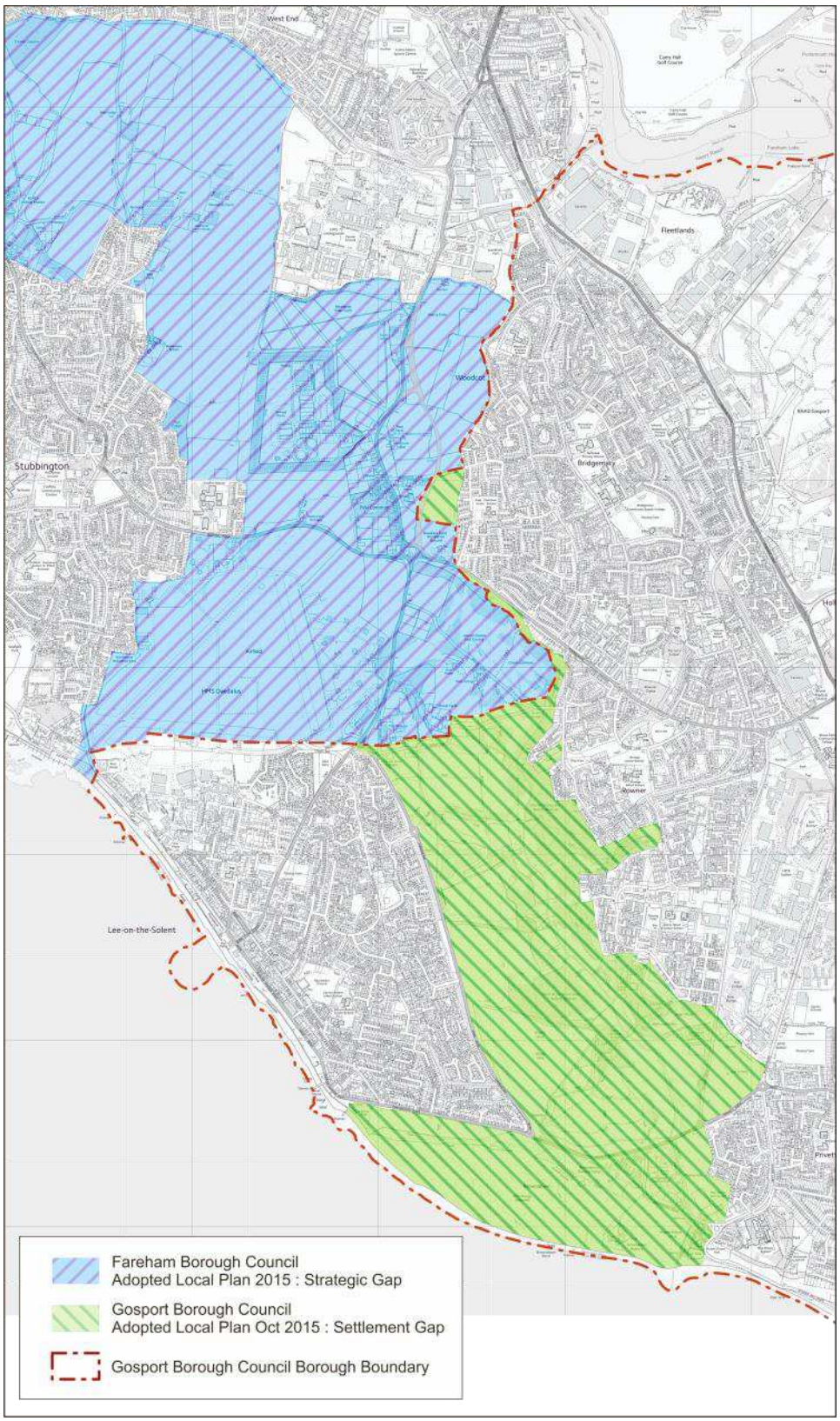
4 Risk Assessment

4.1 It is considered necessary to maintain a policy position in the forthcoming Local Plan to protect the Gap between Gosport, Fareham, Lee-on-the-Solent and Stubbington to prevent

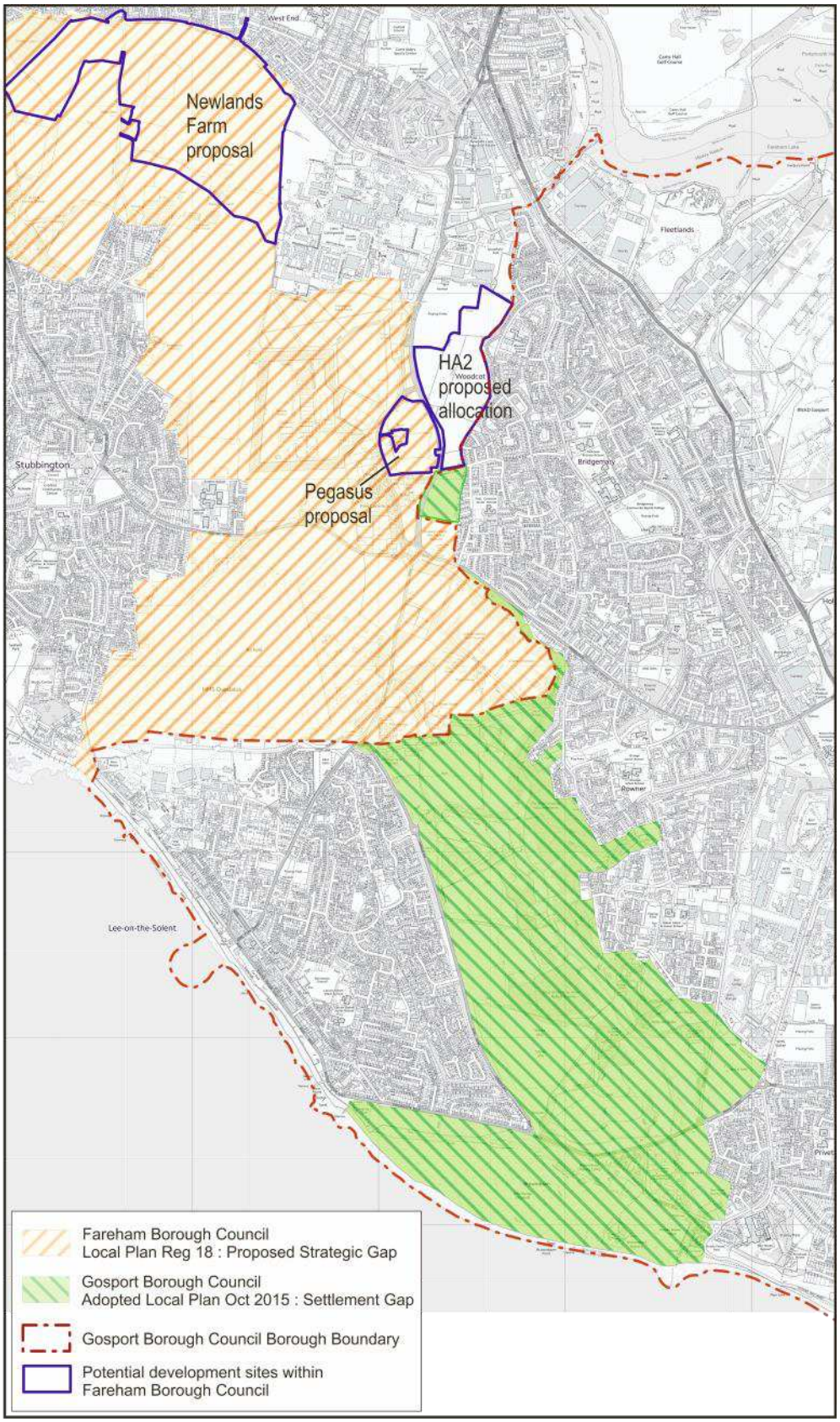
coalescence and maintain the identity of each settlement. It is important that Gosport Borough Council defends the integrity of the gap and makes appropriate representations to Fareham Borough Council where appropriate. Failure to do so could have a detrimental impact on the potential for the gap to function as an effective transport corridor, and deliver environmental, recreational and landscape benefits.

Financial Services comments:	None
Legal Services comments:	None
Equality and Diversity	An Equality and Diversity Assessment on the Settlement Gap Policy in the GBLP was undertaken as part of the Examination in Public process and is available to view. A similar assessment will be undertaken as part of the forthcoming Local Plan Review.
Council Plan:	Maintaining the gap between Gosport, Fareham, Lee-on-the-Solent and Stubbington will assist in developing the economy by maintaining, and enabling opportunities to enhance the transport corridors through the gap; whilst the development of such areas for residential would place significant pressure on the transport infrastructure and would significantly undermine the effectiveness of recent and proposed improvements. Maintaining the gap may also offer opportunities to enhance the environment.
Risk Assessment:	See Section 4
Background papers:	None
Appendices	Appendix 1: The current Settlement/Strategic Gap between Gosport, Fareham, Lee-on-the-Solent and Stubbington Appendix 2: Potential for the Strategic Gap to be reduced by the HA2 proposal and current speculative housing developments Appendix 3: Extract from Regulatory Board (6th December 2017) on Draft Fareham Local Plan (Reg 18) relating specifically to the Strategic Gap in relation to the HA2 allocation.
Report author/ Lead Officer:	Jayson Grygiel, Manager of Planning Policy

Appendix 1:
The current Settlement/Strategic Gap between Gosport, Fareham, Lee-on-the-Solent and Stubbington



Appendix 2: Potential for the Strategic Gap to be reduced by the HA2 proposal and current speculative housing developments



Appendix 3: Extract from Regulatory Board (6th December 2017) on Draft Fareham Local Plan (Reg 18) relating specifically to the Strategic Gap in relation to the HA2 allocation.

Strategic Gap

5.6 In order to accommodate the Newgate Lane residential allocation the DFLP proposes to amend the Strategic Gap between *'Fareham/Bridgemary and Stubbington/Lee-on-the-Solent',* which is identified in the GBLP (Policy LP3) and FBC's current Local Plan (Policy CS22 of the Core Strategy). GBC and FBC have worked collaboratively in the past to define the boundaries of the Strategic Gap and have been successful in maintaining a functional gap and visual separation between the settlements.

5.7 The sub-regional PUSH Spatial Position Statement states that Councils should identify in their Local Plans strategic countryside gaps of sub-regional importance and that these gaps are important in maintaining the sense of place, settlement identity and countryside setting for the sub region and local communities. It recognises that gaps can provide the space for necessary uses such as recreation areas, transport corridors and environmental mitigation.

5.8 FBC's current Policy CS22 states that 'development proposals will not be permitted either individually or cumulatively where it significantly affects the integrity of the gap and the physical and visual separation of the settlements'. The Policy recognises that maintaining separation will prevent coalescence of the settlements in this densely settled part of South Hampshire.

5.9 The justification text states that gaps between settlements help define and maintain the separate identity of individual settlements and have strong local support. It adds that Strategic Gaps do not necessarily have intrinsic landscape value but are important in maintaining the settlement pattern, keeping individual settlements separate and providing opportunities for green infrastructure/green corridors. It acknowledges that continuing pressure for high levels of development mean that maintaining gaps continues to be justified.

5.10 It is considered that this remains relevant in the case of the Newgate Lane area. Indeed the current boundary has been supported by a Planning Inspector as recently as May 2015. In his report into the Examination in Public for the Fareham Local Plan Part 2, the Inspector refers to FBC's evidence regarding the review of Strategic Gaps and states,

> *'although the review did not specifically take into account the route of the Stubbington by-pass and the Newgate Lane improvements, there is no reason to conclude that these proposals would justify altering the boundary of the gap in those locations. Having visited the area I agree with the Council that the gap between Fareham and Stubbington is justified in order to retain visual separation and that the proposed road improvements would not justify a revision to the boundary. The Council's approach is sound*.'

5.11 The latest DFLP also includes a policy relating to Strategic Gaps (Policy SP6) which continues to prevent the coalescence of urban areas and to maintain the separate identity of settlements. It also identifies a Strategic Gap between 'Fareham/Bridgemary and Stubbington/Lee-on-the-Solent'. It states, '*development proposals will not be permitted where they cause severe adverse harm to the physical and visual separation of settlements'*. The justification text acknowledges that, '*retaining the open farmland gap between Fareham and Stubbington is critical in preventing the physical coalescence of these two settlements together with maintaining the sense of separation'*. It also clearly states in Paragraph 4.39 that, '*further to the east, retaining the gap will help maintain the separation of Stubbington and Lee-on-the-Solent from Fareham and Bridgemary along with maintaining the separate identify of Peel Common*.' This therefore appears to contradict the removal of the Newgate Lane area from the Strategic Gap.

5.12 The proposed removal of this land from the Strategic Gap also appears to be at odds with FBC's own supporting evidence. The Fareham Landscape Assessment (2017) incorporates a review of the Strategic Gap designation including the 'Woodcot area' which includes the land covered by the proposed Newgate Lane allocation. It concludes,

> *'This is a cohesive area of undeveloped landscape which performs an important role in respect of the primary purposes of the Strategic Gap i.e. in defining the edges, separate identity and settings of Fareham and Gosport, preventing their coalescence. Even minor encroachment beyond existing settlement boundaries could have an adverse effect on these functions and the overall integrity of the landscape and Strategic Gap. It is recommended that the Gap boundaries remain unchanged.'*

5.13 Gosport Borough Council agrees with these findings set out in the Fareham Landscape Assessment and considers that the Woodcot area should remain an integral part of the Strategic Gap.

5.14 Whilst it is recognised that the local plan process is the appropriate time to review such designations it is considered that the proposed change at Newgate Lane will affect the integrity of the remaining gap by significantly reducing its width. The residential proposal by its sheer scale will undoubtedly harm the integrity of the gap and will diminish the physical and visual separation of the settlements.

Gosport Response 11v Appendix 2:

Fareham Press Release https://www.fareham.gov.uk/latest_news/pressrelease/pr_20201022_1

Press Release

22 October 2020

Councils seek nature-based solution to protect a strategic gap

Two south Hampshire councils are joining forces to seek benefits for their boroughs from two pots of Government money aimed at increasing wetlands, woodlands and meadows in the Solent area. Cllr Seán Woodward, Leader of Fareham Borough Council and Cllr Stephen Philpott, who is in charge of Economic Development at Gosport, want to see more land between the two towns "rewilded".

This shared vision follows last month's announcement by the Government to invest £3.9million to set up an online 'nitrate-trading' auction platform. They are also considering a loan to the Hampshire and Isle of Wight Wildlife Trust for further land purchase in the Solent region for 'rewilding'. Both initiatives would provide additional habitat rich areas for wildlife whilst unlocking much needed homes, with the backing of Natural England.

Three weeks ago, the Prime Minister, Boris Johnson, joined 65 world leaders in a pledge to reverse losses of wildlife habitats. In the UK that will mean an additional 400,000 hectares of woodland, wetland and meadow by the end of the decade.

Cllr Woodward said: "What we would like to see is the entire Strategic Gap that lies between Fareham and Gosport, and between Fareham and Stubbington rewilded to provide nitrate mitigation and preserve wildlife and this scheme offers us the opportunity to achieve that. I have been an unwavering supporter of preserving our precious Strategic Gaps and indeed seeking their designation as Green Belt. The recent announcement by Government that Fareham is likely to see a reduction in the number of houses it is required to plan for means we are now in a position to make an approach to our partners to secure land in the Fareham-Stubbington Strategic Gap for rewilding".

Although the Fareham-Stubbington Strategic Gap is mainly in Fareham there would also be a significant environmental benefit for Gosport.

Cllr Philpott said: "This is a great example of local councils working together for the benefit of their residents. Seán and I have today written to the Wildlife Trust to secure their backing for our idea to see a significant environment gain in our immediate neighbourhood. We will also work with other partners, such as the Solent Local Enterprise Partnership and Natural England, to seek maximum benefit from other similar projects for our communities."

ENDS

Date: 18 December 2020
Our ref: 333521
Your ref: N/A

Planning Strategy Team
Fareham Borough Council

BY EMAIL ONLY

Dear Sir/Madam,

Regulation 19 Local Plan Consultation (6th November – 18th December 2020)

Thank you for your consultation dated 06 November 2020 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the Council's approach to achieving sustainable development through its Local Plan, particularly through its suite of Natural Environment policies that include protection of internationally, nationally and locally designated sites, the enhancement of the local ecological network and the requirement for biodiversity net gain.

Our comments on the Regulation 19 Local Plan and supporting Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA) are made below.

Strategic Policy DS1: Development in the Countryside
It is recommended this Policy also requires proposals to ensure compliance with Natural Environment policies, in particular Strategic Policy NE1 and Policy NE2, to ensure impacts on nature conservation interests are properly considered and addressed, and biodiversity net gain is achieved (for applicable development).

With regards to soils, the local plan outlines that 'the benefits of protecting the Best and Most Versatile (BMV) agricultural land are considered against the need for development'. This Policy requires development proposals to demonstrate they 'Conserve and enhance landscapes, sites of biodiversity or geological value and soils'.

The National Planning Policy Framework sets out that:

> 'Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework[1]; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.'
>
> *1 Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.*

It is recommended that this Policy is amended to give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpin our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver. The plan should safeguard the long term capability of BMV agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future.

Where site allocations are sited on BMV land, the Plan should outline a requirement for the protection of soils during construction where possible, referencing the 'Defra Code of practice for the sustainable use of soils on construction sites'.

Strategic Policy DS3: Landscape
Natural England welcomes the proposed designation of eight Areas of Special Landscape Quality within the Borough, and the requirement for development in these areas to meet stringent criteria that seek to protect and enhance landscape.

Strategic Policy CC1: Climate Change
Natural England advise all Local Plans consider climate change adaption and recognise the role of the natural environment to deliver measures to reduce the effects of climate change, for example tree planting to moderate heat island effects. In addition factors which may lead to exacerbate climate change (through more greenhouse gases) should be avoided (e.g. pollution, habitat fragmentation, loss of biodiversity) and the natural environment's resilience to change should be protected. Green Infrastructure and resilient ecological networks play an important role in aiding climate change adaptation.

Natural England welcomes Strategic Policy CC1: Climate Change that promotes mitigation and adaptation to climate change through various methods including the integration of green and blue infrastructure into the design of developments, adopting higher water efficiency standards, the integration of energy efficiency, renewable and low carbon technologies into all development, and reducing reliance on car travel.

Natural England supports the embedding of policy that will deliver measures to increase sustainability of development over the Plan period. This should also include reducing consumption of raw natural resources, sourcing more renewable or 'green' energy, and reducing waste. Consideration should be given to the collection of financial contributions from development to offset residual carbon emissions elsewhere in the Borough. Consideration can also be given to the retrofitting of existing development with technology that improves energy and water efficiency.

It is recommended that Local Plan policy also seeks measures that help natural habitats across the Borough adapt to the effects of climate change. We would encourage you to refer to the Natural England and RSPB Climate Change Adaptation Manual and look at the step by step approach to identifying the climate resilience of habitats that occur in the Borough. Consideration should be given to addressing issues on habitats and protected sites that will be exacerbated by climate change, such as flooding, drought, reduction of water resources etc.- the Manual can also help identify these.

Consideration can be given to delivering specific projects within the Borough. For example, to maximise climate change adaptation and mitigation through the establishment of a Nature Recovery Network (NRN), and the Local Nature Recovery Strategy in which the NRN would sit, to ensure climate change resilience at their core. Such projects could potentially benefit from carbon offsetting contributions from development over the local plan period.

Such an approach could link into other aspects of the Plan such as water and air quality, nutrient mitigation for Solent European designated sites, delivery of biodiversity net gain, natural flood management, and green infrastructure implementation among others. Natural England would be happy to advise further on this aspect.

Policy CC2: Managing Flood Risk and Sustainable Drainage Systems
Natural England welcome this Policy that requires development ensures flood and surface drainage are properly addressed, and that Sustainable Drainage Systems (SuDS) are designed in accordance with CIRIA C753 SuDs Manual, to be as 'natural' as possible.

It is advised that the policy makes clear that where a development drains to a protected site(s), an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection may be required to ensure water quality impacts are avoided.

Where SuDS are proposed serving as mitigation for protected sites, development should ensure that appropriate resources are put in place to ensure their long-term (in perpetuity) monitoring, maintenance/replacement, and funding.

Policy CC3: Coastal Change Management Areas (CCMAs)
Sea level rise and coastal change are inevitable and bring both challenges and opportunities for people and nature. Sustainable coastal management needs to embrace long-term change and achieve positive outcomes for both.

Policy CC3 identifies that the North Solent Shoreline Management Plan (SMP) policy for the majority of Fareham Borough's coastline is 'Hold the Line', and identifies two CCMAs between Hook spit and Meon Shore, with an identified coastal management policy of 'No Active Intervention'. The Policy will ensure that development in these areas will appropriately consider coastal change. It also will ensure replacement coastal defence schemes 'are consistent with the relevant Shoreline Management Plan and that there will be no severe adverse impact on the environment, the English Coast Path, and the rights of way network'.

We would advise that the Local Plan should also help facilitate the relocation of valued environmental assets away from areas of risk.

Strategic Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network
Natural England welcomes this policy that sets out clearly the hierarchy of nature conservation and the requirement for development to 'demonstrate clearly that the mitigation hierarchy has been followed' in terms of avoiding, mitigating or compensating (as a last resort) impacts on biodiversity. Natural England welcomes the Local Ecological Network (LEN) approach that has been included in the local plan.

It is helpful that the LEN and the Council's Green Infrastructure Strategy have been suggested as tools to provide opportunity for enhancements across the Borough. Please read our comments below in relation to Policy NE2 that regards the choosing of suitable opportunities for biodiversity enhancement.

Policy NE2: Biodiversity Net Gain
Natural England is fully supportive of the inclusion in the local plan of a Policy for biodiversity net gain. It is welcomed that the policy refers to the benefits to Borough residents from the ecosystem services that being close to nature provides, and outlines an expectation that offsite net gain must be sought as close to the development as possible. However in some instances this may be difficult, and Natural England recommends that consideration is given to developing a suite of projects across the LEN that development within the Borough can contribute to thereby ensuring the biodiversity within the Borough is protected and enhanced. For example, partners that manage Local Nature Reserves and Sites of Importance for Natural Conservation in the Borough could submit projects to the local planning authority to enhance the ecological value of these sites. These projects could be funded by development that requires offsite compensation or additional enhancements to achieve biodiversity net gain. This approach can also be used by development with limited opportunities for biodiversity net gain on-site.

The Policy outlines that the Council may prepare and adopt a Supplementary Planning Document (SPD) for Biodiversity Net Gain. Due to the need to ensure net gain is delivered in a suitably

strategic way, and having regard to the timescales of the legislative requirement for net gain and further national guidance, Natural England would support the development of such an SPD and would encourage Policy NE2 to outline this as a clear intention of the Council, in order to provide further guidance and support to aid sustainable development across the borough. Natural England will be happy to advise further to aid the development of such an SPD.

- *Calculating net gain*

Please note that Biodiversity Metric 3.0 is due to be published early 2021, which will supersede Biodiversity Metric 2.0. We advise that the Policy is updated accordingly and that this metric is used to measure gains and losses to biodiversity resulting from development, and implement development plan policies on biodiversity net gain.

Please note that although the Policy includes 'nesting and roosting features' as suggestions for achieving net gain, it is our advice that features such as bird and bat boxes, swift bricks, bee hotels etc should be classed as general biodiversity enhancements that should be included as part of a wider biodiversity enhancement and mitigation plan. Net gain specifically should derive strictly from habitat enhancement and creation, required as calculated using the metric.

- *Wider environmental gains*

The reference to seeking wider environmental gains, for example to address water/air quality, flooding, climate change etc. is welcomed. Opportunities for environmental gains, including nature based solutions to help adapt to climate chance, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g. by sowing wild flower strips, changing cutting regime of open spaces and road verges*) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g. a hedgerow or stone wall or clearing away an eyesore)
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats

*Please see this paper regarding cost-effective and low-maintenance management for species-rich grassland on road verges and the value it can contribute to biodiversity and ecosystem services.

Please note that Natural England and Defra are developing an Environmental Net Gain/metric for Natural Capital Net Gain that can be used in conjunction with the Biodiversity Metric (but not instead of). Further information will be available in 2021.

- *Monitoring of net gain*

Your plan should include requirements to monitor biodiversity net gain. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

LPAs should work with local partners, including the Local Environmental Record Centre and wildlife trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations and providing as much up front information on monitoring will help to streamline the project stage.

Policy NE3: Recreational Disturbance on the Solent Special Protection Areas (SPAs)

Natural England welcome this policy that will require new residential development to address in-combination effects on the Solent SPAs via recreational disturbance. It is recommended the Policy also outlines that other types of development (such as new hotels, student accommodation, care homes etc.) may also need to address recreational disturbance impacts, both alone and in-combination. Such development should be assessed on a case by case basis.

Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
Natural England welcome this policy that will require new development that propose a net increase in overnight accommodation to address in-combination effects on the Solent designated sites via eutrophication from nutrients in wastewater.

Policy NE5: Solent Wader and Brent Goose Sites
Natural England welcome this policy that will require development to address effects on sites identified by the Solent Wader and Brent Goose Strategy (SWBGS) which serve as functionally linked land to the Solent SPAs.

It is recommended that the following wording within the Policy "*Sites which are used by Solent Waders and/or Brent Geese (as shown on the Policies map)*" is amended to read "*Sites which are used by Solent Waders and/or Brent Geese (as identified within the most up to date version of the Solent Wader and Brent Goose Strategy)*" to take account of any changes to sites and their distribution across the Borough, as these updates can be implemented at irregular times. Any further references to the Policies map should be similarly amended to refer to the SWBGS mapping.

Core Areas – due to their essential function within the SWBG network, it is advised these sites are identified for protection by the Policy. Any development that would result in impacts to a Core Area will need to be carefully assessed on a case-by-case basis. There are limited options where the function of a Core site can be fully replicated elsewhere in terms of its suitability and appropriate locality; where such land is available, an assessment of replicability will need to be undertaken through discussions with Natural England and the Local Planning Authority.

Financial contributions – it is welcomed that the Policy outlines that financial contributions proposed as mitigation will be used for the management and enhancement of an 'agreed suitable identified site for Solent Waders and Brent Geese'. Such proposals should demonstrate how such funds will be used to enhance, manage and monitor sites within the wider Solent Waders and Brent Geese network, in perpetuity. It is suggested that the Council works with relevant partners/stakeholders, including cross-boundary partnerships, to develop a strategic project(s), such as a bird reserve, and/or list of projects to enhance, manage and monitor the wider Solent wader and brent goose ecological network, to which contributions can be directed.

Policy NE6: Trees, Woodland and Hedgerows
Natural England welcomes this Policy that seeks to protect and enhance trees, woodland and hedgerows within the Borough. It is recommended that this Policy requires development proposals that affect ancient woodland, ancient trees and veteran trees, to ensure they are in line with standing advice published by Natural England and the Forestry Commission.

Policy NE8: Air Quality
It is welcomed that the Policy recognises that 'poor levels of air quality can also lead to environmental issues'. The Policy includes a need for planning applications to consider if they will have a 'potential adverse effect on biodiversity, especially where it would affect sites designated for their biodiversity value'.

The Policy outlines that the Local Plan HRA concludes the Plan 'would not have a likely significant effect on the internationally important habitats and species present in the area'. As this issue has

been considered within the HRA appropriate assessment, the wording here should be amended to use the correct terminology under the Habitats Regulations, i.e. the HRA concludes the Plan will not result in an 'adverse effect on integrity' (the term 'likely significant effect' is used at the screening stage of the HRA). See further comments on air quality below in regards to the Local Plan HRA.

Policy NE9: Green Infrastructure
Natural England welcomes this Policy that seeks to fully integrate green infrastructure (GI) into development and maximise opportunities to connect to the wider environment. The provision of enhanced green infrastructure and sites of nature conservation value can not only help address some of the mental and physical health problems that are experienced in the Borough's population, but can also benefit society in other ways including improvements to local air and water quality, reducing the risk of flooding, alleviating noise levels and aiding climate change adaptation.

Policy NE10: Protection and Provision of Open Space
This Policy references protection of public rights of way. Natural England advises that the Policy should also seek to secure enhancement of public rights of way and National Trails, as outlined in paragraph 98 of the NPPF. Recognition should be given to the value of rights of way and access to the natural environment in relation to health and wellbeing and links to the wider green infrastructure network. It is welcomed the plan seeks new access opportunities; it should seek to link existing rights of way where possible. The plan should avoid building on open space of public value as outlined in paragraph 97 of the NPPF.

It is welcomed that the Policy makes provision for appropriate quantity and quality of green space to meet identified local needs (as outlined in paragraph 96 of the NPPF) based on Natural England's work on Accessible Natural Greenspace Standard (ANGSt) in assessing the level of accessible natural greenspace; it is also welcomed that it recognises development may be required to 'provide more open space above what is required by the standards to make the development more acceptable'.

Policy D1: High Quality Design and Place Making
Natural England welcomes this Policy that requires the design of developments to integrate existing and new habitats and biodiversity within a coherent and well managed, connected structure. It is advised that landscaping of developments and open spaces seeks to use appropriate native and locally sourced species as far as possible to cater for local wildlife.

Policy D4: Water Quality and Resources
Natural England welcome this policy that seeks to conserve water and improve its quality.

Southern Water's Water Resources Management Plan (WRMP) 2019, that covers the planning period 2020-2070, projects a significant supply demand deficit during periods of drought in the Western Area, and commits to implementing a long term water resources scheme to restore the supply demand balance whilst avoiding and/or mitigating impacts on European sites, including the River Itchen SAC.

It is Natural England's advice that in advance of any permitting of such a suitable long term scheme, uncertainty remains with regards to water resources and the impacts of abstraction on protected sites.

Although it is welcomed that Policy D4 requires a water consumption for new dwellings of no more than 110 litres per person per day, Natural England strongly recommend all new development within the Southern Water supply area adopt a higher standard of water efficiency of 100 litres/per person/day, including external water use and re-use, in line with Southern Water's Target 100 demand reduction programme which is committed to within their WRMP19. Natural England also recommends that the Policy encourages the wise use of water in conjunction with the water companies, for example by developments incorporating grey water recycling systems and efficient appliances

Please see Natural England advice above in relation to Policies NE4 and Policy CC2 with regards to nutrients and surface water treatment via SuDS.

Neighbourhood Plans
Currently there are no Neighbourhood Plans in the Borough, but the Local Plan provides a 'strategic evidence base' which will inform any future Neighbourhood Plans.

It is recommended that any future Neighbourhood Plans which allocate housing should also identify spaces for environmental enhancement, for the purpose of offsetting environmental impacts, e.g. through the designation of Local Green Spaces. Such a local approach could give communities more ownership over such green spaces and provide a more strategic route to addressing common environmental impacts from development in that area, such as air and water pollution, habitat and species loss and increased carbon emissions, and could deliver biodiversity net gain and nutrient offsetting.

Such spaces could include the development of community orchards and play areas, woodlands and nature reserves, and serve a variety of functions that benefit both nature and the local community, for example providing benefits to health and wellbeing, offsetting nutrient discharges from allocated development and providing further scope for carbon sequestration.

Specific comments on Housing Allocation Policies

- HA9 - Heath Road (70 dwellings)

It is acknowledged this allocation site has resolution to grant permission for 70 dwellings. It is recommended this Policy includes the requirement to secure an appropriate level of offsite compensation to address the loss of secondary woodland on site which may in parts qualify as lowland mixed deciduous woodland habitat.

- HA29 - Land East of Church Road (20 dwellings)

Much of this site shows as Lowland Mixed Deciduous Woodland priority habitat on the Ecological Network mapping for Hampshire. Part of the site is designated as a Site of Importance for Nature Conservation (SINC) according to the Policy map. The Policy outlines a requirement for ecological mitigation for the site-specific construction and operational impacts of a development proposal. It is advised the Policy outlines a requirement to secure an appropriate level of offsite compensation to address any loss of priority habitat on site to ensure compliance with Policy NE1.

- HA31 - Hammond Industrial Estate (64 bed care home)

The Policy should ensure the impact of nutrients in wastewater is addressed to ensure compliance with Policy NE4.

- HA37 - Former Locks Heath Filling Station (30 dwellings)

This site is adjacent to an area of Lowland Mixed Deciduous Woodland priority habitat as shown on the Ecological Network mapping. The Policy should ensure that impacts on priority habitats and protected species are taken into account and appropriately addressed.

- HA38 – 68 Titchfield Park Road (9 dwellings)

The site is adjacent to Sylvan Glade SINC, much of which is ancient semi-natural woodland. The Policy should ensure compliance with standing advice on ancient woodland, ancient trees and veteran trees and that impacts on the SINC and protected species are appropriately addressed.

- HA42 - Land South of Cams Alders (60 sheltered housing)

This allocation site is located on 'Fort Fareham Grassland' SINC that supports woodland and meadow communities. It also lies adjacent to Fort Fareham SINC known for supporting wet woodland communities.

As previously advised in our response to the Supplement to the Reg 18 Local Plan (letter dated 23rd April 2020), allocations and development proposals should ensure they engage the mitigation

hierarchy, where impacts on designated ecological sites/features should first be avoided, and where not possible, adequately mitigated. Where this is not possible, any loss of priority habitat should be appropriately compensated. All residual ecological impacts will need to be addressed before any net gain for biodiversity can be achieved.

Natural England recommends that where loss of SINC habitat cannot be avoided, the policy should make clear how requirements set out within the NPPF, NERC Act 2006 and Local Plan Natural Environment policies will be met. It is advised an appropriate level of offsite compensation should be required to address any loss of priority habitat on site to ensure compliance with Policy NE1 .

- E4: Solent 2 (Employment - 23,500 sq. metres)

This employment allocation is located on Whiteley Meadow - Plot 2184 SINC and Ashley Wood, Fareham SINC. The Hampshire Ecological Network Mapping dataset shows much of this area as Lowland Mixed Deciduous Woodland, a priority habitat listed as required under Section 41 of the Natural Environmental and Rural Communities Act 2006. The site is also situated adjacent to the Gull Coppice (South-West Remnant) SINC which comprises ancient semi-natural woodland.

It is acknowledged that this site is an existing allocation within the adopted Fareham Local Plan Part 2 (2015).The current Policy outlines a requirement for this development to protect existing woodland and avoid habitat severance, and appropriate mitigation and compensation for any loss of protected trees. However, it is our view that a significant area of habitat, including mature woodland, is likely to be lost as a result of development. The Policy should ensure that it is compliant with Strategic Policy NE1 with regards to impacts on the local ecological network in this locality. In line with existing national and local policy and legislation, it is Natural England's advice that the mitigation hierarchy of avoid, mitigate and lastly compensate is employed where considering impacts on these habitats, particularly those designated as SINC. Measures should be sought to protect and enhance the local ecological network. Where impacts cannot be avoided or adequately mitigated, a comprehensive compensation package should be required that addresses the loss of all priority habitat on site (rather than just specifying protected trees), that seeks to enhance and connect habitat in the locality.

Comments on the HRA

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the Local Plan in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

We have the following comments on the HRA:

- *Recreational disturbance – New Forest designated sites*

The Local Plan HRA screening assessment outlines that although the Borough falls within the 25km buffer of the New Forest designated sites (via a straight line), the minimum actual travel distance by car is of approximately 30km travel distance (via the M27). In comparison to the number of visits from residents closer to the New Forest, the assessment states 'visits to the New Forest SAC/SPA/Ramsar associated with increased housing development in Fareham Borough contribute a significantly lower proportion of overall visits to the designated sites and it is not considered likely that significant effects associated with recreational disturbance from Fareham housing development would arise'. The HRA screens this impact pathway out from an appropriate assessment on this basis.

It is understood Footprint Ecology are currently conducting further analysis on several aspects of their latest visitor surveys. This analysis will assist the definition of a robust catchment area for recreational impacts. It will help in the preparation of a strategic, cross-boundary approach with neighbouring competent authorities to deliver habitat mitigation for the New Forest SPA/SAC/Ramsar. This work is due to be completed shortly and will provide a useful update to the evidence base against which such impacts from new development from surrounding local authority areas can be assessed.

Therefore, whilst acknowledging that the level of additional impacts from new residents is known to significantly decrease with distance from the New Forest designated sites, Natural England consider at this time there remains some uncertainty with regard to the evidence confirming the level of additional impacts from new residents of Fareham local plan development. We therefore advise this issue is taken forward to the appropriate assessment stage where further work may be carried out to ascertain the level of impacts as accurately as possible.

Where impacts are identified, suitable and proportionate mitigation should be proposed; we recommend the Council works with the New Forest National Park Authority and the other partner authorities to develop a strategic approach to addressing recreational impacts from new development on the New Forest designated sites. Such an approach should include developer contributions towards the New Forest National Park Authority's Habitat Mitigation Scheme to enable the authority to deliver site specific mitigation measures on behalf of applicants.

Natural England will be happy to provide further advice to the Council on this aspect as the evidence base develops.

- *Air quality*

The Local Plan is supported by an Air Quality Habitats Regulations Assessment (Ricardo, Sept 2020). The conclusions drawn in the Local Plan HRA in regards to air quality impacts are based on those drawn within the Ricardo report. Natural England concurs with the conclusions drawn in the report.

The Ricardo report suggests that the Council regularly reviews the Defra airborne NOx forecast levels. This is welcomed as a way to ensure any changes in forecasting and potential consequential changes to conclusions drawn in the report for this pollutant can be appropriately reviewed and addressed during the local plan period.

- *Water quality – nutrients*

The HRA calculates a nitrogen budget for the local plan of 2536.99 kgTN/yr. Appendix III of the HRA outlines various mitigation schemes that can be utilised or progressed as a means to ensure nutrient neutrality can be delivered by new development.

The HRA states within its Summary of Findings that the sites Chichester and Langstone Harbours SPA/Ramsar, Portsmouth Harbour SPA/Ramsar and Solent and Dorset Coast SPA are screened out of an appropriate assessment in relation to water pollution impacts. Much of development within Fareham borough is served by Peel Common wastewater treatment works (WwTW), which is a coastal WwTW that discharges effluent several kilometres out into the Solent. It is our advice that long-shore outfall pipes are likely to have shifted and widened the distribution of nitrogen loading within the effluent across the Solent SAC and SPAs. It is important to recognise the loading from Peel Common WwTW contributes to a number of estuaries and catchments within the Solent (including Portsmouth Harbour, Langstone Harbour, Chichester Harbour, River Meon, Wootton Creek and the Medina Estuary catchments). It is therefore Natural England's view that, because of this wide distribution of nitrogen loading, all designated sites should be screened in.

- *Other comments on the HRA*

Section 7.7.3 – this paragraph refers to the 'SAC' although it is relating to Portsmouth Harbour SPA and Ramsar.

Comments on the SA

We are broadly satisfied that the objectives and indicators within the Sustainability Appraisal cover our key interests, and welcome the identification of the need to conserve and enhance biodiversity, landscape character, and to reduce pollution. We also welcome the need to address minimise the

effects of climate change, and to minimise impacts on best and most versatile agricultural land. Please see some more specific comments below.

- SA5: To Minimise Carbon Emissions and Promote Adaptation to Climate Change

This SA objective to address the effects of climate change is welcomed. It is suggested a further monitoring parameter(s) is included to monitor the implementation of new GI/habitat that can seek to alleviate the pressures of climate change on species and the ecological network whilst also providing other benefits as described further in our advice above; e.g. percentage of new GI/ extent of priority habitat within the ecological network.

- SA7: To Conserve and Enhance Biodiversity

We advise that this SA objective also seeks to conserve and enhance geodiversity within the Borough, in line with national planning policy.

The SA outlines the Plan 'is predicted to lead to negative impacts to ecological receptors in the short to medium term, but many of these impacts are capable of being mitigated. Long-term effects are likely to be both positive and negative, and highly site-specific'. It is acknowledged these effects can be avoided/mitigated by the implementation of several policies including NE1, NE3, NE4 and NE5. It is advised Local Plan Policy requires relevant development to carry out site-level Habitats Regulations Assessments in order to ensure impacts on European sites are suitably addressed.

It is also suggested that further monitoring parameters are incorporated to ensure impacts on internationally, nationally and locally designated sites are monitored throughout the Plan period, e.g. via the number, extent and condition of sites designated for nature conservation. We would advise the use of a green infrastructure standard as an indicator, such as Natural England's Accessible Natural Greenspace Standard (ANGSt). Parameters for measuring the implementation of net gain should be introduced, see further above for our advice on net gain monitoring.

We would be very happy to comment further as the plan process progresses. If you have any queries relating to the detail in this letter please contact me on [redacted]

Yours faithfully

Rebecca Aziz
Sustainable Development Senior Advisor
Thames Solent Area Team

Portsmouth CITY COUNCIL

Planning Policy,
Planning and Economic Development

Portsmouth City Council
Civic Offices
Guildhall Square

[redacted]

Gayle Wotton,
Planning Strategy Manager
Civic Offices,
Civic Way,
Fareham,
PO16 7AZ

Ref:

17 December 2020

Dear Gayle,

Re: Fareham Borough Council - Local Plan 2037: Portsmouth City Council response

Thank you for consulting Portsmouth City Council on the emerging Fareham Local Plan. The City Council would like to make the following comments:

Approach to Housing Need

1. While the Fareham Borough Council's (FBC) 'Regulation 19' Publication Plan has been out to consultation the Government has announced a revised standard methodology for assessing local housing need, following the *Changes to the current planning system* consultation published in August 2020. For both Fareham and Portsmouth this results in the previous standard method numbers being retained (514 and 855 per annum respectively[1]) rather than the proposed lower figures put forward for consultation by Government in August (estimated to be 403 and 730 per annum respectively). The development strategy proposed by the Reg 19 verison of the Fareham Borough Council Local Plan 2037 is based on the 420 per annum figure.

2. Portsmouth has a finite capacity to accommodate new development due to its geographical constraints; changes to Portsmouth's housing target are therefore directly reflected in the cities unmet housing need. Paragraph 4.5 of the FBC's Publication Plan references the City Council's formal request for Fareham to accommodate 1,000 dwellings of Portsmouth's unmet need; Fareham's contribution in its housing supply for the plan period of 847 dwellings to the unmet need of all neighbouring authorities' is noted and welcomed. However, under the December 2020 methodology, the City Council has a total unmet need of over 3,000 dwellings. The City Council would therefore wish to maintain the request to FBC to potentially accommodate up to 1000 dwellings as a portion of Portsmouth's unmet need. The City Council is also conducting other Duty to Cooperate discussions on the matter

[1] MHCLG *Indicative local housing need* (December 2020 revised methodology) available from: https://www.gov.uk/government/consultations/changes-to-the-current-planning-system

with neighbouring authorities in the Portsmouth Housing Market Area. Gosport and Havant Borough Councils have both indicated capacity limitations. However, the City Council recognise that the distribution of housing need is broader than the PCC and FBC authority areas, and will require consideration and co-operation at the sub regional scale.

3. In response to FBC's previous Local Plan consultation (Local Plan Supplement, March 2020), the City Council welcomed the proposal for two Strategic Growth areas (North of Downend, and South of Fareham) in Fareham Borough's Local Plan, which were indicated at that time as having the potential to meet unmet development needs from the Borough's neighbouring authorities. The City Council indicated that North of Downend would be particularly suitable for accommodating unmet need from Portsmouth given its closer geographical proximity to the city and transport links via the M27/ A27, Portchester railway station and the proposed Bus Rapid Transit (BRT) line.

4. The Publication Plan has not taken the two Strategic Growth Areas forward, due to the anticipated reduction in FBC's housing target from Government. Given the potential revision in housing need targets (published 16.12.20), this would justify FBC's reconsideration of the inclusion of such sites to help meet FBC's housing need and well as unmet need from other neighbouring authorities in the Portsmouth Housing Market Area, including PCC.

5. PCC and FBC will continue to work collaboratively to address strategic planning matters, both through the Partnership for South Hampshire (PfSH) and, where necessary, on a bilateral basis. The PfSH authorities' are currently undertaking a piece of work (as part of the review of the 2016 Spatial Strategy) to identify sufficient suitable sites to accommodate unmet housing need across the sub region, with specific focus on Housing Market Areas. This will include ensuring there are sufficient sites in the Portsmouth Housing Market Area (which contains both Portsmouth and a large part of Fareham). The City Council welcome the inclusion of land at Down End and development in part of the Stubbington Gap in the PfSH Strategic Development Opportunity Area work as part of the range of strategic site options being considered. The City Council supports the specific reference to the on-going joint work with the PfSH authorities in paragraph 1.3 of the Plan.

Employment

6. In regard to employment, Portsmouth and Fareham's authority areas' form part of a wider market area, with commuters moving between the city and the surrounding towns including Fareham and the M27 corridor. PCC supports the allocations for employment land in Policy E1: Employment Land Provision, particularly the sites at Daedalus which of sub-regional importance to the local market.

7. The City Council would encourage HBC to consider how the Local Plan could help to resist the loss of employment space (e.g. a future Article 4 Direction), as well as the loss of other allocated uses that fall under Use Class E where necessary. If allocated employment land is lost to residential uses this could lead to an increase in unsustainable travel patterns and greater pressure on the wider area. We would welcome further discussion with FBC, and other Councils in Portsmouth Housing Market area and/ or PfSH area, on this matter to establish a common approach.

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Portsdown Hill

8. Portsdown Hill is an important part of the landscape in South East Hampshire, for its open space, landscape and heritage value as well as the views of and from the hill. The City Council supports the identification of Portsdown Hill as an Area of Special Landscape Quality under the FBC Publication Plan Policy DS3, and notes the evidence produced to support the allocation in the *Technical Review of Areas of Special Landscape Quality and Strategic Gaps* (Sept 2020).

9. The City council would welcome any further opportunities for joint working on the strategic approach to Portsdown Hill, together with Winchester District Council and Havant Borough Council, including as a consultee on development proposals.

Environment

10. The City Council welcomes the inclusion of NE1 - Protection of Nature Conservation, Biodiversity and the Local Ecological Network, Policy NE6: Trees, Woodland and Hedgerows, Policy NE9: Green Infrastructure which together help protect key species and habitats and promote green space coverage within south Hampshire.

11. Portsmouth are currently developing a green infrastructure network for the city, including the identification of a number of existing and proposed 'green corridors' to link up open spaces across Portsmouth, encourage active travel, enhance biodiversity and support resilience to climate change. A first draft of the proposed network was published in PCC's Green Infrastructure Background paper in February 2019; it includes the identification of several potential 'green corridors' that would meet the boundary with Fareham's authority area: Portsdown Hill Road and Southampton Road (A27). The City Council would welcome any discussion on how these proposed corridors could be extended beyond the City Council area, and/ or support for these linkages in the FBC Local Plan if possible. The identified ecological network opportunities (shown the map in Appendix C of the Publication Plan) along Portsdown Hill Road and the A27 within the FBC authority area are noted.

12. The City Council is committed to continuing to work with FBC and the other members of the PfSH Water Quality Working Group as necessary on short, medium and long term 'nutrient neutral' mitigation solutions for housing development within the Solent catchment. Current discussions indicate that mitigation solutions are likely include the identification and securing of suitable off-setting land in the Solent catchment, predominately outside the Portsmouth urban area.

13. The City Council is also mindful of the likely forthcoming requirement to provide at least 10% biodiversity net gain on development sites, as part of the anticipated Environment Act. While the City Council is currently undertaking further work to explore how such requirements could be effectively applied within an urban environment and to identify off-site opportunities for biodiversity creation and/ or enhancement within the city, there is the potential for a shortfall in net gain provisions (subject to the final provisions of the Environment Act) within the plan period. Securing land for nitrate mitigation presents one such opportunity to seek multiple environment benefits for the sub region (biodiversity net gains, carbon off-setting, Suitable Alternative Greenspaces (SANGs) for recreational disturbance,

habitat compensation of coastal defence schemes etc). The City Council are committed to furthering these discussions with Fareham BC and the other PfSH authorities on this matter, and to consider the potential for environmental off-setting on both a sub-regional and a site by site basis as appropriate.

Education

14. The City Council continues to maintain close links with Hampshire County Council as Education Authority due to cross border pupil movement. Development in close proximity to the FBC and PCC authority borders can impact the availability of school places across authorities. The timing and size of development should therefore be closely monitored to ensure the continued availability of school places during the life of both Local Plans.

Transport

15. The City Council welcomes the reference in paragraph 10.3 of support for proposals that promote sustainable transport links through Fareham Borough to Portsmouth and Southampton. The city also supports the reference to the development of the rapid transit networks between the two authorities and linking to others in the sub region in paragraph 10.20.

If you wish to discuss any of the matters raised in our response, please do not hesitate to contact me.

Kind regards,

Rachel Cutler

Acting Planning Policy Manager

[redacted]

DRAFT

FAREHAM Local Plan 2037

Introduction

The Council has published the Publication Version of the Local Plan. This consultation is the final stage before the Plan is submitted to a Government Planning Inspector for independent examination.

The Statement of Representations Procedure and Statement of Fact sets out how and when you can view the Local Plan and respond to the consultation.

You can make comments on the Plan, known as representations, up to 18 December 2020.

What can I make a representation on?

This consultation is different from previous ones as it no longer seeks views on alternative options. You will be asked whether you think the Plan is:

- **Legally Compliant**: Does the Plan meet the legal requirements for plan making as set out by planning laws?
- **Sound**: Has the Plan been positively prepared? Is it justified, effective, and consistent with national policy?
- **Complies with the Duty to Co-operate**: Has the Council engaged and worked effectively with neighbouring authorities and statutory bodies?

You can make a representation on any part of the plan, but only comments that address the three questions above can be taken into account.

You can find out more about each of the questions by reading Fareham Today and the Frequently Asked Questions.

What happens next?

A Planning Inspector will be appointed to consider the Plan and comments from the consultation on behalf of the Secretary of State. All representations will be forwarded, together with the Publication Plan, to the Planning Inspector for

PERSONAL DETAILS

Data Protection Privacy Statement – Consultation on the Local Plan in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012

In order to deliver services to the citizens and communities in Fareham Borough, it is necessary for the Council to collect, gather and process personal data.

In relation to the consultation on the Local Plan in accordance regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, Fareham Borough Council will collect and process personal data for the following processing purposes:

- Receiving representations to the consultation and submitting the Local Plan for examination in public.

The Council is processing this personal data by virtue of the following Lawful

- Compliance with a legal obligation
- Performance of a task carried out in the public interest.

Consultation responses will be entered onto the online consultation form. The company that host the online consultation form, Snap Surveys are ISO 27001 certified and will store the data on a secure UK server.

The Town and Country Planning (Local Planning) (England) Regulations 2012 requires that, when the Council submits the Local Plan and associated documents to the Secretary of State, for examination in public, the responses made to the consultation on the Local Plan must also be submitted. This includes the personal data collected, such as name, address and contact details.

In addition, any representations submitted will be made available on the Fareham Borough Council website. Addresses, email addresses and phone numbers will not be published.

Representations linked to plan making will be retained for no more than 5 years following adoption of the Local Plan. We will not keep this information for longer than is necessary.

You have certain rights under the General Data Protection Regulations (GDPR) in respect of your personal information. More information about your rights can be found on the Council's website or on request.

A1 Is an Agent Appointed?

☐ Yes ☒ No

A2 Please provide your details below:

Title:	Mr
First Name:	Jayson
Last Name:	Grygiel
Job Title: (where relevant)	Manager of Planning Policy
Organisation: (where relevant)	Gosport Borough Council
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

A3 Please provide the Agent's details (if applicable):

Title:	
First Name:	
Last Name:	
Job Title: (where relevant)	
Organisation: (where relevant)	
Address:	
Postcode:	
Telephone Number:	
Email Address:	

You can check which paragraph, policy etc you want to comment on by looking at the Publication Local Plan.

You can find out more about what you can comment on by reading Fareham Today and the Frequently Asked Questions.

B1 Which part of the Local Plan is this representation about?

- [x] A paragraph — Go to B1a
- [x] A policy — Go to B1b
- [ ] The policies map — Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.122-9.125

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE9: Green Infrastructure

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	☐	☐
Sound	☐	☒
Complies with the duty to co-operate	☐	☐

B3 Please provide details you have to support your answers above

Whilst the Council supports the aims of this policy it considers that the policy and supporting text needs to highlight opportunities to secure strategic green infrastructure improvements across Fareham Borough including within the Fareham, Gosport, Lee-on-the-Solent and Stubbington Strategic Gap. The Council considers that amendments are required to the wording in order for the policy to be deemed **effective** to deliver cross-boundary strategic objectives.

Comments continued on next page

B3 Extension:

Appended to this representation is this Council's suggested approach put forward in 2018(Gosport Response 11v Appendix 1a and 1b). The Council considers that the Strategic Gap offers significant opportunities for mitigating and adapting to climate change (renewable energy, flood storage), improving informal recreational access to an urban population, and enhancing biodiversity. Since this time a number of Government proposals including the 25 Year Environment Plan and proposals for nitrate mitigation and mandatory biodiversity net gain have been proposed which could be delivered in the Strategic Gap. Given the importance of the Strategic Gap it is recommended that Policy NE9 includes specific reference to the potential for green infrastructure improvements in this area.

Such reference would reflect an announcement by the Leader of Fareham Borough Council included in a recent press release (Gosport Response 11v Appendix 2).

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Reference should be made in the Green Infrastructure Policy and justification text to strategic green infrastructure opportunities.

Reference should be made to this Council's proposal that Fareham Borough Council and Gosport Borough Council will work together to develop a joint strategy for the Strategic Gap between Fareham, Gosport, Lee-on-the-Solent and Stubbington

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

This suggested modification would make the whole Local Plan sound as it would set out an effective strategy to improve green infrastructure for the residents of both Fareham and Gosport Borough and would provide a degree of certainty for the long term future of the Strategic Gap. It would maximise potential opportunities arising from Government proposals set out in the 25 Year Environment Plan by enhancing biodiversity and delivering environmental net gain.

B4c Your suggested revised wording of any policy or text:

We would take the opportunity to work with colleagues at Fareham Borough Council for a joint statement on this issue.

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

☐ **Yes, I want to take part in a hearing**

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

The Council is prepared to attend any session regarding the future of the Strategic Gap between Fareham, Gosport, Lee-on-the-Solent and Stubbington.

The Inspector will decide on who will appear at the hearing(s). You may be asked to takepart when the Inspector has identified the matters and issues for examination.

Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

GOSPORT
Borough Council

Mr Richard Jolley
Director of Planning and Regulation
Fareham Borough Council
Civic Offices,
Civic Way,
Fareham,
Hampshire.
PO16 7AZ

Please ask for:

[redacted]

1st October 2018

By e-mail

Dear Richard

Gosport, Fareham, Lee-on-the-Solent and Stubbington Gap Policy

As mentioned during our recent conversation, a report was presented to Gosport Borough Council's Economic Development Board on 19th September relating to the settlement/strategic gap between Gosport, Fareham, Lee-on-the-Solent and Stubbington.

The Board resolved to continue to support the integrity of the Gap in order to prevent coalescence of settlements and maintain their identity, as well as safeguarding the Gap's function as an effective transport corridor.

It was also resolved that Fareham Borough Council is invited to work with Gosport Borough Council to consider a joint approach for the future of the Gap for a number of reasons including:

- As part of the statutory duty to cooperate;
- To secure the Gap's coherence over the longer term; and
- To investigate options for delivering multi-functional benefits for residents of both Boroughs.

In the light of this I thought it would be useful if we could meet, together with our respective planning policy managers, for initial discussions to explore a common approach and what further work, if any, is required.

I trust you are amenable to such discussions and if so please could you provide a list of possible dates to meet.

If in the meantime if you have any queries on this matter please do not hesitate to contact me.

Yours sincerely

Debbie Gore
Head of Planning and Regeneration Services

AGENDA ITEM NO.

Board/Committee:	Economic Development Board
Date of Meeting:	19th September 2018
Title:	Gosport, Fareham, Lee-on-the-Solent and Stubbington Gap Policy
Author:	Manager of Planning Policy
Status:	For Decision

PURPOSE

To consider the role of the current settlement/strategic gap between Gosport, Fareham, Lee-on-the-Solent and Stubbington and to support the principle of maintaining the integrity of this Gap.

RECOMMENDATION

That this Council

- Agree the principle of maintaining a settlement/strategic gap between Gosport, Fareham, Lee-on-the-Solent and Stubbington as part of the forthcoming Gosport Borough Local Plan Review.

- Continue to support the necessity of maintaining the integrity of the Gap beyond the Borough boundary in order to prevent the coalescence of settlements and maintain their identity; and safeguard the Gap's function as an effective transport corridor.

- That Fareham Borough Council are invited to work with this Council on a bilateral basis to consider a joint approach for the future of the Gap:

  - as part of the statutory duty to cooperate;

  - to secure it coherence over the longer term; and

  - to investigate options for delivering multi-functional benefits for residents of both Boroughs.

- Refer to the Gap as a 'Strategic Countryside Gap' in the Local Plan Review for reasons set out in Section 2 of this report.

1 Background

1.1 The current adopted Gosport Borough Local Plan (GBLP) (October 2015) includes a Settlement Gap policy (part 10 of Policy LP3) which aims to retain a sufficient gap between Gosport, Fareham, Lee-on-the Solent and Stubbington in order to protect the identity of each settlement and ensure proposals do not physically and visually diminish these open areas.

1.2 This settlement gap is considered of sub-regional importance and was identified, together with three others, in the PUSH[1] South Hampshire Strategy (Policy 15) (October 2012). The local boundaries, as defined on the Policies Map of the GBLP, were defined in cooperation with Fareham Borough Council (FBC) as part of the production of both current adopted local plans and consequently the gap is included within FBC's current Local Plan (linked to Policy CS22 of Part 1 of the Fareham Local Plan: Core Strategy). A plan showing the current boundary of the gap is shown in Appendix 1. The gap within the Borough includes the Alver Valley, Browndown and playing fields associated with HMS Sultan and Bay House School.

1.3 The South Hampshire gaps are tracts of undeveloped land within the sub region which keep settlements separate from each other. The prevention of significant development within these Gaps has been a feature of strategic and local planning documents in South Hampshire for over 35 years.

1.4 In 2008 the PUSH Joint Committee adopted a Policy Framework which set out criteria for the designation of Gaps to ensure consistency across South Hampshire. It was recognised that Gaps which cross authority boundaries need a coordinated approach to ensure that their designation and their extent is aligned across the boundary.

1.5 The criteria to define the boundaries were included in Policy 15 of the South Hampshire Strategy (Oct 2012) (and therefore relevant to both the current Gosport and Fareham Local Plans). The criteria are as follows:-

- the designation is needed to retain the open nature and/or sense of separation between settlements;
- the land to be included within the Gap performs an important role in defining the settlement character of the area and separating settlements at risk of coalescence;
- the Gap boundaries should not preclude the provision being made for the development proposed in this Strategy;
- the Gap should include no more land than is necessary to prevent the coalescence of settlements having regarding to maintaining their physical and visual separation.

1.6 The South Hampshire Strategy makes it clear that, '*the purpose of Gaps is to shape settlement patterns and to influence the location of planned development; not to stifle it altogether. So the boundaries of Gaps must be defined in tandem with providing sufficient land to meet development needs*.'

1.7 In June 2016 the PUSH authorities agreed the Spatial Position

[1] Partnership for Urban South Hampshire

Statement (SPS) to inform long term decisions about the level and distribution of development in the area to 2034 taking into account requirements to plan for objectively assessed housing needs. The SPS has maintained a policy on Gaps which it recognises are important in maintaining the sense of place, settlement identity and countryside setting for the sub region and local communities.

1.8 The SPS only specifically identifies the Meon Valley Gap in Position Statement 1 as it demarks the boundary of the Portsmouth and Southampton Housing Market Areas. The SPS however recognises that in addition to this area, '*Councils should identify in their Local Plans other local strategic countryside gaps of sub-regional importance as appropriate*.' It adds that, '*Given the long term need for development, the number and extent of gaps should only be that needed to achieve their purpose*.'

1.9 The justification text states that such gaps should be defined in order to prevent coalescence and protect the identity of distinct settlements and maintaining green infrastructure. They are a mechanism which still allows development to come forward in appropriate sustainable locations by giving communities the confidence to plan positively for growth, whilst ensuring there is room for the necessary complimentary uses such as recreation areas, transport corridors and environmental mitigation.

2 **Terminology**

2.1 The gaps designation is known by various terms in South Hampshire documents but importantly they are describing the same land use function. The 2012 South Hampshire Strategy refers to this designation as 'Gaps' in order to keep settlements separate from each other. Consequently the GBLP refers to these gaps as 'Settlement Gaps' whereas the Fareham Local Plan refers to them as Strategic Gaps which was the term formerly used. It is important to note that there is no difference whatsoever in the designation. They both relate to the Gaps designation in the South Hampshire Strategy. The PUSH Spatial Position Statement (June 2016) refers to the Gaps in Position Statement 1 as Strategic Countryside Gaps but also uses the term strategic gaps in the justification text. Similarly this is referring to the same designation.

2.2 It is proposed that the Gap policy in the forthcoming Gosport Borough Local Plan Review will be termed 'Strategic Countryside Gaps' to be consistent with PUSH Spatial Position Statement, recognising that this is only a change in terminology and that the role of the gap is unchanged.

3 **Report**

3.1 As part of the forthcoming Gosport Borough Local Plan Review which will cover the period to 2036 it will be necessary to review the detailed boundary of the Gap within Gosport Borough. This will be

undertaken at the same time as the review of the urban area boundary (as currently defined in Policy LP3 (point 2) and the Policies Map of the GBLP). However it is clear that the principle of the Gap remains applicable particularly when considering the criteria outlined by the previously agreed PUSH Framework on this issue.

3.2 The key issue however arises from concern regarding Fareham Borough Council's commitment to the Gap given their latest proposal in the Draft Fareham Local Plan (DFLP) (Regulation 18) published in October 2017. As Members will recall FBC has proposed a significant new development allocation of up to 475 dwellings in land currently in the strategic gap to the east of the new Newgate Lane (Newgate Lane East). As part of this allocation it is proposed to remove this land from the strategic gap accordingly. This proposal is commonly referred to as 'HA2.' Appendix 2 shows how this proposal as well as a number of speculative housing developments could significantly be detrimental to the function of the gap both individually and cumulatively.

3.3 In response to the DFLP, this Council resolved (Regulatory Board 6th December 2017) to make a strongly worded objection to the HA2 proposal and the need to defend the gap, which was consequently duly made. Key elements of the Council's case with reference to the Gap are set out in Appendix 3. Numerous other points referring to other issues relating to the proposed housing allocation were also made and can be viewed in the aforementioned Regulatory Board report. These key issues include:

- that the proposal will negate the benefits being provided by the new improvements to Newgate Lane with a negative impact on traffic flow and increased congestion to the detriment of Gosport residents and the local economy including accessibility to the Solent Enterprise Zone at Daedalus;
- the proposal has the potential to significantly harm the amenities of local Gosport residents with the introduction of new access points to existing residential areas, which due to the scale of the proposal would potentially increase traffic on residential roads;
- there is insufficient information on supporting infrastructure including education, medical and community facilities.

3.4 The extract in Appendix 3 identifies that this Council has a number of concerns and concludes that whilst it is recognised that the local plan process is the appropriate time to review such designations it is considered that the proposed change at Newgate Lane will affect the integrity of the remaining gap by significantly reducing its width. The residential proposal by its sheer scale will undoubtedly harm the character of the gap and will diminish the physical and visual

separation of the settlements.

3.5 The Council considers that FBCs proposals are contrary:

- to the objectives of the long-established sub-regional policy in South Hampshire to protect important gaps between settlements.
- to FBC's own evidence, submitted at its own Local Plan Examination in Public as recently as 2015 which defends the gap at this particular location.
- to the Planning Inspector findings in 2015 who states in his report, '*'although the review [of the Strategic Gap] did not specifically take into account the route of the Stubbington by-pass and the Newgate Lane improvements, there is no reason to conclude that these proposals would justify altering the boundary of the gap in those locations. Having visited the area I agree with the Council that the gap between Fareham and Stubbington is justified in order to retain visual separation and that the proposed road improvements would not justify a revision to the boundary. The Council's approach is sound*.'
- to FBC's own Landscape Assessment (2017) evidence used as part of the DFLP which states '*This is a cohesive area of undeveloped landscape which performs an important role in respect of the primary purposes of the Strategic Gap i.e. in defining the edges, separate identity and settings of Fareham and Gosport, preventing their coalescence. Even minor encroachment beyond existing settlement boundaries could have an adverse effect on these functions and the overall integrity of the landscape and Strategic Gap. It is recommended that the Gap boundaries remain unchanged.'*
- to its own Sustainability Appraisal which highlights that that Newgate Lane allocation is less sustainably located than other allocations in the DFLP.

3.6 In addition to the HA2 proposed allocation, the Gap is also under further pressure from a speculative development of 1,027 dwellings at Newlands Farm with associated community facilities. The planning application has yet to be determined and is contrary to both the current Fareham Local Plan and the emerging DFLP.

3.7 Also of concern is that a perspective developer is considering further development between Newgate Lane East and the original Newgate Lane citing the fact that as FBC has allocated the HA2 in the draft Local Plan it would release the potential for further development to take place.

3.8 In the light of the above identified pressure it is of paramount importance that Gosport Borough Council seeks to maintain the existing Gap between Gosport, Fareham, Lee-on-the-Solent and

Stubbington. The Council recognises that the development of transport infrastructure within the Gap, such as the Newgate Lane improvements and the proposed Stubbington Bypass, are compatible uses within the Gap as part of the acknowledged transport corridor function of gaps (as identified in the PUSH SPS). The Council considers that significant new residential development along this new infrastructure has the potential to significantly reduce its effectiveness as a key transport route serving the Peninsula.

3.9 It is acknowledged that the pressure on the Gap has been caused by the significant housing needs in South Hampshire and the various measures introduced by the Government to increase the rate of house building. This includes the new standardised methodology for calculating housing need and the housing delivery test recently confirmed in the Government's National Planning Policy Framework (NPPF) (July 2018), together with the previous measure of the 'Five Year Housing Supply', which Fareham Borough has not been able to meet.

3.10 It is important to recognise that this Gap has been a very established planning strategy for PUSH and its various sub-regional planning documents in order to maintain such important spaces within the wider densely built-up areas of South Hampshire.

3.11 Gosport Borough Council strongly supports Position Statement S1 on Strategic Countryside Gaps in the PUSH Spatial Position Statement (June 2016) and considers that the principle of the Gap should be maintained in the forthcoming Local Plan Review and it should seek to protect the integrity of the wider gap beyond the Borough boundary. Consequently it will continue to make representations to FBC in relation to the HA2 proposal as well as making comment on planning applications which have a detrimental impact on the sub-regional gap between Gosport, Fareham, Lee-on-the-Solent and Stubbington and its ability to function as an effective transport corridor for the Peninsula.

3.12 In the light of this and as part of both Councils' statutory duty to cooperate, as well as the new requirement to produce a 'statement of common ground' (introduced by the NPPF), it is considered appropriate to invite Fareham Borough Council to consider establishing a joint approach to the Gap which protects its key functions as established by PUSH. This could potentially lead to a joint strategy for the gap which could assist in implementing multi-functional benefits for the residents of both Boroughs.

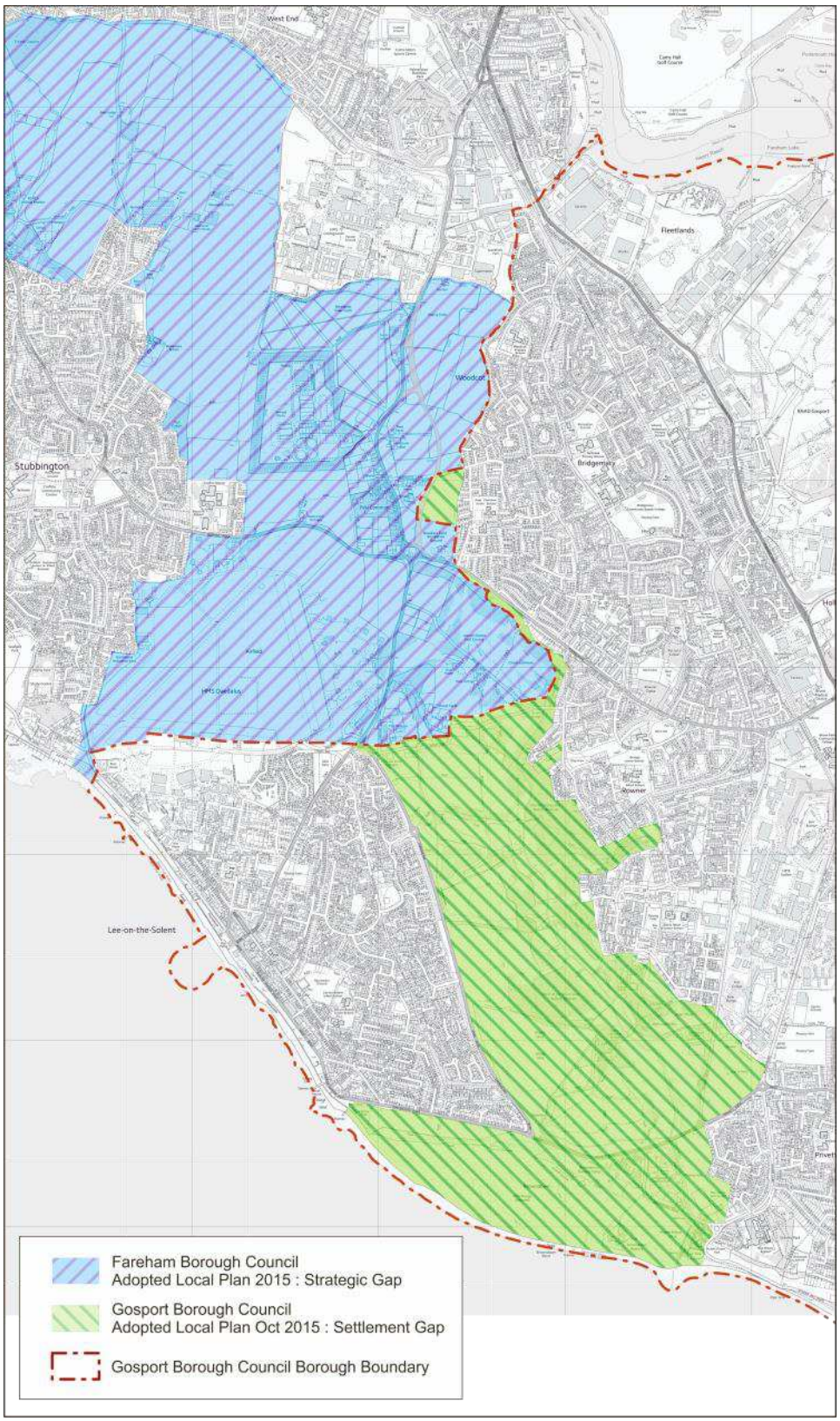
4 Risk Assessment

4.1 It is considered necessary to maintain a policy position in the forthcoming Local Plan to protect the Gap between Gosport, Fareham, Lee-on-the-Solent and Stubbington to prevent

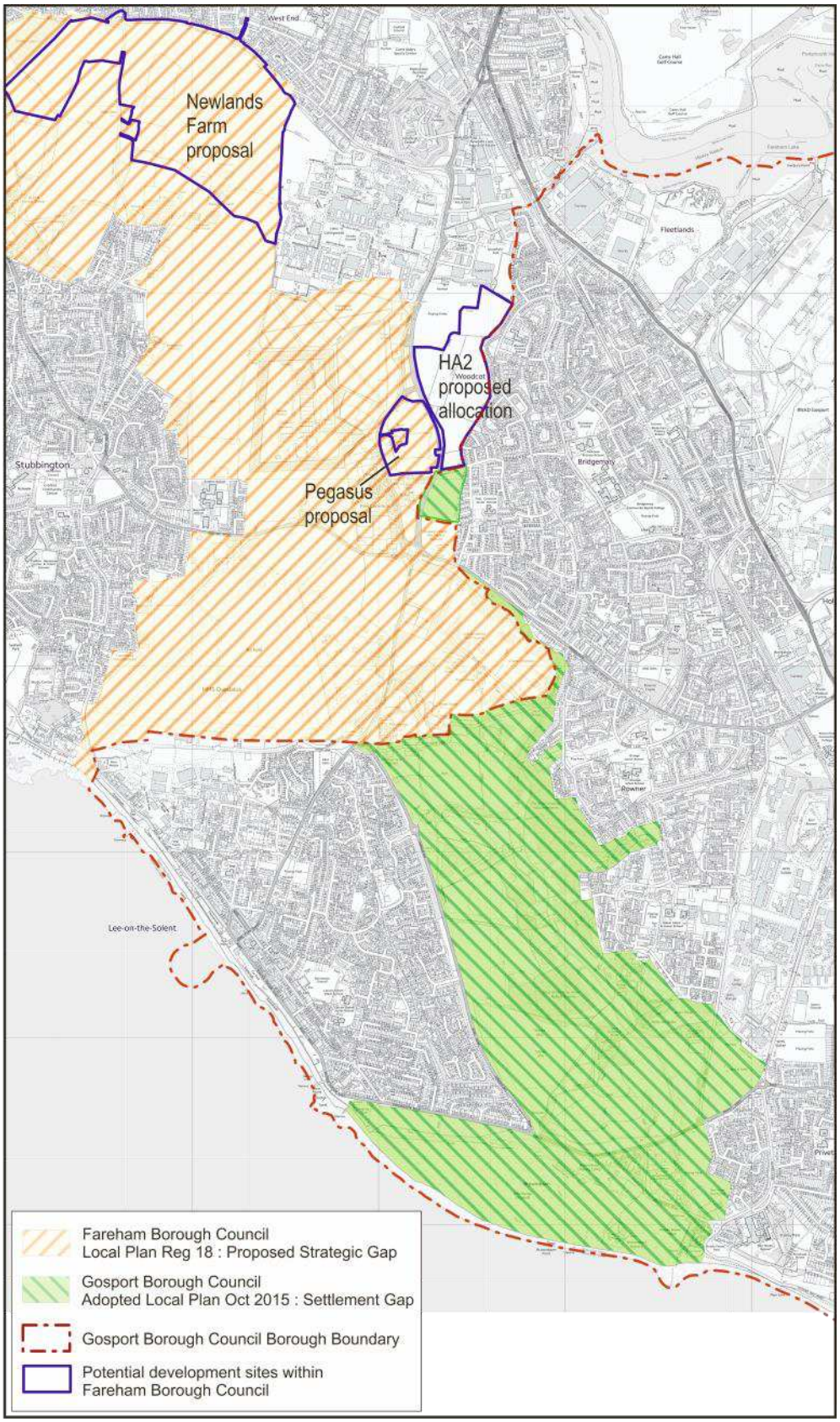
coalescence and maintain the identity of each settlement. It is important that Gosport Borough Council defends the integrity of the gap and makes appropriate representations to Fareham Borough Council where appropriate. Failure to do so could have a detrimental impact on the potential for the gap to function as an effective transport corridor, and deliver environmental, recreational and landscape benefits.

Financial Services comments:	None
Legal Services comments:	None
Equality and Diversity	An Equality and Diversity Assessment on the Settlement Gap Policy in the GBLP was undertaken as part of the Examination in Public process and is available to view. A similar assessment will be undertaken as part of the forthcoming Local Plan Review.
Council Plan:	Maintaining the gap between Gosport, Fareham, Lee-on-the-Solent and Stubbington will assist in developing the economy by maintaining, and enabling opportunities to enhance the transport corridors through the gap; whilst the development of such areas for residential would place significant pressure on the transport infrastructure and would significantly undermine the effectiveness of recent and proposed improvements. Maintaining the gap may also offer opportunities to enhance the environment.
Risk Assessment:	See Section 4
Background papers:	None
Appendices	Appendix 1: The current Settlement/Strategic Gap between Gosport, Fareham, Lee-on-the-Solent and Stubbington Appendix 2: Potential for the Strategic Gap to be reduced by the HA2 proposal and current speculative housing developments Appendix 3: Extract from Regulatory Board (6th December 2017) on Draft Fareham Local Plan (Reg 18) relating specifically to the Strategic Gap in relation to the HA2 allocation.
Report author/ Lead Officer:	Jayson Grygiel, Manager of Planning Policy

Appendix 1:
The current Settlement/Strategic Gap between Gosport, Fareham, Lee-on-the-Solent and Stubbington



Appendix 2: Potential for the Strategic Gap to be reduced by the HA2 proposal and current speculative housing developments



Appendix 3: Extract from Regulatory Board (6th December 2017) on Draft Fareham Local Plan (Reg 18) relating specifically to the Strategic Gap in relation to the HA2 allocation.

Strategic Gap

5.6 In order to accommodate the Newgate Lane residential allocation the DFLP proposes to amend the Strategic Gap between *'Fareham/Bridgemary and Stubbington/Lee-on-the-Solent',* which is identified in the GBLP (Policy LP3) and FBC's current Local Plan (Policy CS22 of the Core Strategy). GBC and FBC have worked collaboratively in the past to define the boundaries of the Strategic Gap and have been successful in maintaining a functional gap and visual separation between the settlements.

5.7 The sub-regional PUSH Spatial Position Statement states that Councils should identify in their Local Plans strategic countryside gaps of sub-regional importance and that these gaps are important in maintaining the sense of place, settlement identity and countryside setting for the sub region and local communities. It recognises that gaps can provide the space for necessary uses such as recreation areas, transport corridors and environmental mitigation.

5.8 FBC's current Policy CS22 states that 'development proposals will not be permitted either individually or cumulatively where it significantly affects the integrity of the gap and the physical and visual separation of the settlements'. The Policy recognises that maintaining separation will prevent coalescence of the settlements in this densely settled part of South Hampshire.

5.9 The justification text states that gaps between settlements help define and maintain the separate identity of individual settlements and have strong local support. It adds that Strategic Gaps do not necessarily have intrinsic landscape value but are important in maintaining the settlement pattern, keeping individual settlements separate and providing opportunities for green infrastructure/green corridors. It acknowledges that continuing pressure for high levels of development mean that maintaining gaps continues to be justified.

5.10 It is considered that this remains relevant in the case of the Newgate Lane area. Indeed the current boundary has been supported by a Planning Inspector as recently as May 2015. In his report into the Examination in Public for the Fareham Local Plan Part 2, the Inspector refers to FBC's evidence regarding the review of Strategic Gaps and states,

> *'although the review did not specifically take into account the route of the Stubbington by-pass and the Newgate Lane improvements, there is no reason to conclude that these proposals would justify altering the boundary of the gap in those locations. Having visited the area I agree with the Council that the gap between Fareham and Stubbington is justified in order to retain visual separation and that the proposed road improvements would not justify a revision to the boundary. The Council's approach is sound*.'

5.11 The latest DFLP also includes a policy relating to Strategic Gaps (Policy SP6) which continues to prevent the coalescence of urban areas and to maintain the separate identity of settlements. It also identifies a Strategic Gap between 'Fareham/Bridgemary and Stubbington/Lee-on-the-Solent'. It states, '*development proposals will not be permitted where they cause severe adverse harm to the physical and visual separation of settlements'*. The justification text acknowledges that, '*retaining the open farmland gap between Fareham and Stubbington is critical in preventing the physical coalescence of these two settlements together with maintaining the sense of separation'*. It also clearly states in Paragraph 4.39 that, '*further to the east, retaining the gap will help maintain the separation of Stubbington and Lee-on-the-Solent from Fareham and Bridgemary along with maintaining the separate identify of Peel Common*.' This therefore appears to contradict the removal of the Newgate Lane area from the Strategic Gap.

5.12 The proposed removal of this land from the Strategic Gap also appears to be at odds with FBC's own supporting evidence. The Fareham Landscape Assessment (2017) incorporates a review of the Strategic Gap designation including the 'Woodcot area' which includes the land covered by the proposed Newgate Lane allocation. It concludes,

> *'This is a cohesive area of undeveloped landscape which performs an important role in respect of the primary purposes of the Strategic Gap i.e. in defining the edges, separate identity and settings of Fareham and Gosport, preventing their coalescence. Even minor encroachment beyond existing settlement boundaries could have an adverse effect on these functions and the overall integrity of the landscape and Strategic Gap. It is recommended that the Gap boundaries remain unchanged.'*

5.13 Gosport Borough Council agrees with these findings set out in the Fareham Landscape Assessment and considers that the Woodcot area should remain an integral part of the Strategic Gap.

5.14 Whilst it is recognised that the local plan process is the appropriate time to review such designations it is considered that the proposed change at Newgate Lane will affect the integrity of the remaining gap by significantly reducing its width. The residential proposal by its sheer scale will undoubtedly harm the integrity of the gap and will diminish the physical and visual separation of the settlements.

Gosport Response 11v Appendix 2:

Fareham Press Release https://www.fareham.gov.uk/latest_news/pressrelease/pr_20201022_1

Press Release

22 October 2020

Councils seek nature-based solution to protect a strategic gap

Two south Hampshire councils are joining forces to seek benefits for their boroughs from two pots of Government money aimed at increasing wetlands, woodlands and meadows in the Solent area. Cllr Seán Woodward, Leader of Fareham Borough Council and Cllr Stephen Philpott, who is in charge of Economic Development at Gosport, want to see more land between the two towns "rewilded".

This shared vision follows last month's announcement by the Government to invest £3.9million to set up an online 'nitrate-trading' auction platform. They are also considering a loan to the Hampshire and Isle of Wight Wildlife Trust for further land purchase in the Solent region for 'rewilding'. Both initiatives would provide additional habitat rich areas for wildlife whilst unlocking much needed homes, with the backing of Natural England.

Three weeks ago, the Prime Minister, Boris Johnson, joined 65 world leaders in a pledge to reverse losses of wildlife habitats. In the UK that will mean an additional 400,000 hectares of woodland, wetland and meadow by the end of the decade.

Cllr Woodward said: "What we would like to see is the entire Strategic Gap that lies between Fareham and Gosport, and between Fareham and Stubbington rewilded to provide nitrate mitigation and preserve wildlife and this scheme offers us the opportunity to achieve that. I have been an unwavering supporter of preserving our precious Strategic Gaps and indeed seeking their designation as Green Belt. The recent announcement by Government that Fareham is likely to see a reduction in the number of houses it is required to plan for means we are now in a position to make an approach to our partners to secure land in the Fareham-Stubbington Strategic Gap for rewilding".

Although the Fareham-Stubbington Strategic Gap is mainly in Fareham there would also be a significant environmental benefit for Gosport.

Cllr Philpott said: "This is a great example of local councils working together for the benefit of their residents. Seán and I have today written to the Wildlife Trust to secure their backing for our idea to see a significant environment gain in our immediate neighbourhood. We will also work with other partners, such as the Solent Local Enterprise Partnership and Natural England, to seek maximum benefit from other similar projects for our communities."

ENDS

Representations | John Stubbs

1511-42171

Respondent details:

Title:	Mr
First Name:	John
Last Name:	Stubbs
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	[redacted]
Telephone Number:	[redacted]
Email Address:	[redacted]

1) Policy: DS3 – Landscape

Legally compliant	No
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

With respect to legal compliance of proposed development, There is no reference to the issues and public concern raised when Designated Public Open Spaces are in private ownership (in whole or in part). This is a major omission in the Regulation 19 Local Plan consultation document and thus does not reduce the risk of Developers putting forward proposals that would take our valued public open spaces away from the general public and in particular the local residents who benefit most from these important public amenities. There should be an exercise taken by Fareham Borough Council to amend the current consultation document and include the policy that FBC will object to any Development Proposals which intend to impact on Open Spaces designated under Section 52 Agreements (Town & County Planning Act 1971) or Section 106 (Town & County Planning Act 1990) but where the ownership of the land has not been transformed to the Local Authority for whatever reason. FBC must also state that it will always rigorously object to any development proposed on such Designated Public Open Space where applicants propose to override S52 or S106 Agreements using legislative powers and Development Consent Orders (DCOs) associated with S120(4) of the Planning Act 2008.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

See above.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

See above.

Your suggested revised wording of any policy or text:

See above.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Representations | Robert Marshall

1812-4594

Respondent details:

Title:	Mr
First Name:	Robert
Last Name:	Marshall
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	Fareham Society
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policy: HP1 - New Residential Development

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This Policy is unsound in so far that it contains no restriction on the size of replacement dwellings or house extensions. Overlarge replacement dwellings and extended dwellings can detract from the undeveloped rural character and appearance of the countryside. Thus the Policy as worded fails to have regard to NPPF para. 170 which seeks to ensure that ensure that new development contributes to and enhances the natural and local environment. This is of particular importance given that the extensively built-up nature of the Borough means that the rural areas are highly valued as a counterpoint. Moreover, the quality of the rural area is high, with much of it designated in this plan as an Area of Special Landscape Quality (ASLQ). Thus it is all the more important that the intrinsic character and beauty of the countryside is recognised and valued landscapes protected.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The proposed Policy merely seeks that replacement dwellings be of an appropriate character to their location. This is insufficient in itself to adequately control such development, and nor does it take account of extensions. The modification that is necessary is to impose, in addition, a floorspace limitation upon replacement dwellings and extended dwellings.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b The suggestion is, in addition, to require replacement dwellings to have a floorspace increase no larger than 30% over and above the existing dwelling. To ensure that the Policy only applies where the added floorspace of an extension would have an adverse visual impact floorpace provided within the existing building envelope would not be taken into account in determining the percentage increase.

Your suggested revised wording of any policy or text:

B4c The Policy should be reworded to add b) it is for a replacement dwelling which is of an appropriate character to the location and in any event no greater than 30% larger than the existing dwelling c) it is for an extension that would result in an increase in floorspace which is of an appropriate character to the location and in any event no more than a 30% increase in floorspace over and above the existing dwelling. Explanatory text should be added to say that "for the interpretation of this Policy floorspace figures should be measured externally, for extensions any addition within the existing building envelope shall not be taken into account in determining the percentage increase, and in determining whether a replacement dwelling or extended dwelling is of an appropriate character to the location regard shall be had of the need to avoid harm though the cumulative effect of such development and the impact of past development will be taken into account.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's view are discussed and an opportunity is given to respond to the views of others.

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2) Policy: HP2 - New Small-scale Development Outside Defined Urban Areas

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound because the impact of development of this scale, and potentially in depth, beyond the settlement boundary would harm the rural character and appearance of the countryside. It has the potential to substantially consolidate the built form in these areas (see figure 5.1 in the emerging plan), the cumulative impact of which would blur the important distinction between the countryside and the urban area. It fails to have regard to NPPF para. 170 which seeks to ensure that new development contributes to and enhances the natural and local environment. This is of particular importance given that the extensively built-up nature of the Borough means that the rural areas are highly valued as a counterpoint. Moreover, the quality of the rural area is high, with much of it designated in this plan as an Area of Special Landscape Quality (ASLQ. Thus it is all the more important that the intrinsic character and beauty of the countryside is recognised and valued landscapes protected.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. To make the plan sound this Policy should be deleted from the Plan. To ensure that some residential development could take place beyond the settlement boundary a Policy similar to Policy DSP6 of the adopted plan could be used. This allows limited frontage infill of up to 2 dwellings. This would have less impact on the character and appearance of the countryside and thus accord with the NPPF.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would ensure that replacement and extended dwellings would meet the NPPF objective in para 170.

Your suggested revised wording of any policy or text:

B4c. The suggested rewording: "New residential development will be permitted outside the defined urban settlement boundaries (as identified on the Policies Map) where it comprises one or two new dwellings which infill an existing and continuous built-up residential frontage, where: a) The new dwellings and plots are consistent in terms of size and character to the adjoining properties and would not harm the character of the area; b) It does not result in the extension of an existing frontage or the consolidation of an isolated group of dwellings; and c) It does not involve the siting of dwellings at the rear of the new or existing dwellings.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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3) Policy: HP3 - Change of Use to Garden Land

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound in so far that it fails to have regard to a key factor, ancillary buildings on garden land, that can lead to such changes of use detracting from the character and appearance of areas beyond the development boundary. Thus, the Policy as worded fails to have regard to NPPF para. 170 which seeks to ensure that ensure that new development contributes to and enhances the natural and local environment. This is of particular importance given that the extensively built-up nature of the Borough means that the rural areas are highly valued as a counterpoint. Moreover, the quality of the rural area is high, with much of it designated in this plan as an Area of Special Landscape Quality (ASLQ). Thus it is all the more important that the intrinsic character and beauty of the countryside is recognised and valued landscapes protected.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. To make the Policy sound refence must be made to the impact of ancillary buildings.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would ensure that garden extensions would meet the the NPPF objectives in para 170.

Your suggested revised wording of any policy or text:

B4c. Amend HP3b to say “It, along with ancillary buildings allowed as permitted development will not detract from the existing landscape”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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4) Policy: HP6 - Exception Sites

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 The Policy on rural exception sites is unsound as its wording and that of the explanatory text clearly indicates that it refers to rural areas. This District although it contains countryside is not categorised as a rural authority and has no rural communities. It thus does not have all the particular housing and social issues that need to be addressed in such areas.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The Policy on rural exception sites should be deleted from the plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b It would remove an irrelevant Policy on rural exception sites.

Your suggested revised wording of any policy or text:

B4c Not applicable

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the vies of others.

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5) Policy: HP8 - Older Persons' and Specialist Housing Provision

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound in so far that it opens up the possibility of such accommodation being provided in the countryside beyond the settlement boundary. Such development is often large in scale and such would detract from the character and appearance of the countryside. Re-development opportunities do arise within the urban area and older person/specialist housing provision should be treated no differently than normal flatted development. Thus, the Policy as worded fails to have regard to NPPF para. 170 which seeks to ensure that ensure that new development contributes to and enhances the natural and local environment. This is of particular importance given that the extensively built-up nature of the Borough means that the rural areas are highly valued as a counterpoint. Moreover, the quality of the rural area is high, with much of it designated in this plan as an Area of Special Landscape Quality (ASLQ). Thus, it is all the more important that the intrinsic character and beauty of the countryside is recognised and valued landscapes protected.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a To make the Policy sound the possibility of older person/specialist accommodation outside the urban boundary should be deleted.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b This would ensure that there is no contravention of the requirements in para 170 of the NPPF..

Your suggested revised wording of any policy or text:

B4c. Revise the last sentence in the Policy simply to say “New older persons or specialist housing shall be provided within the Urban Area boundary.”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed an an opportunity is given to respond to the view of others.

6) Policy: HP10 - Ancillary Accommodation

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound, in part, on 3 counts. First, much of the explanatory text is so essential to the satisfactory operation of the Policy that it should be within the Policy itself. Second, the Policy should specifically require ancillary accommodation to be close to the principal dwelling. This is to prevent later pressure, which may be difficult to resist, for such accommodation to be turned into separate dwellings contrary to the aim of the NPPF in providing well designed places. And in rural areas the potential for ancillary buildings to become separate dwellings would be contrary to NPPF para. 170 which seeks to ensure that new development contributes to and enhances the natural and local environment. It would also thereby, in rural areas, give rise to car dependent housing contrary to the NPPF environmental objective of seeking to use natural resources prudently and moving to a low carbon economy. Third, explanatory paragraph 5.82 needs to be more clearly worded to make it clear that it is saying that an unrelated unit of accommodation is in effect a new dwelling and will not be regarded as Ancillary Accommodation under this Policy.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. Move much of the explanatory test into the main Policy and amend the Policy to require to require ancillary accommodation to be close to the principal dwelling.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would prevent the harm outlined in B3 above.

Your suggested revised wording of any policy or text:

B4c. Amend HP10a to “a) It is within the curtilage of the principal dwelling and close it;” Add to HP10: f) The ancillary accommodation shall remain within the curtilage of, and in same ownership as, the principal dwelling. A planning condition will be imposed to prevent the use of the ancillary accommodation as a separate dwelling. g) the principal dwelling shall remain larger than the ancillary accommodation. Explanatory paragraph 5.83 altered to “an unrelated unit of accommodation is in effect a new dwelling and will not be regarded as ancillary accommodation under this Policy.”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

7) Policy: HA45 - Rear of 77 Burridge Road

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound in so far that the necessary mitigation required given the site's location on and partly adjoining a SINC would require the developer or occupier to have ownership of, or some rights over, the SINC. There is no evidence from the past history of the site that this is so. The site's allocation would thus conflict with NPPF requirements on conserving and enhancing the natural environment by protecting and enhancing sites of biodiversity in a manner commensurate with their identified quality in the development plan.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. To make the plan sound the allocation should be removed

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. By preventing conflict with NPPF requirements on conserving and enhancing the natural environment.

Your suggested revised wording of any policy or text:

BC4c Not applicable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

8) Policy: R1 - Retail Hierarchy and Protecting the Vitality and Viability of Centres

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This is unsound in so far that the second paragraph of the Policy refers to main town centres uses being permitted within defined town centres. The whole of the designated Fareham Town Centre is so widely drawn that it includes important residential areas and large open spaces unsuitable for town centre uses. Such uses outside the designated Primary Shopping Area would conflict with the NPPF requirement of achieving well-designed places and better places in which to live.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The policy should be reworded so that it applies to the more limited designated Primary Shopping Area, where such uses would be acceptable.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b By preventing main town centre uses in areas where they would no longer acceptable.

Your suggested revised wording of any policy or text:

B4c The second paragraph should be amended to say “Where planning permission is required, main town centre uses, as defined in the National Planning Policy Framework (NPPF), will be permitted within the defined Primary Shopping Area of Fareham Town Centre, district and local centres.”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of ohers.

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9) Policy: R4 - Community and Leisure Facilities

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This Policy is unsound in so far that it does not deal with the limitations that should apply to any of these uses, such as sports venues and open space, that may be applied for outside settlement boundaries. Such uses, if large scale and containing substantial buildings, can be especially intrusive in the countryside. Thus they should only be allowed if they are small scale uses and the associated buildings are also small scale. Without this limitation such development would detract from the character and appearance of the countryside. Thus, the Policy fails to have regard NPPF para. 170 which seeks to ensure that new development contributes to and enhances the natural and local environment. This is of particular importance given that the extensively built-up nature of the Borough means that the rural areas are highly valued as a counterpoint. Moreover, the quality of the rural area is high, with much of it designated in this plan as an Area of Special Landscape Quality (ASLQ). Thus, it is all the more important that the intrinsic character and beauty of the countryside is recognised and valued landscapes protected.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The Policy should specify that such uses are generally acceptable only within the development boundaries but that any that may be considered acceptable beyond those boundaries, such as sports venues and open space, must be small scale uses with small scale buildings.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b By preventing the harm identified above.

Your suggested revised wording of any policy or text:

B4c A criteria e) should be added “Such facilities should generally be permitted only within the development boundary, and any uses outside those boundaries such as sports venues and open space shall, as well as complying with the other criteria above, need to be small scale use with small scale buildings”.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity given to respond to the views of others.

10) Policy: E1- Employment Land Provision

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This Policy is sound in all but one respect on the two Daedalus allocations. This is a strategic allocation originally brought forward in adopted Core Strategy CS12. This said that development will be permitted on the site where, amongst other things, it delivers, or facilitates the delivery of high quality development including a) employment development that retains and strengthens the marine and aviation employment clusters, particularly those that require direct access to an operational airfield. This accords with the Council's vision for the site and the Lambeth Smith Hampton background paper to the emerging Local Plan refers to this and says that the advanced manufacturing such as that pursued at Daedalus is a sector regarded as one of the most significant opportunities for the UK to rebalance and reinvigorate the economy. The emerging Policy does not promote the idea of such advanced manufacturing for the site, and without doing so there is a danger that this valuable site could be lost to commercial uses less valuable to the economy. This would run counter to the requirement in the NPPF of building a strong and competitive economy and that each area should build on its strengths especially where Britain can be a leader in innovation.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The Policy should be revised to include the wording similar to that of Core Policy CS12 referred to above.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4bThis would ensure that the Policy met the objective of the NPPF on the building of a strong and competitive economy.

Your suggested revised wording of any policy or text:

B4c See B4a above.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

11) Policy: NE8 - Air Quality

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This Policy is unsound in so far that the main text of the Policy does not make it clear that explanatory text paragraphs 9.108 – 9.110 set out what may be required to meet the Policy requirement. This may lead to developers, especially small-scale developer, to be unaware of the requirements and prevent them being taken on board and discussed with the LPA. This runs counter to the intentions of Government policy (PPG on Air Quality (2019)) which says that it is important that applicants engage early on with the local planning authority and environmental health departments to establish the need for and scope of any assessment to support an application.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The Policy should guide applicants for small scale schemes to the relevant explanatory text.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b It would ensure that developers of minor development take on board relevant requirements and discuss them with the LPA.

Your suggested revised wording of any policy or text:

B4c Amend the second sentence of the Policy to read “Minor development should reduce its impacts on air quality and have regard to explanatory text paragraphs 9.108 – 9.110.”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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12) Policy: NE9 - Green Infrastructure

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This Policy is unsound in so far as there is no indication that it would be effective. To be effective applicant’s and Council case officers would need an easy and ready way of knowing where future and proposed Green Infrastructure existed. For this a single compendium of such space is required, indicating where they exist, to obviate the necessity for looking at the myriad of resources referred to.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a A compendium, capable of being updated, should be provided of Green Infrastructure in the District. The Policy should then be amended to make reference to this.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b By ensuring that applicants and Council case officers are aware of the location of Green infrastructure so as to ensure it is safeguarded.

Your suggested revised wording of any policy or text:

B4c By adding to the Policy “all Green infrastructure covered by this Policy may be found on the Council’s compendium of such spaces.”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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13) Policy: NE10 - Provision and Protection of Open Space

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This Policy is unsound in so far as it does not in the Policy text set out, or refer to, the minimum open space and play space requirements for new development set out in explanatory text paragraph 9.134 table 9.1. Thus the Policy might encourage applicants to argue for lesser space standards than what are clearly the minimum acceptable. Given this the Policy would not ensure satisfactory space standards and the NPPPF intentions that planning policies should enable and support healthy lifestyles through the provision of safe and accessible greenspace (NPPF para91) would not be met.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The text of the Plan should set the space standards set out in Table 9.1 as the minimum requirement to be met.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b By ensuring NPPF objectives on promoting healthy communities would be met.

Your suggested revised wording of any policy or text:

B4c By amending the penultimate sentence of the last paragraph of this Policy to read “Residential development will be required to provide open and play space that will satisfactorily meet the needs of new residents. Table 9.1 below is a minimum space standard and developments will be required to meet higher levels of open and play space provision where that is necessary to make the development acceptable.” The final sentence to be retained.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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14) Policy: FTC1 - Palmerston Car Park

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This proposed allocation is unsound on 2 grounds. First, there would be an unacceptable loss of town centre car parking spaces well located to meet the needs of the town centre shopping area and the shops in West Street. Second, the proposed indicative yield of 20 dwellings would lead to housing forward of the building line to detriment of the character and appearance of the area generally and the adjoining Osborn Conservation area to the north of Osborn Road. The Osborn Road Conservation Area Character Assessment Feb 2006 describes the area as comprising a series of Victorian villas set in large gardens. It describes the development pattern as being unique in Fareham and says that its setting includes the land opposite the Conservation Area to the South of Osborn Road, which thus includes the allocation site. Where modern development to the south of Osborn Road has been undertaken it has been well set back from the road and screened by mature planting. The provision of residential development forward of the building line would seriously detract from the character and appearance of the Conservation Area. On the first ground the proposed allocation would be harmful to the vitality of the town centre and West Street and as such conflict with the NPPF. Whilst the NPPF supports some housing in Town Centres for the role it plays in their vitality, this is with the caveat that it should be on appropriate sites, and this is not such a site (NPPF para 85.f) Harm on the second ground conflicts with NPPF policies on protecting Heritage Assets.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The allocation should be withdrawn from the Plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would prevent the conflict with the NPPF referred to above.

Your suggested revised wording of any policy or text:

B4c Not applicable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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15) Policy: FTC2 - Market Quay

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This allocation is unsound as the site is considered incapable of accommodating the extent of mixed-use development referred to. There are also reservations over the maximum suggested height of development given the prominence of the site off a major traffic roundabout and the extent to which the site rises in height from south to north and is seen from short, medium and long-distance viewpoints. No sketch site briefs have been provided to indicate otherwise. Given the importance of this town centre site, and the multiplicity of uses suggested a detailed development brief is essential to guide future development of the site to ensure a site that functions well and enhances this part of the town centre. However, the Policy does not set out this requirement. Given the above the allocation as proposed would fail to ensure that future development of the site would meet the NPPF requirements for achieving well designed places set out in paragraphs 124-127.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. In the absence of evidence to support the building heights proposed reference to specific building heights should be removed. And it should be stated that the Council will support a mixed-use development incorporating some of the uses set out. The allocation should specify that a comprehensive development of the site will only take place in accordance with a detailed development brief.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would ensure that development of this important town centre site is undertaken in a way that complies with the NPPF objective of achieving well designed places.

Your suggested revised wording of any policy or text:

B4c. The supporting text to the allocation should say that “The Council will support a mixed-use development incorporating some of the uses set out in the bullet points and subject to development being in accordance with a development brief (to be subject to public consultation) that sets out how the site will function and enhance this part of the town centre and have regard to the prominence and visibility of the site.” Reference in the bullet points to commercial/leisure floorspace and housing numbers should be removed, along with reference to building heights.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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16) Policy: FTC3 - Fareham Station East

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This is a sustainable location for housing given its proximity to Fareham railway station, bus routes and shops etc. and an element of retail and café uses would also fit in well. However, the site has the following constraints to development: Much of the site comprises the railway station car park and this is essential in encouraging rail travel. The Policy refers to retention of sufficient car parking to serve the railway station without saying how much this is. The fire station may need to be retained on site if it can’t be relocated; Sufficient space is required to ensure a good public realm at the station approach. The adjacent gravel yard would potentially be a bad neighbour in terms of noise and dust – and this has not been taken into account. No evidence has been put forward to show that the maximum 5 storey height would not be too high. It has not been shown how, in light of the above, the proposed development at the scale outlined could be satisfactorily achieved. Given the above the allocation as proposed would fail to ensure that future development of the site would to meet the NPPF requirements for achieving well designed places set out in paragraphs 124-127.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. This is not an allocation that can be agreed to at this stage as there is no evidence, by way of a development brief, that the site could be developed as proposed in a satisfactory way. The allocation should be delated from the plan

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. By preventing development of the site until a development brief has been prepared to show that development could be undertaken satisfactorily given all the constraints referred to.

Your suggested revised wording of any policy or text:

B4c.Not applicable .

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others

17) Policy: HA26 - Beacon Bottom East

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This site is sound in relation to its proximity to public transport and shops. However, the proposed site allocation is unsound given the indicative yield on 9 dwellings. Undetermined application F/19/1061/FP for this number of houses on the site indicated houses would so close the highway as to the detrimental to the character and appearance of the area and harmful to the setting of the adjoining locally listed cottage. A tall western boundary hedge would have unacceptably shaded the gardens of many houses on the site. Given how small the site is revised layouts are unlikely to overcome this harm. There would thus be conflict with NPPPF requirements that: planning should ensure that developments add to the overall quality of the area and be sympathetic to local character (NPPF para 127); and on the prevention of harm to Heritage Assets (paras 193/4)

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The allocation should either be withdrawn from the Plan or alternatively the indicative yield deleted or substantially reduced in number.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b Prevent the harm outlined in B3 above.

Your suggested revised wording of any policy or text:

B4c. See above - potentially the removal of the indicative yield or its revision downwards.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

18) Policy: HA36 - Locks Heath District Centre

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This allocation is unsound as it would result in the loss of car parking for the Locks Heath District Centre. A detailed assessment of this Centre was carried out in the Fareham Retail and Commercial Leisure Study: Update Report Litchfields 2020, a background paper to the Local Plan. This report refers to a large area of free surface parking adjacent to the Centre and says that this is one of its strengths. This is unsurprising because this centre, built in 1983, lies in an area known as the Fareham Western Wards developed in the 1970/80's and which, typical of that period, is highly car dependant. The loss of a substantial portion of the car park would thus be detrimental to the Centre's health and vitality. This would be contrary to Strategic Policy R1 of the emerging Local Plan which says that any development that would significantly harm the vitality and viability of a defined centre will not be permitted. It would also be contrary to the NPPF which seeks to ensure the vitality of town centres and which, although recognising the role that housing can play in such areas, says that this must be on appropriate sites.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The allocation should be removed from the Local Plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would prevent the harm outlined above to the health and vitality of the centre

Your suggested revised wording of any policy or text:

B4c Not applicable

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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19) Policy: HA36 - Locks Heath District Centre

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This allocation is unsound as it would result in the loss of car parking for the Locks Heath District Centre. A detailed assessment of this Centre was carried out in the Fareham Retail and Commercial Leisure Study: Update Report Litchfields 2020, a background paper to the Local Plan. This report refers to a large area of free surface parking adjacent to the Centre and says that this is one of its strengths. This is unsurprising because this centre, built in 1983, lies in an area known as the Fareham Western Wards developed in the 1970/80's and which, typical of that period, is highly car dependant. The loss of a substantial portion of the car park would thus be detrimental to the Centre's health and vitality. This would be contrary to Strategic Policy R1 of the emerging Local Plan which says that any development that would significantly harm the vitality and viability of a defined centre will not be permitted. It would also be contrary to the NPPF which seeks to ensure the vitality of town centres and which, although recognising the role that housing can play in such areas, says that this must be on appropriate sites.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The allocation should be removed from the Local Plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would prevent the harm outlined above to the health and vitality of the centre.

Your suggested revised wording of any policy or text:

B4c Not applicable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

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20) Policy: HA37 - Former Locks Heath Filing Station

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This allocation is unsound as it would result in the loss of car parking for the Locks Heath District Centre (although the allocation simply refers to the site as a former petrol filling station it also encompasses a significant parking area for the Centre). A detailed assessment of this Centre was carried out in the Fareham Retail and Commercial Leisure Study: Update Report Litchfields 2020, a background paper to the Local Plan. This report refers to a large area of free surface parking adjacent to the Centre and says that this is one of its strengths. This is unsurprising because this centre, built in 1983, lies in an area known as the Fareham Western Wards developed in the 1970/80's and which, typical of that period, is highly car dependant. The loss of a substantial portion of the car park would thus be detrimental to the Centre's health and vitality. This would be contrary to Strategic Policy R1 of the emerging Local Plan which says that any development that would significantly harm the vitality and viability of a defined centre will not be permitted. It would also be contrary to the NPPF which seeks to ensure the vitality of town centres and which, although recognising the role that housing can play in such areas says that this must be on appropriate sites.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The allocation should be removed from the Local Plan

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b. It would prevent the harm outlined above to the health and vitality of the centre.

Your suggested revised wording of any policy or text:

B4c Not applicable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of othes.

21) Policy: HA38 - 68 Titchfield Park Road

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3. This is a sound site for housing in locational terms. However, the site appears too small to accommodate the indicative yield of 9 dwellings without unacceptable tree loss and harm to the living conditions of those directly to the north. There would thus be conflict with NPPPF requirements that: planning should ensure that developments add to the overall quality of the area and be sympathetic to local character (NPPF para 127); and on the social objective of ensuring a well- designed environment.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The allocation should either be withdrawn from the Plan or alternatively the indicative yield deleted or substantially reduced in number.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b Prevent the harm outlined in B3 above.

Your suggested revised wording of any policy or text:

B4c. See above - potentially the removal of the indicative yield or its revision downwards.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

22) Policy: HA42 - Land South of Cams Alders

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This allocation is unsound as the Proposals Map seems to show most if it in a SINC and close to Fort Fareham, an ancient monument. Development of the site would be harmful to the ecological interest of the SINC and potentially harmful to the setting of the ancient monument. It would also detract from the pleasant wooded aspect of the southern boundary of Cams Alders which, with land on nearby Fort Fareham, provides an attractive area for casual recreation. As such the allocation would conflict with the objectives of the NPPF on ecology, the protection of Heritage Assets and on securing attractive spaces.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a. The allocation should be removed from the Plan

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b By preventing the harm found above.

Your suggested revised wording of any policy or text:

B4c Not applicable.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

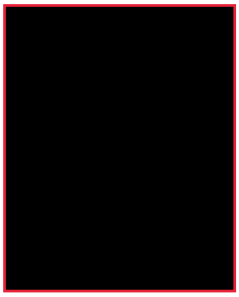
To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

Date: 18 December 2020
Our ref: 333521
Your ref: N/A

NATURAL ENGLAND

Planning Strategy Team
Fareham Borough Council

BY EMAIL ONLY



Dear Sir/Madam,

Regulation 19 Local Plan Consultation (6th November – 18th December 2020)

Thank you for your consultation dated 06 November 2020 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the Council's approach to achieving sustainable development through its Local Plan, particularly through its suite of Natural Environment policies that include protection of internationally, nationally and locally designated sites, the enhancement of the local ecological network and the requirement for biodiversity net gain.

Our comments on the Regulation 19 Local Plan and supporting Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA) are made below.

Strategic Policy DS1: Development in the Countryside
It is recommended this Policy also requires proposals to ensure compliance with Natural Environment policies, in particular Strategic Policy NE1 and Policy NE2, to ensure impacts on nature conservation interests are properly considered and addressed, and biodiversity net gain is achieved (for applicable development).

With regards to soils, the local plan outlines that 'the benefits of protecting the Best and Most Versatile (BMV) agricultural land are considered against the need for development'. This Policy requires development proposals to demonstrate they 'Conserve and enhance landscapes, sites of biodiversity or geological value and soils'.

The National Planning Policy Framework sets out that:

> 'Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework[1]; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.'
>
> *1 Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.*

It is recommended that this Policy is amended to give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpin our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver. The plan should safeguard the long term capability of BMV agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future.

Where site allocations are sited on BMV land, the Plan should outline a requirement for the protection of soils during construction where possible, referencing the 'Defra Code of practice for the sustainable use of soils on construction sites'.

Strategic Policy DS3: Landscape
Natural England welcomes the proposed designation of eight Areas of Special Landscape Quality within the Borough, and the requirement for development in these areas to meet stringent criteria that seek to protect and enhance landscape.

Strategic Policy CC1: Climate Change
Natural England advise all Local Plans consider climate change adaption and recognise the role of the natural environment to deliver measures to reduce the effects of climate change, for example tree planting to moderate heat island effects. In addition factors which may lead to exacerbate climate change (through more greenhouse gases) should be avoided (e.g. pollution, habitat fragmentation, loss of biodiversity) and the natural environment's resilience to change should be protected. Green Infrastructure and resilient ecological networks play an important role in aiding climate change adaptation.

Natural England welcomes Strategic Policy CC1: Climate Change that promotes mitigation and adaptation to climate change through various methods including the integration of green and blue infrastructure into the design of developments, adopting higher water efficiency standards, the integration of energy efficiency, renewable and low carbon technologies into all development, and reducing reliance on car travel.

Natural England supports the embedding of policy that will deliver measures to increase sustainability of development over the Plan period. This should also include reducing consumption of raw natural resources, sourcing more renewable or 'green' energy, and reducing waste. Consideration should be given to the collection of financial contributions from development to offset residual carbon emissions elsewhere in the Borough. Consideration can also be given to the retrofitting of existing development with technology that improves energy and water efficiency.

It is recommended that Local Plan policy also seeks measures that help natural habitats across the Borough adapt to the effects of climate change. We would encourage you to refer to the Natural England and RSPB Climate Change Adaptation Manual and look at the step by step approach to identifying the climate resilience of habitats that occur in the Borough. Consideration should be given to addressing issues on habitats and protected sites that will be exacerbated by climate change, such as flooding, drought, reduction of water resources etc.- the Manual can also help identify these.

Consideration can be given to delivering specific projects within the Borough. For example, to maximise climate change adaptation and mitigation through the establishment of a Nature Recovery Network (NRN), and the Local Nature Recovery Strategy in which the NRN would sit, to ensure climate change resilience at their core. Such projects could potentially benefit from carbon offsetting contributions from development over the local plan period.

Such an approach could link into other aspects of the Plan such as water and air quality, nutrient mitigation for Solent European designated sites, delivery of biodiversity net gain, natural flood management, and green infrastructure implementation among others. Natural England would be happy to advise further on this aspect.

Policy CC2: Managing Flood Risk and Sustainable Drainage Systems
Natural England welcome this Policy that requires development ensures flood and surface drainage are properly addressed, and that Sustainable Drainage Systems (SuDS) are designed in accordance with CIRIA C753 SuDs Manual, to be as 'natural' as possible.

It is advised that the policy makes clear that where a development drains to a protected site(s), an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection may be required to ensure water quality impacts are avoided.

Where SuDS are proposed serving as mitigation for protected sites, development should ensure that appropriate resources are put in place to ensure their long-term (in perpetuity) monitoring, maintenance/replacement, and funding.

Policy CC3: Coastal Change Management Areas (CCMAs)
Sea level rise and coastal change are inevitable and bring both challenges and opportunities for people and nature. Sustainable coastal management needs to embrace long-term change and achieve positive outcomes for both.

Policy CC3 identifies that the North Solent Shoreline Management Plan (SMP) policy for the majority of Fareham Borough's coastline is 'Hold the Line', and identifies two CCMAs between Hook spit and Meon Shore, with an identified coastal management policy of 'No Active Intervention'. The Policy will ensure that development in these areas will appropriately consider coastal change. It also will ensure replacement coastal defence schemes 'are consistent with the relevant Shoreline Management Plan and that there will be no severe adverse impact on the environment, the English Coast Path, and the rights of way network'.

We would advise that the Local Plan should also help facilitate the relocation of valued environmental assets away from areas of risk.

Strategic Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network
Natural England welcomes this policy that sets out clearly the hierarchy of nature conservation and the requirement for development to 'demonstrate clearly that the mitigation hierarchy has been followed' in terms of avoiding, mitigating or compensating (as a last resort) impacts on biodiversity. Natural England welcomes the Local Ecological Network (LEN) approach that has been included in the local plan.

It is helpful that the LEN and the Council's Green Infrastructure Strategy have been suggested as tools to provide opportunity for enhancements across the Borough. Please read our comments below in relation to Policy NE2 that regards the choosing of suitable opportunities for biodiversity enhancement.

Policy NE2: Biodiversity Net Gain
Natural England is fully supportive of the inclusion in the local plan of a Policy for biodiversity net gain. It is welcomed that the policy refers to the benefits to Borough residents from the ecosystem services that being close to nature provides, and outlines an expectation that offsite net gain must be sought as close to the development as possible. However in some instances this may be difficult, and Natural England recommends that consideration is given to developing a suite of projects across the LEN that development within the Borough can contribute to thereby ensuring the biodiversity within the Borough is protected and enhanced. For example, partners that manage Local Nature Reserves and Sites of Importance for Natural Conservation in the Borough could submit projects to the local planning authority to enhance the ecological value of these sites. These projects could be funded by development that requires offsite compensation or additional enhancements to achieve biodiversity net gain. This approach can also be used by development with limited opportunities for biodiversity net gain on-site.

The Policy outlines that the Council may prepare and adopt a Supplementary Planning Document (SPD) for Biodiversity Net Gain. Due to the need to ensure net gain is delivered in a suitably

strategic way, and having regard to the timescales of the legislative requirement for net gain and further national guidance, Natural England would support the development of such an SPD and would encourage Policy NE2 to outline this as a clear intention of the Council, in order to provide further guidance and support to aid sustainable development across the borough. Natural England will be happy to advise further to aid the development of such an SPD.

- *Calculating net gain*

Please note that Biodiversity Metric 3.0 is due to be published early 2021, which will supersede Biodiversity Metric 2.0. We advise that the Policy is updated accordingly and that this metric is used to measure gains and losses to biodiversity resulting from development, and implement development plan policies on biodiversity net gain.

Please note that although the Policy includes 'nesting and roosting features' as suggestions for achieving net gain, it is our advice that features such as bird and bat boxes, swift bricks, bee hotels etc should be classed as general biodiversity enhancements that should be included as part of a wider biodiversity enhancement and mitigation plan. Net gain specifically should derive strictly from habitat enhancement and creation, required as calculated using the metric.

- *Wider environmental gains*

The reference to seeking wider environmental gains, for example to address water/air quality, flooding, climate change etc. is welcomed. Opportunities for environmental gains, including nature based solutions to help adapt to climate chance, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g. by sowing wild flower strips, changing cutting regime of open spaces and road verges*) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g. a hedgerow or stone wall or clearing away an eyesore)
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats

*Please see this paper regarding cost-effective and low-maintenance management for species-rich grassland on road verges and the value it can contribute to biodiversity and ecosystem services.

Please note that Natural England and Defra are developing an Environmental Net Gain/metric for Natural Capital Net Gain that can be used in conjunction with the Biodiversity Metric (but not instead of). Further information will be available in 2021.

- *Monitoring of net gain*

Your plan should include requirements to monitor biodiversity net gain. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

LPAs should work with local partners, including the Local Environmental Record Centre and wildlife trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations and providing as much up front information on monitoring will help to streamline the project stage.

Policy NE3: Recreational Disturbance on the Solent Special Protection Areas (SPAs)

Natural England welcome this policy that will require new residential development to address in-combination effects on the Solent SPAs via recreational disturbance. It is recommended the Policy also outlines that other types of development (such as new hotels, student accommodation, care homes etc.) may also need to address recreational disturbance impacts, both alone and in-combination. Such development should be assessed on a case by case basis.

Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
Natural England welcome this policy that will require new development that propose a net increase in overnight accommodation to address in-combination effects on the Solent designated sites via eutrophication from nutrients in wastewater.

Policy NE5: Solent Wader and Brent Goose Sites
Natural England welcome this policy that will require development to address effects on sites identified by the Solent Wader and Brent Goose Strategy (SWBGS) which serve as functionally linked land to the Solent SPAs.

It is recommended that the following wording within the Policy "*Sites which are used by Solent Waders and/or Brent Geese (as shown on the Policies map)*" is amended to read "*Sites which are used by Solent Waders and/or Brent Geese (as identified within the most up to date version of the Solent Wader and Brent Goose Strategy)*" to take account of any changes to sites and their distribution across the Borough, as these updates can be implemented at irregular times. Any further references to the Policies map should be similarly amended to refer to the SWBGS mapping.

Core Areas – due to their essential function within the SWBG network, it is advised these sites are identified for protection by the Policy. Any development that would result in impacts to a Core Area will need to be carefully assessed on a case-by-case basis. There are limited options where the function of a Core site can be fully replicated elsewhere in terms of its suitability and appropriate locality; where such land is available, an assessment of replicability will need to be undertaken through discussions with Natural England and the Local Planning Authority.

Financial contributions – it is welcomed that the Policy outlines that financial contributions proposed as mitigation will be used for the management and enhancement of an 'agreed suitable identified site for Solent Waders and Brent Geese'. Such proposals should demonstrate how such funds will be used to enhance, manage and monitor sites within the wider Solent Waders and Brent Geese network, in perpetuity. It is suggested that the Council works with relevant partners/stakeholders, including cross-boundary partnerships, to develop a strategic project(s), such as a bird reserve, and/or list of projects to enhance, manage and monitor the wider Solent wader and brent goose ecological network, to which contributions can be directed.

Policy NE6: Trees, Woodland and Hedgerows
Natural England welcomes this Policy that seeks to protect and enhance trees, woodland and hedgerows within the Borough. It is recommended that this Policy requires development proposals that affect ancient woodland, ancient trees and veteran trees, to ensure they are in line with standing advice published by Natural England and the Forestry Commission.

Policy NE8: Air Quality
It is welcomed that the Policy recognises that 'poor levels of air quality can also lead to environmental issues'. The Policy includes a need for planning applications to consider if they will have a 'potential adverse effect on biodiversity, especially where it would affect sites designated for their biodiversity value'.

The Policy outlines that the Local Plan HRA concludes the Plan 'would not have a likely significant effect on the internationally important habitats and species present in the area'. As this issue has

been considered within the HRA appropriate assessment, the wording here should be amended to use the correct terminology under the Habitats Regulations, i.e. the HRA concludes the Plan will not result in an 'adverse effect on integrity' (the term 'likely significant effect' is used at the screening stage of the HRA). See further comments on air quality below in regards to the Local Plan HRA.

Policy NE9: Green Infrastructure
Natural England welcomes this Policy that seeks to fully integrate green infrastructure (GI) into development and maximise opportunities to connect to the wider environment. The provision of enhanced green infrastructure and sites of nature conservation value can not only help address some of the mental and physical health problems that are experienced in the Borough's population, but can also benefit society in other ways including improvements to local air and water quality, reducing the risk of flooding, alleviating noise levels and aiding climate change adaptation.

Policy NE10: Protection and Provision of Open Space
This Policy references protection of public rights of way. Natural England advises that the Policy should also seek to secure enhancement of public rights of way and National Trails, as outlined in paragraph 98 of the NPPF. Recognition should be given to the value of rights of way and access to the natural environment in relation to health and wellbeing and links to the wider green infrastructure network. It is welcomed the plan seeks new access opportunities; it should seek to link existing rights of way where possible. The plan should avoid building on open space of public value as outlined in paragraph 97 of the NPPF.

It is welcomed that the Policy makes provision for appropriate quantity and quality of green space to meet identified local needs (as outlined in paragraph 96 of the NPPF) based on Natural England's work on Accessible Natural Greenspace Standard (ANGSt) in assessing the level of accessible natural greenspace; it is also welcomed that it recognises development may be required to 'provide more open space above what is required by the standards to make the development more acceptable'.

Policy D1: High Quality Design and Place Making
Natural England welcomes this Policy that requires the design of developments to integrate existing and new habitats and biodiversity within a coherent and well managed, connected structure. It is advised that landscaping of developments and open spaces seeks to use appropriate native and locally sourced species as far as possible to cater for local wildlife.

Policy D4: Water Quality and Resources
Natural England welcome this policy that seeks to conserve water and improve its quality.

Southern Water's Water Resources Management Plan (WRMP) 2019, that covers the planning period 2020-2070, projects a significant supply demand deficit during periods of drought in the Western Area, and commits to implementing a long term water resources scheme to restore the supply demand balance whilst avoiding and/or mitigating impacts on European sites, including the River Itchen SAC.

It is Natural England's advice that in advance of any permitting of such a suitable long term scheme, uncertainty remains with regards to water resources and the impacts of abstraction on protected sites.

Although it is welcomed that Policy D4 requires a water consumption for new dwellings of no more than 110 litres per person per day, Natural England strongly recommend all new development within the Southern Water supply area adopt a higher standard of water efficiency of 100 litres/per person/day, including external water use and re-use, in line with Southern Water's Target 100 demand reduction programme which is committed to within their WRMP19. Natural England also recommends that the Policy encourages the wise use of water in conjunction with the water companies, for example by developments incorporating grey water recycling systems and efficient appliances

Please see Natural England advice above in relation to Policies NE4 and Policy CC2 with regards to nutrients and surface water treatment via SuDS.

Neighbourhood Plans
Currently there are no Neighbourhood Plans in the Borough, but the Local Plan provides a 'strategic evidence base' which will inform any future Neighbourhood Plans.

It is recommended that any future Neighbourhood Plans which allocate housing should also identify spaces for environmental enhancement, for the purpose of offsetting environmental impacts, e.g. through the designation of Local Green Spaces. Such a local approach could give communities more ownership over such green spaces and provide a more strategic route to addressing common environmental impacts from development in that area, such as air and water pollution, habitat and species loss and increased carbon emissions, and could deliver biodiversity net gain and nutrient offsetting.

Such spaces could include the development of community orchards and play areas, woodlands and nature reserves, and serve a variety of functions that benefit both nature and the local community, for example providing benefits to health and wellbeing, offsetting nutrient discharges from allocated development and providing further scope for carbon sequestration.

Specific comments on Housing Allocation Policies

- HA9 - Heath Road (70 dwellings)

It is acknowledged this allocation site has resolution to grant permission for 70 dwellings. It is recommended this Policy includes the requirement to secure an appropriate level of offsite compensation to address the loss of secondary woodland on site which may in parts qualify as lowland mixed deciduous woodland habitat.

- HA29 - Land East of Church Road (20 dwellings)

Much of this site shows as Lowland Mixed Deciduous Woodland priority habitat on the Ecological Network mapping for Hampshire. Part of the site is designated as a Site of Importance for Nature Conservation (SINC) according to the Policy map. The Policy outlines a requirement for ecological mitigation for the site-specific construction and operational impacts of a development proposal. It is advised the Policy outlines a requirement to secure an appropriate level of offsite compensation to address any loss of priority habitat on site to ensure compliance with Policy NE1.

- HA31 - Hammond Industrial Estate (64 bed care home)

The Policy should ensure the impact of nutrients in wastewater is addressed to ensure compliance with Policy NE4.

- HA37 - Former Locks Heath Filling Station (30 dwellings)

This site is adjacent to an area of Lowland Mixed Deciduous Woodland priority habitat as shown on the Ecological Network mapping. The Policy should ensure that impacts on priority habitats and protected species are taken into account and appropriately addressed.

- HA38 – 68 Titchfield Park Road (9 dwellings)

The site is adjacent to Sylvan Glade SINC, much of which is ancient semi-natural woodland. The Policy should ensure compliance with standing advice on ancient woodland, ancient trees and veteran trees and that impacts on the SINC and protected species are appropriately addressed.

- HA42 - Land South of Cams Alders (60 sheltered housing)

This allocation site is located on 'Fort Fareham Grassland' SINC that supports woodland and meadow communities. It also lies adjacent to Fort Fareham SINC known for supporting wet woodland communities.

As previously advised in our response to the Supplement to the Reg 18 Local Plan (letter dated 23rd April 2020), allocations and development proposals should ensure they engage the mitigation

hierarchy, where impacts on designated ecological sites/features should first be avoided, and where not possible, adequately mitigated. Where this is not possible, any loss of priority habitat should be appropriately compensated. All residual ecological impacts will need to be addressed before any net gain for biodiversity can be achieved.

Natural England recommends that where loss of SINC habitat cannot be avoided, the policy should make clear how requirements set out within the NPPF, NERC Act 2006 and Local Plan Natural Environment policies will be met. It is advised an appropriate level of offsite compensation should be required to address any loss of priority habitat on site to ensure compliance with Policy NE1 .

- E4: Solent 2 (Employment - 23,500 sq. metres)

This employment allocation is located on Whiteley Meadow - Plot 2184 SINC and Ashley Wood, Fareham SINC. The Hampshire Ecological Network Mapping dataset shows much of this area as Lowland Mixed Deciduous Woodland, a priority habitat listed as required under Section 41 of the Natural Environmental and Rural Communities Act 2006. The site is also situated adjacent to the Gull Coppice (South-West Remnant) SINC which comprises ancient semi-natural woodland.

It is acknowledged that this site is an existing allocation within the adopted Fareham Local Plan Part 2 (2015).The current Policy outlines a requirement for this development to protect existing woodland and avoid habitat severance, and appropriate mitigation and compensation for any loss of protected trees. However, it is our view that a significant area of habitat, including mature woodland, is likely to be lost as a result of development. The Policy should ensure that it is compliant with Strategic Policy NE1 with regards to impacts on the local ecological network in this locality. In line with existing national and local policy and legislation, it is Natural England's advice that the mitigation hierarchy of avoid, mitigate and lastly compensate is employed where considering impacts on these habitats, particularly those designated as SINC. Measures should be sought to protect and enhance the local ecological network. Where impacts cannot be avoided or adequately mitigated, a comprehensive compensation package should be required that addresses the loss of all priority habitat on site (rather than just specifying protected trees), that seeks to enhance and connect habitat in the locality.

Comments on the HRA

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the Local Plan in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

We have the following comments on the HRA:

- *Recreational disturbance – New Forest designated sites*

The Local Plan HRA screening assessment outlines that although the Borough falls within the 25km buffer of the New Forest designated sites (via a straight line), the minimum actual travel distance by car is of approximately 30km travel distance (via the M27). In comparison to the number of visits from residents closer to the New Forest, the assessment states 'visits to the New Forest SAC/SPA/Ramsar associated with increased housing development in Fareham Borough contribute a significantly lower proportion of overall visits to the designated sites and it is not considered likely that significant effects associated with recreational disturbance from Fareham housing development would arise'. The HRA screens this impact pathway out from an appropriate assessment on this basis.

It is understood Footprint Ecology are currently conducting further analysis on several aspects of their latest visitor surveys. This analysis will assist the definition of a robust catchment area for recreational impacts. It will help in the preparation of a strategic, cross-boundary approach with neighbouring competent authorities to deliver habitat mitigation for the New Forest SPA/SAC/Ramsar. This work is due to be completed shortly and will provide a useful update to the evidence base against which such impacts from new development from surrounding local authority areas can be assessed.

Therefore, whilst acknowledging that the level of additional impacts from new residents is known to significantly decrease with distance from the New Forest designated sites, Natural England consider at this time there remains some uncertainty with regard to the evidence confirming the level of additional impacts from new residents of Fareham local plan development. We therefore advise this issue is taken forward to the appropriate assessment stage where further work may be carried out to ascertain the level of impacts as accurately as possible.

Where impacts are identified, suitable and proportionate mitigation should be proposed; we recommend the Council works with the New Forest National Park Authority and the other partner authorities to develop a strategic approach to addressing recreational impacts from new development on the New Forest designated sites. Such an approach should include developer contributions towards the New Forest National Park Authority's Habitat Mitigation Scheme to enable the authority to deliver site specific mitigation measures on behalf of applicants.

Natural England will be happy to provide further advice to the Council on this aspect as the evidence base develops.

- *Air quality*

The Local Plan is supported by an Air Quality Habitats Regulations Assessment (Ricardo, Sept 2020). The conclusions drawn in the Local Plan HRA in regards to air quality impacts are based on those drawn within the Ricardo report. Natural England concurs with the conclusions drawn in the report.

The Ricardo report suggests that the Council regularly reviews the Defra airborne NOx forecast levels. This is welcomed as a way to ensure any changes in forecasting and potential consequential changes to conclusions drawn in the report for this pollutant can be appropriately reviewed and addressed during the local plan period.

- *Water quality – nutrients*

The HRA calculates a nitrogen budget for the local plan of 2536.99 kgTN/yr. Appendix III of the HRA outlines various mitigation schemes that can be utilised or progressed as a means to ensure nutrient neutrality can be delivered by new development.

The HRA states within its Summary of Findings that the sites Chichester and Langstone Harbours SPA/Ramsar, Portsmouth Harbour SPA/Ramsar and Solent and Dorset Coast SPA are screened out of an appropriate assessment in relation to water pollution impacts. Much of development within Fareham borough is served by Peel Common wastewater treatment works (WwTW), which is a coastal WwTW that discharges effluent several kilometres out into the Solent. It is our advice that long-shore outfall pipes are likely to have shifted and widened the distribution of nitrogen loading within the effluent across the Solent SAC and SPAs. It is important to recognise the loading from Peel Common WwTW contributes to a number of estuaries and catchments within the Solent (including Portsmouth Harbour, Langstone Harbour, Chichester Harbour, River Meon, Wootton Creek and the Medina Estuary catchments). It is therefore Natural England's view that, because of this wide distribution of nitrogen loading, all designated sites should be screened in.

- *Other comments on the HRA*

Section 7.7.3 – this paragraph refers to the 'SAC' although it is relating to Portsmouth Harbour SPA and Ramsar.

Comments on the SA

We are broadly satisfied that the objectives and indicators within the Sustainability Appraisal cover our key interests, and welcome the identification of the need to conserve and enhance biodiversity, landscape character, and to reduce pollution. We also welcome the need to address minimise the

effects of climate change, and to minimise impacts on best and most versatile agricultural land. Please see some more specific comments below.

- SA5: To Minimise Carbon Emissions and Promote Adaptation to Climate Change

This SA objective to address the effects of climate change is welcomed. It is suggested a further monitoring parameter(s) is included to monitor the implementation of new GI/habitat that can seek to alleviate the pressures of climate change on species and the ecological network whilst also providing other benefits as described further in our advice above; e.g. percentage of new GI/ extent of priority habitat within the ecological network.

- SA7: To Conserve and Enhance Biodiversity

We advise that this SA objective also seeks to conserve and enhance geodiversity within the Borough, in line with national planning policy.

The SA outlines the Plan 'is predicted to lead to negative impacts to ecological receptors in the short to medium term, but many of these impacts are capable of being mitigated. Long-term effects are likely to be both positive and negative, and highly site-specific'. It is acknowledged these effects can be avoided/mitigated by the implementation of several policies including NE1, NE3, NE4 and NE5. It is advised Local Plan Policy requires relevant development to carry out site-level Habitats Regulations Assessments in order to ensure impacts on European sites are suitably addressed.

It is also suggested that further monitoring parameters are incorporated to ensure impacts on internationally, nationally and locally designated sites are monitored throughout the Plan period, e.g. via the number, extent and condition of sites designated for nature conservation. We would advise the use of a green infrastructure standard as an indicator, such as Natural England's Accessible Natural Greenspace Standard (ANGSt). Parameters for measuring the implementation of net gain should be introduced, see further above for our advice on net gain monitoring.

We would be very happy to comment further as the plan process progresses. If you have any queries relating to the detail in this letter please contact me on [redacted]

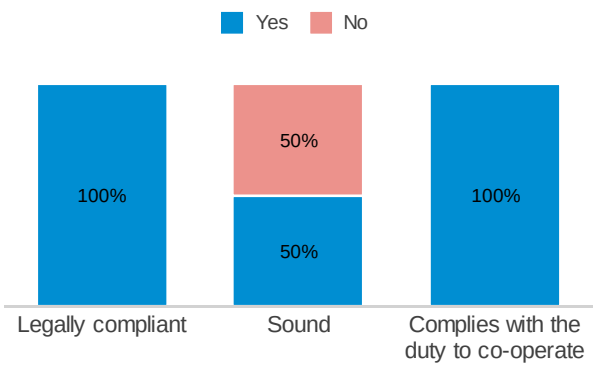
Yours faithfully

Rebecca Aziz
Sustainable Development Senior Advisor
Thames Solent Area Team

Policy | NE10 - Provision and Protection of Open Space

2 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	2	2	2
Yes	2 100%	1 50%	2 100%
No	0 0%	1 50%	0 0%



Respondent: Mr Robert Marshall (1812-4594)

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

B3 This Policy is unsound in so far as it does not in the Policy text set out, or refer to, the minimum open space and play space requirements for new development set out in explanatory text paragraph 9.134 table 9.1. Thus the Policy might encourage applicants to argue for lesser space standards than what are clearly the minimum acceptable. Given this the Policy would not ensure satisfactory space standards and the NPPPF intentions that planning policies should enable and support healthy lifestyles through the provision of safe and accessible greenspace (NPPF para91) would not be met.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4a The text of the Plan should set the space standards set out in Table 9.1 as the minimum requirement to be met.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4b By ensuring NPPF objectives on promoting healthy communities would be met.

Your suggested revised wording of any policy or text:

B4c By amending the penultimate sentence of the last paragraph of this Policy to read “Residential development will be required to provide open and play space that will satisfactorily meet the needs of new residents. Table 9.1 below is a minimum space standard and developments will be required to meet higher levels of open and play space provision where that is necessary to make the development acceptable.” The final sentence to be retained.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To ensure that the Fareham Society's views are discussed and an opportunity is given to respond to the views of others.

Respondent: Mr Owen Neal (1512-211448)

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Sport England considers that the proposed policy is broadly sound, but that it could be improved to ensure consistency with national planning policy para 97.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Fareham Local Plan 2037 Consultation **December 2020**

Response from the Woodland Trust

The Woodland Trust ("the Trust") is the UK's leading woodland conservation charity, and wants to see a UK that is rich in native woods and trees, for people and wildlife. We aim to achieve this by restoring and improving woodland biodiversity and increasing people's understanding and enjoyment of woods and trees.

We own over 1,275 sites across the UK, covering over 23,580 hectares and we have around 500,000 members and supporters. The Trust is recognised as a national authority on woods and trees and a protector of the benefits and values that they deliver for society.

We welcome the opportunity to comment on the Fareham Local Plan 2037 publication draft.

Contact name:

Bridget Fox
Regional External Affairs Officer - South East
[redacted]

- I am willing for my contact information to be shared.
- The Woodland Trust is willing to give evidence at the Examination in Public.

Please find below the Trust's comments on individual policies.

Policy CC1: Climate Change

We welcome the priority given to tackling climate change. This policy sets strategic policy aims including c) integrating Green and Blue infrastructure, and refers to the intention to improve tree canopy cover. However, it fails to set any specific policy requirements or targets that will deliver this policy and so risks being unsound in practice. In order to be sound, we recommend a more specific and robust policy wording.

This should include policy in support of new tree planting and woodland creation. A rapid increase in the rate of woodland creation has been proposed by the UK's Committee on Climate Change, to provide a key mechanism to lock up carbon in trees and soils, provide an alternative to fossil fuel energy and resource-hungry building material, and importantly to stem the declines in biodiversity. We recommend setting a target for borough-wide tree canopy cover as part of this policy.

We further recommend setting a target for tree canopy cover on individual development sites, ideally of 30 per cent, to be pursued through the retention of important trees, appropriate replacement of trees lost through development, ageing or disease and by new planting to support green infrastructure.

Proposed amendment

Expand c) as follows:
c) Integrating Green and Blue Infrastructure into the design of developments through approaches such as mandatory biodiversity net gain; a minimum of 30% tree canopy cover, which will help to reduce CO2 concentrations and mitigate the urban heat island effect; and the use of Sustainable Drainage Systems which helps reduce the risk of flooding.

Reason

The independent Committee on Climate Change recommends increasing woodland cover in the UK from 13% to a minimum of to 15% by 2035 and 18% by 2050, to ensure the country achieves net zero carbon emissions. Development sites are make an important contribution to this target. By setting a 30% canopy cover target for development sites as part of wider Green Infrastructure and net gain requirements, local authorities can help deliver the necessary overall increase to 18%.

Further information can be found in the Trust's Emergency Tree Plan (2020) [1].

[1] https://www.woodlandtrust.org.uk/media/47692/emergency-tree-plan.pdf

Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

This policy wording is permissive rather than explicitly ruling out development that adversely affects protected sites. We fear that this risks being unsound in failing to afford adequate protection to ancient woodland and veteran trees.

We welcome the explanatory wording in paragraph 9.15 "Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are reasons of overriding public interests and a suitable compensation strategy" and would like to see that incorporated directly into the policy.

Proposed amendment

In order to make the policy sound, we ask that it be strengthened it, based on the on the wording recommended by the Woodland Trust, either by adding this wording to NE1 or alternatively to Policy NE6 Trees, Woodland and Hedgerows.

i. *Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons.*

ii. *As ancient woodland and ancient or veteran trees are irreplaceable, discussions over possible compensation should not form part of the assessment to determine whether the exceptional benefits of the development proposal outweigh the loss.*

iii. *Ancient wood pasture and historic parkland should receive the same consideration as other forms of ancient woodland. The protection of the whole habitat is necessary even though tree cover may be comparatively sparse. Development on open space between trees in an area of ancient wood pasture or historic parkland should not be permitted.*

Reason

The National Planning Policy Framework (NPPF) (paragraph 175c) states: "When determining planning applications, local planning authorities should apply the following principles: …… c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists".

We recognise the intense pressure to identify and bring forward new sites for housing and employment uses. This pressure makes it all the more important that vital protections for ancient woodland and veteran trees are upheld.

Ancient woods are irreplaceable. They are our richest terrestrial wildlife habitats, with complex ecological communities that have developed over centuries, and contain a high proportion of rare and threatened species, many of which are dependent on the particular conditions that this habitat affords. For this reason, ancient woods are reservoirs of biodiversity, but because the resource is limited and highly fragmented, they and their associated wildlife are particularly vulnerable.

Where it is deemed that there is going to be unavoidable residual damage or loss to ancient woodland, the measures taken to compensate for this must be of a scale and quality commensurate with loss of irreplaceable habitat. Where ancient woodland is to be replaced

by new woodland, this should aim to create 30 hectares of new woodland for every hectare lost.

Further information is available in the Trust's *Planners' Manual for ancient woodland (2019)*[2].

[2] https://www.woodlandtrust.org.uk/media/3731/planners-manual-for-ancient-woodland.pdf

Policy NE6 Trees, Woodland and Hedgerows

This policy wording is permissive rather than explicitly ruling out development that adversely affects protected sites. We fear that this risks being unsound in failing to afford adequate protection to ancient woodland and veteran trees.

It is also insufficiently robust in specifying the level of replacement where woodland and trees are removed in order to deliver net gain in line with policy NE2. The explanatory wording in paragraphs 9.84 and 9.85 indicate a welcome presumption against loss of existing trees and woodland, in particular ancient woodland and veteran trees, but are insufficiently robust in our view.

Where it is deemed that there is going to be unavoidable residual damage or loss to ancient woodland, the measures taken to compensate for this must be of a scale and quality commensurate with loss of irreplaceable habitat. Where ancient woodland is to be replaced by new woodland, this should aim to create 30 hectares of new woodland for every hectare lost.

For other trees, we recommend setting a proposed ratio of tree replacement, with a ratio of at least 2:1 for all but the smallest trees and ratios of up to 8:1 for the largest trees. We would further encourage the specification where possible of UK sourced and grown tree stock for new planting, to support biodiversity and resilience.

Proposed amendments

Amendment 1

In order to make the policy sound, we ask that it be strengthened it, based on the on the wording recommended by the Woodland Trust, either by adding this wording to NE6 or alternatively to Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network.

i. *Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons.*
ii. *As ancient woodland and ancient or veteran trees are irreplaceable, discussions over possible compensation should not form part of the assessment to determine whether the exceptional benefits of the development proposal outweigh the loss.*
iii. *Ancient wood pasture and historic parkland should receive the same consideration as other forms of ancient woodland. The protection of the whole habitat is necessary even though tree cover may be comparatively sparse. Development on open space between trees in an area of ancient wood pasture or historic parkland should not be permitted.*

Reason

The National Planning Policy Framework (NPPF) (paragraph 175c) states: “When determining planning applications, local planning authorities should apply the following principles: …… c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists”.

We recognise the intense pressure to identify and bring forward new sites for housing and employment uses. This pressure makes it all the more important that vital protections for ancient woodland and veteran trees are upheld.

Ancient woods are irreplaceable. They are our richest terrestrial wildlife habitats, with complex ecological communities that have developed over centuries, and contain a high proportion of rare and threatened species, many of which are dependent on the particular conditions that this habitat affords. For this reason, ancient woods are reservoirs of biodiversity, but because the resource is limited and highly fragmented, they and their associated wildlife are particularly vulnerable.

Further information is available in the Trust's *Planners' Manual for ancient woodland (2019)*[3].

Amendment 2

We propose amending the final lines of Policy NE6 to read

"The removal of protected trees, groups of trees (including veteran trees), woodland (including ancient woodland) or hedgerows will only be permitted in wholly exceptional circumstances. Where it is deemed that there is going to be unavoidable residual damage or loss to ancient woodland, the measures taken to compensate for this must be of a scale and quality commensurate with loss of irreplaceable habitat. Where ancient woodland is to be replaced by new woodland, this should aim to create 30 hectares of new woodland for every hectare lost. Where protected trees, woodland and hedgerows are subject to removal, a replacement of an appropriate number, species and size in an appropriate location will be required, at a level that will deliver net gain in tree canopy cover."

Reason

The current policy fails to specify adequately the level of replacement required to meet statutory biodiversity obligations including the emerging requirement to deliver biodiversity net gain. In addition, the policy fails to ensure increased tree canopy cover at a time when such increases are a goal of national and local policy.

Further information is available in the Trust's guidance on *Local Authority Tree Strategies* (2016) [4].

[3] https://www.woodlandtrust.org.uk/media/3731/planners-manual-for-ancient-woodland.pdf
[4] https://www.woodlandtrust.org.uk/publications/2016/07/local-authority-tree-strategies/

Policy NE10: Protection and Provision of Open Space

We support the policy that residential development will be required to provide open and play space to meet the needs of new residents. In addition, we recommend including standards for access to natural green space and woodland for existing and new developments.

Proposed amendment

To expand the final lines of policy NE10 as follows:

"Residential development will be required to provide open and play space to meet the needs of new residents, including access to natural green space and woodland in line with the Accessible Natural Greespace and Woodland Access Standards. Where possible, development shall address any additional identified deficiencies in open space highlighted within the most recent Open Space study."

Reason

Without specific standards, the policy risks being ineffective and therefore unsound.

Natural England's Accessible Natural Green Space Standard recommends that all people should have accessible natural green space:

- Of at least two hectares in size, no more than 300m (five minutes' walk) from home.
- At least one accessible 20-hectare site within 2km of home.
- One accessible 100-hectare site within 5km of home.
- One accessible 500-hectare site within 10km of home.
- A minimum of one hectare of statutory local nature reserves per 1,000 people.

The Woodland Trust has developed a Woodland Access Standard to complement the Accessible Natural Green Space Standard. This recommends that:

- That no person should live more than 500m from at least one area of accessible woodland of no less than 2ha in size.
- That there should also be at least one area of accessible woodland of no less than 20ha within 4km (8km round trip) of people's homes.

Further information is available in the Trust's guidance *Residential developments and trees (2019).*[5]

[5] https://www.woodlandtrust.org.uk/media/1688/residential-developments-and-trees.pdf

Policy HA27, Rookery Avenue, Sarisbury.

As the draft policy notes, this site is adjacent to ancient woodland at Gull Coppice. Where development sites are adjacent to ancient woodland, we recommend that as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. A larger buffer may be required for particularly significant engineering operations, or for after-uses that generate significant disturbance.

Proposed amendment

Add the following to *f) … Proposals should seek to enhance the Gull Coppice SINC, while maintaining a 50m protective buffer.*

Reason

In line with the NPPF protection for ancient woodland, buffers shield ancient woodland from damaging edge effects such as encroachment, fragmentation and pollution. If a 50m buffer is not accepted at this location, then we would still recommend specifying a minimum 15m buffer, in line with Natural England's guidance.

Well-planned buffers can offer recreation opportunities as well as contributing to biodiversity net gain. The preferred approach is to create new habitat, including native woodland, around existing ancient woodland. This will help reverse the historic fragmentation of this important habitat. The consequent increase in ecological connectivity between areas of ancient woodland will create the resilient landscapes recommended in *Making Space for Nature* published by Defra (2010).

Further information is available in the Trust's *Planners' Manual for ancient woodland (2019)*[6].

END

[6] https://www.woodlandtrust.org.uk/media/3731/planners-manual-for-ancient-woodland.pdf

Representations | Owen Neal

1512-211448

Respondent details:

Title:	Mr
First Name:	Owen
Last Name:	Neal
Job Title: (where relevant)	Planning Manager
Organisation: (where relevant)	Sport England
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policy: R4 - Community and Leisure Facilities

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Sport England notes that the intention of the 2nd strand of policy R4 is intended to protect sports facilities under the heading of "community and leisure facilities". However, we consider that the policy should be amended to be consistent with para 97 of the NPPF which specifically relates to the exceptional circumstances in which sports facilities and land used for sport can be lost. The policy refers to circumstances in which loss of community or publicly owned or managed facilities are acceptable where: "i. The facility is no longer needed; and ii. No alternative community use of the facility is practical or viable; and iii. Any proposed replacement or improved facilities will be of equivalent or better in terms of quality, function and accessibility." Sport England considers that in respect of part i), it should be made clear that the lack of need for a facility should be supported by a robust assessment to make it consistent with national planning policy. In relation to part ii), Sport England would be concerned that the policy could allow for sports facilities to be lost as long as they were put to an alternative "community use". Sport England is not supportive of such an approach and again does not consider this consistent with para 97 of the NPPF. This specifically states that "the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use." Sport England therefore considers that the policy should be clarified to ensure that sports facilities aren't lost to other community uses. In relation to part iii), again, we would question consistency with para 97 of the NPPF. Part (b) of para 97 refers to "the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location;" The proposed policy wording refers to "any proposed replacement or improved facilities will be of equivalent or better in terms of quality, function and accessibility". We would therefore question the use of "function" in the proposed wording. It would mean that there is no reference to "quantity" within the criteria and would allow the loss of sports facilities or land for sport without them having to be replaced on an equivalent quantitative basis. Sport England does not support such an approach. In light of the above, we consider that the policy needs revising to bring it into line with national planning policy, particularly para 97. We therefore wish to object on this basis.

Sport England considers that the proposed policy is broadly sound, but that it could be improved to ensure consistency with national planning policy para 97.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

I have set out in the previous section how Sport England considers the policy could be modified to make it sound.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

As above, I have explained previously how the modifications could be made to ensure soundness.

Your suggested revised wording of any policy or text:

Please refer to the previous comments section.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

No, I don't want to take part in a hearing session

2) Paragraph: 9.129

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Sport England notes that the wording within this paragraph identifies that an exception to policy NE10 can be made where the disposal of surplus school playing field is secured under Section 77 of the Schools Standards and Framework Act 1998. Sport England has concerns with such an approach which would allow for the loss of playing field without consideration against our playing fields policy as well as national planning policy para 97. Sport England does not consider that such an approach is inconsistent with para 97 of the NPPF

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Sport England considers that this paragraph should be removed or at least make clear that any loss is compliant with para 97 of the NPPF and Sport England's playing fields policy.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Please see above.

Your suggested revised wording of any policy or text:

Please see above.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Representations | Jason Chambers

1812-341144

Respondent details:

Title:	Mr
First Name:	Jason
Last Name:	Chambers
Organisation: (where relevant)	Chambers Properties Ltd

Agent details:

Title:	Mr
First Name:	Robert
Last Name:	Tutton
Job Title: (where relevant)	Director
Organisation: (where relevant)	Robert Tutton Town Planning Consultants Ltd
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: 9.138

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Chambers Properties Ltd owns land to the north of Springfield Way in Stubbington that was the subject of planning application P/19/1295/FP because it would allegedly '...lead to the loss of existing open space' the subject of Core Strategy Policy CS21. While an 'Existing Open Space' notation (the subject of Policy NE10) is to continue to form part of the emergent Local Plan, yet another policy layer ('Local Green Space') is proposed, to be the subject of Policy NE11. Objection is rased to the inclusion of the land owned by Chambers Properties Ltd within the 'Mulberry Avenue Open Space'.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Remove the land owned by Chambers Properties Ltd from the 'Mulberry Avenue Open Space.'

How would the modification(s) you propose make the Local Plan legally compliant or sound?

n/a

Your suggested revised wording of any policy or text:

n/a

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To oblige Fareham Borough Council to justify inclusion of private land at Springfield Way within the Mulberry Avenue Open Space.

Representations | Barrie Webb

1812-562246

Respondent details:

Title:	Mr
First Name:	Barrie
Last Name:	Webb
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policy: TIN1 - Sustainable Transport

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Reference Transport and other infrastructure Sustainable Transport Para 10.1 A convenient, efficient, resilient and safe transport network within the Borough is vital in supporting residents, businesses and visitors to the Borough, and to the wider economy of the Solent area. Para 10.3 Ensuring convenient cycling and walking networks which contribute towards a modal shift away from less sustainable modes of travel, providing genuine alternative options to the motor car; Policy TIN 1, para 10.5 “Applications should be supported by a Travel Plan.....” I believe the above ambitions will not be met by the LCWIP (yet to be published) therefore I consider that this element of the Fareham Local Plan is not sound. • The available information on the LCWIP contained in the Local Plan Strategic Transport Assessment document, Fig 3-5 Draft LCWIP proposed cycle network, appears to show a network of on road cycle routes. Cycling Weekly (and my own experience) cites sharing the road with lorries, the threat of being passed too close by vehicles and poor road surfaces were the top three factors putting people off cycling. https://www.cyclingweekly.com/news/lorries-close-passes-biggest-deterrents-putting-people-off-becoming-cyclists-poll-concludes-381743 • The only new walking and cycling infrastructure is The Delme to Downend Bus and Cycle TCF scheme comprising the Northern footway widened to create a SUP between St Catherine’s Way and Downend Road signalised junction; a distance of 213m to be precise • Travel plans for local developments have been poor and misleading with regard to the local walking and cycling infrastructure. • An example of this is shown in this document https://1drv.ms/b/s!AnQ00_4OgfUqvETtPfc9i2KADWu6?e=ldNGgp with further supporting evidence here, item 88,Phil Jones Associates (ATR0099) https://publications.parliament.uk/pa/cm201719/cmselect/cmtrans/1487/148713.htm para 3. I have no wish to comment on whether or not this element of the plan is Legally compliant or complies with the duty to co-operate. However, a box needed to be ticked to progress.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Unable to comment as the LWCIP has not been published

How would the modification(s) you propose make the Local Plan legally compliant or sound?

NA

Your suggested revised wording of any policy or text:

NA

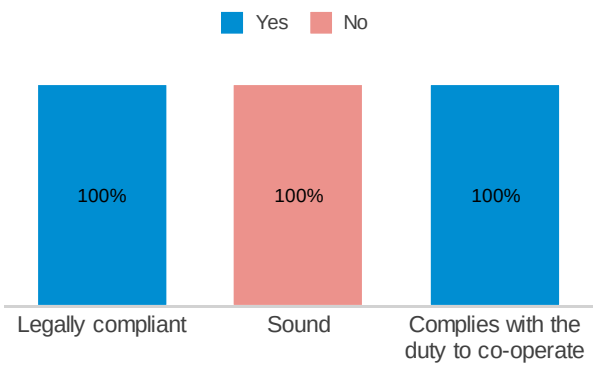
If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Paragraph | 10.1

1 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	1	1	1
Yes	1 100%	0 0%	1 100%
No	0 0%	1 100%	0 0%



Respondent: Ms Lesley Goddard (1812-381727)

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

exclude "road junctions" from the options available

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Elsewhere you say that "road junctions" is not enough - so exclude it from this section

How would the modification(s) you propose make the Local Plan legally compliant or sound?

see above

Your suggested revised wording of any policy or text:

Can we not say something stronger e.g. developments which don't allow car parking / encourage car share and cycle/walking are to be encouraged but those which make journeys by car the most likely outcome are not to be allowed?

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

LRM PLANNING LIMITED

FAREHAM LOCAL PLAN 2037

Regulation 19 Publication Draft

Response prepared on behalf of Hallam Land Management Limited

December 2020

Report Control

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Executive Summary

Local Plans should be prepared to contribute to the achievement of sustainable development. They should be positively prepared and seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change. As the starting point, strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas. These requirements exist within the context of the Government's now longstanding objective to significantly boost the supply of homes.

The Regulation 19 Plan, which is meant to be the Plan the Council intends to submit for Examination, is not founded on the Government's published Standard Method as required by the NPPF and NPPG.

Rather, the Council has alighted upon the possible outcome of a Government consultation document and has based the Development Strategy, Policy H1 and the strategy to meet housing needs on this lower level of housing. This is manifestly unsound.

The fact that the Council do not intend to submit its plan until there is certainty as to a change to the Standard Method does not mitigate the cost of conducting this consultation to the public purse or unnecessary expenditure by other public and private bodies. Moreover, this approach plainly risks undermining public confidence in the plan-led system, if, as is possible, the housing requirement has to be increased. The Council has simply acted prematurely in seizing upon a consultation document that suggests a lower housing requirement; this may be expedient but is the antithesis of positive planning. Put simply, there is no basis for the Council to have formed this consultation document at the present time.

In the event that the Government decides not to proceed with its amendment to the Standard Method, or that such an amendment results in a different outcome for Fareham, the Council will need to further amend the plan. In that instance, a wholly new consultation exercise would be required given the likely magnitude of amendments that would be necessary, adding further delay to the plan-making process, and cost to the public purse and to interested parties, whilst, regrettably, undermining confidence in the Local Plan process.

Moreover, the Council has not recognised the context within which this Plan is being prepared. Housing delivery relative to the Core Strategy has resulted in a substantial shortfall in new housing over past years and this Plan provides an opportunity for positive and ambitious planning to ensure development needs are met and the principles of good growth are achieved. The Plan fails in this regard.

The Council purports to make a contribution towards meeting the unmet need of its neighboring authorities; however, this does not reflect the scale of the unmet needs identified by the Partnership for South Hampshire (PfSH) of over 10,000 homes. It is not at all apparent that this Plan is founded on constructive, active and on an ongoing engagement as required by Section 33A.

It is instructive that whilst Welborne was identified to provide housing to meet sub-regional requirements, its role has now changed to meeting the Borough's housing needs first and foremost;

consequently this Plan makes a significantly lower contribution to the wider sub-regional needs which plainly have not diminished.

Furthermore, the Plan has exaggerated the likely housing supply from Welborne and other sources to such an extent that a shortfall in housing supply is inevitable.

The Plan overlooks the opportunity provided by the previously identified Strategic Growth Area at South Fareham which would make an important contribution to housing supply in the short term and providing surety of supply over the longer term. The suitability of this location is apparent from the Council's evidence base; it is accessible to the Borough's main urban area, it is not an area that is sensitive in landscape terms, development can be accommodated without undermining the principle of separation between Fareham and Stubbington, there are no environmental designations that preclude development and the transport modelling and its' conclusions has assumed development in this location. A development scheme in this location can also deliver nitrate neutrality and biodiversity net gain. Development to the South of Fareham can achieve *Good Growth*.

Unfortunately, the Sustainability Appraisal does not consider higher levels of growth consistent with the January 2020 Local Plan Supplement, and, as such, fails to consider a reasonable alternative.

The following Modifications are considered necessary for the Local Plan to be sound:

- The minimum housing requirement should be defined by reference to the existing Standard Method;
- The housing requirement should be increased further to take account of the low level of completions from 2018 onwards compared to the level of local housing need;
- The level of unmet need that is accommodated should be based on constructive, active and on ongoing engagement with neighbourhing authorities;
- Assumptions about the delivery of new housing at Welborne should be revisited and revised down;
- The windfall allowance should be revised down;
- Alternatively, the level of contingency should be increased;
- Additional housing allocations should be provided for;
- Land South of Fareham should be allocated for housing development; and
- Separate from the allocation of land South of Fareham, the boundary of the Strategic Gap south of Longfield Avenue and west of HMS Collingwood should be amended so as not to include the land identified by the Borough Council's *Technical Assessment* that is not considered integral to the Gap function.
- The designation associated with Waders and Brent Geese on the Policies Map should be altered with consequential changes to Policy NE5.

1 Introduction

1.1 Hallam Land Management Limited ('Hallam') control a substantial tract of land to the South of Fareham, south of Longfield Avenue, west of HMS Collingwood and adjoining the Stubbington Bypass, the construction of which has recently commenced.

1.2 In successive representations to the Local Plan Review we have draw attention to the merits and advantages of locating development to the South of Fareham and how this would achieve the Borough Council's objective of *Good Growth*.

1.3 In the January 2020 Local Plan Supplement, this land, along with other parcels in this location, was identified by the Borough Council as a potential Strategic Growth Area.

1.4 In the current consultation document, such an allocation has not been carried forward.

1.5 On this occasion, the Borough Council's has alighted upon the possible revision to the Government's Standard Method for assessing local housing need, which suggests a lower level of housing for Fareham.

1.6 In our opinion, the Borough Council are wrong to have published this consultation document in this form given the status of this version of the Plan is afforded by the Local Plan Regulations; *the Plan a Local Planning Authority intends to submit for Examination*. To have based a Plan on the possible outcome of a Government consultation is plainly premature and, regrettably, the Plan's housing strategy is not positively prepared and is unsound.

1.7 The Plan's housing strategy is not an effective one. It has no regard to past performance relative to the objective assessment of housing need and the level of contingency is not sufficient when the likely delivery of Welbourne is viewed objectively. Over the plan period a significant shortfall in new housing is inevitable.

1.8 For the reasons given in this representation, additional housing land should be allocated in Policy H1.

1.9 Land South of Fareham is an eminently suitable and sustainable location for future development and should be identified accordingly. In the context of the Borough Council's *Good Growth* principles that underpin the Plan's Development Strategy, Hallam's development proposals achieve the high-level development principles and requirements set out in the Local Plan Supplement which remain entirely appropriate.

1.10 It is especially significant that the Borough Council's assessment of Strategic Gaps has drawn the conclusion that new development can be located south of Longfield Avenue without harming the integral purpose of this earlier designation. We agree with this conclusion, which accords with our previous submissions that carefully planned development will not result in the coalescence of Fareham and Stubbington and that the separate identities of these settlements can be retained.

1.11 Development at South Fareham can be brought forward to provide new homes, associated community and commercial facilities within an overall scheme that provides accessible green infrastructure and open space that will enable residents and visitors to experience a high quality

of life and well-being. The accessibility of this location can be capitalised upon with investment in new sustainable and active modes of travel. By locating new development here, valued landscapes and natural environments will be preserved.

1.12 As such, and for the reasons given herein, the previous potential Strategic Growth Area at South Fareham should have be retained in the Local Plan for future development.

1.13 In our representations in the following Sections we set out that, whilst the Plan's Vision and Strategic Priorities are correct, absent amendments to Policy H1, this version of the Local Plan will not provide sufficient housing and this will run counter to its stated intention to address housing needs by the end of the plan period.

2 Vision and Strategic Priorities

2.1 In this Section of our representations we consider the consultation document's Vision and the Strategic Priorities that the Borough Council has identified. It is instructive to consider the extent to which the Plan's policies and proposals will, in practice, contribute towards this Vision being realised and the Strategic Priorities being met, in the context of what the NPPF's anticipates of a Local Plan.

National Planning Policy Framework

2.2 Para 15 of the NPPF requires that each Local Plan should provide a positive vision for the future of its area; a framework for addressing housing needs and other economic, social and environmental priorities. (emphasis added)

2.3 Para 17 requires that a Local Plan includes strategic policies to address the local authority's priorities for the development and the use of land in its area.

2.4 Para 20 states that strategic policies should set out the overall strategy for the pattern, scale and quality of development**,** and make provision for, *inter alia*, housing, employment, retail, leisure and other commercial development, infrastructure, community facilities and conservation and enhancement of the environment.

2.5 Para 22 states that strategic policies should look ahead over a minimum 15-year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure.

2.6 Para 23 states that strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area.

2.7 In the context of plan making making, the NPPF's presumption in favour of sustainable development is framed in the following terms:

a. plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;

b. strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

2.8 In this context, it is important to recognise the significance of the Regulation 19 stage in the plan-making process. This is the Plan the Borough Council intends to submit to the Secretary of

State for the purpose of Examination pursuant to Section 20 of the Act. This is explained in the NPPG "*The publication stage plan should be the document that the local authority considers ready for examination*". Therefore, this is the Plan and the approach to meeting objectively assessed need that the Borough Council now consider appropriate.

2.9 But, as the Borough Council has suggested it won't decide whether or not to submit the Plan until it knows the outcome of the Government's review of the Standard Method, this is little more than a "wait and see" approach. This is plainly wrong given the importance of the plan-led system in overall terms, the alacrity with which an up-to-date Local Plan is needed in Fareham, and the need to maintain public confidence in the plan-making system generally.

2.10 As will be shown later, the practical difference between a housing strategy based of 520 dwellings per annum and 403 dwellings per annum is an 'end date' five years hence. When viewed in the context of providing surety over the longer term and the emphasis in the NPPF on exceeding the minimum requirement, adopting a higher growth level at this stage would have been the positive and responsible response to this circumstance.

The Vision

2.11 The Borough Council's Vision as set out in the consultation document intends that it:

- *"<u>will accommodate development</u> to address the need for new homes and employment space in Fareham Borough; and*
- *new housing will <u>address the particular needs in the Borough</u>, such as our growing housing need and an ageing population and creating attractive places to live".*

2.12 The Vision is framed by reference to the Borough's needs, whereas Fareham is part of the established Partnership for Urban Southampton and has a role in contributing to meeting the housing needs of the sub-region. Indeed, there is no reference to Fareham's sub-regional role on any of the text associated with the Vision and Strategic Priorities in Section 2 of the Plan. In this context, the Vision should be drawn more widely.

2.13 Significantly, the allocation at Welborne in the Core Strategy was specifically for a sub-regional purpose, but its role by the present time appears to have been recast entirely; a matter we return to later.

2.14 Without prejudice to the above, achieving any Vision requires policies and proposals that are genuinely aligned with it. In respect of housing, the outcome of the Local Plan's policies and proposals should be that the Borough's housing needs are met.

2.15 As such, the Local Plan must, first, establish the correct strategic housing requirement in Policy H1 i.e. the overall number of new homes that need to be built by 2037 and, second, ensure a housing supply strategy that has the necessary surety that this can be achieved.

2.16 What experience both in Fareham and elsewhere has shown is that there must be an element of theoretical overprovision as part of the housing strategy to ensure that sufficient new housing is built.

2.17 To an extent the consultation document recognises this, but, as will be shown, it significantly

misjudges housing supply to such an extent that it undermines achievement of the Vision.

2.18 Conversely had a positive approach to plan-making been adopted, the Local Plan would have provided a robust planning strategy for the Borough.

Strategic Priorities

2.19 In the context of the Vision, the first Strategic Priority is to:

- *address the housing and employment needs by the end of the plan period in an appropriate and sustainable manner, creating places people want to live or where businesses want to locate.*

2.20 Again, there is no reference to Fareham's wider sub-regional role. In the context of Section 33A of the Planning and Compulsory Purchase Act, which requires constructive and active engagement on strategic matters, this is a surprising omission.

2.21 Without prejudice to this point, as a matter of principle, such a strategic objective is soundly based and is aligned with the significant importance the Government attaches to housing provision. Such a Strategic Priority is universally found in Local Plans national-wide.

2.22 However, in this instance, the apparent driver to the Publication Draft has been an attempt to reduce the scale of housing provision despite the Vision and Strategic Priority. This is the only conclusion that can be drawn from the Council having based its Regulation 19 Plan on a consultation document concerning a potential revision to the Standard Method.

2.23 This approach is plainly not sound for the following reasons:

2.24 Firstly, it departs from the method of calculating local housing need set out in para 60 of the NPPF. No exceptional circumstance has been suggested other than a lower figure is derived from the potential revision to the Standard Method. In a recent comment the Planning Minister referred to outputs based on the consultation exercise as "*entirely speculative*".

2.25 Secondly, even if that figure is correct, it is in no way obvious how the wider needs of the sub-region are to be met; across the wider geographic area as a whole the level of local housing need is suggested to be greater than has hitherto been the case.

2.26 Thirdly, the approach to housing supply significantly overstates likely housing delivery and the scale of contingency is simply not sufficient to ensure future housing supply would meet identified need.

2.27 The inevitable conclusion is that this version of the Local Plan is not positively prepared, justified, effective or consistent with national policy. Therefore, whilst the Plan may have a clear strategic priority to address the need for new homes in the Borough, its subsequent policy to base the strategic housing requirement of 403 dwellings per annum means, when considered objectively, that it fails to do so. To consciously plan for 20% less housing than has been identified firstly as necessary, and secondly as capable of being accommodated, is not properly addressing the need for new homes in the Borough.

2.28 In short, the Plan provides for too few houses over the plan period. This in turn will give rise to

adverse effects. It will restrict the number of people who are able to purchase new housing from doing so and constrain the operation of the housing market. It will also reduce the amount of affordable housing that is built because that is a proportion of the overall amount of housing. Moreover, by restricting market housing it creates an additional and greater incidence of housing need as people who would otherwise have been able to buy a market home are prevented from and they fall into housing need. This will have harmful socio-economic effects and runs counter to the Vision to meet the Borough's housing need.

2.29 For these reasons, the consultation document is not soundly based.

3 Development Strategy

3.1 The preceding Section has considered the Regulation 19 Plan's Vision and Strategic Priorities as they relate to housing provision and has identified that, as a practical effect, its policies and proposal will not deliver the intended outcome in terms of meeting housing need by the end of the plan period. In this Section, we consider the proposed Development Strategy and the extent to which it could accommodate a greater level of development if necessary.

3.2 The Plan's Development Strategy, set out on pages 17 – 32, and its associated Key Diagram and more detailed Policies Map, are framed by the Borough Council's approach to housing provision. This is evident from comparing the direction of travel outlined in the January 2020 Local Plan Supplement based on the published Standard Method and which identified the need for Strategic Areas of Growth to be allocated for future development, and the present approach which includes very few new housing allocations.

3.3 In the event the Borough Council has to re-cast its approach to housing provision, it will also need to adjust its Development Strategy in order to be able to deliver the strategic objective to address housing need. In this regard, it is of note that para 3.5 of the consultation document acknowledges that *"the [Local Plan] Supplement consultation in early 2020 identified the Council's preferred approach to its Development Strategy which it proposes to use to guide the focus of development until at least 2037"*. This clearly illustrates the suitability of the Strategy at that time as the basis of plan-making presently.

3.4 In the following paragraphs we comment on the various elements of the Council's Development Strategy both as articulated presently but also in the context of a revised housing strategy which would require additional land to be identified for development in the plan period.

Good Growth

3.5 The 2019 Issues and Options consultation established the principle of ***Good Growth*** as the keystone for the Local Plan's Development Strategy.

3.6 *Good Growth* was defined in the 2020 Local Plan Supplement in the following terms:

- building homes and creating employment spaces in such a way as to improve the quality of life whilst protecting the most valued and natural historic environments.
- respecting environmental protections and delivering opportunities for environmental gain, providing opportunities for reduced energy demand and waste production, whilst sensitively managing the countryside and valued landscapes.
- providing open space and leisure opportunities to encourage healthy and active lifestyles and encouraging more of us to use active forms of travel rather than the car.

3.7 This definition has been retained in the Regulation 19 Plan.

3.8 These principles exist within an overarching scale of development that the Borough will need to provide for over the plan period. It is of paramount importance that, in the context of the Plan's Vision and Strategic Priorities, this scale of development is correctly defined at the outset; only then can it be said the Plan will address housing and employment needs adequately,

appropriately and sustainably. If the housing requirement is drawn too low, it will have negative social and economic effects.

3.9 It follows that, at the plan-making stage, the Local Plan is able to set out strategic and development management policies that have *Good Growth* principles at their core; both in terms of determining which locations in the Borough are to be allocated for new development and then the form and nature of such development.

3.10 The ensuing Land Use Strategy should prioritise locations that are able to achieve the principles of *Good Growth*, albeit there are instances where there are competing interest and, as with all planning decisions, balanced judgements will be necessary.

Development Strategy

3.11 This Section of the Regulation 19 Plan describes the factors that the Council has used to determine its Development Strategy. Because of the range of considerations that are inputted to, and then flow from this, what the Plan is actually describing is its land use strategy, namely where development is acceptable and conversely where factors determine new development would not be appropriate and other considerations are more important.

Landscape and countryside

3.12 We agree that there are parts of the Borough which have a fundamental importance in landscape terms and it is right that preservation of the landscape in those locations is the principal consideration. Figure 3.1 which illustrates the Key Diagram identifies "Areas of Special Landscape Quality" and we agree with the designation of the areas shown in this regard. Policy DS3, which we comment on later, should be worded to ensure that preserving the special landscape quality of these areas is given primacy.

Settlement boundaries

3.13 Settlement boundaries delineated in earlier development plans were drawn in the context of development needs as determined at that time.

3.14 Where the scale of development cannot be met on land within the Borough's urban area, development in the countryside adjoining main settlements is a wholly necessary and legitimate proposition.

3.15 As a consequence of allocating land for development to meet identified needs, settlement boundaries can and should be amended accordingly. In short, the existing settlement boundaries are not immutable.

The desire to respect settlement identity

3.16 Given that Areas of Special Landscape Quality have been assessed and delineated on the Key Diagram it is also necessary to consider whether land identified in the current Development Plan as Strategic Gap still requires such protection, whether its boundaries can justifiably be amended in light of up-to-date circumstances or whether any areas of land subject to that designation can be developed in order to contribute to a sustainable pattern of development.

3.17 The *Technical Review of Areas of Special Landscape Quality and Strategic Gaps* considers existing Strategic Gaps in the adopted Local Plan and concludes that land south of Fareham, east of Peak Lane and west of HMS Collingwood does not perform the same function in terms of maintaining separation between Fareham and Stubbington as other land that is subject to this designation and is more integral to the purpose of preserving identity.

3.18 Chapter 4 of that Study, Paragraph 10 states that "*there exists some opportunities for development to be absorbed within the strategic gap subject to scale and future detailed design, without compromising its gap function combined with mitigation measures that can support green infrastructure enhancement*".

3.19 It follows as a matter of principle that this land should not be designated as Strategic Gap in this Local Plan as this designation plainly cannot be justified in that location. Conversely, to continue to propose this land as Strategic Gap is not justified on the basis of the Council's own evidence.

3.20 It is highly material that the Local Plan Supplement had anticipated a Strategic Growth Area in this location, reflecting the broad conclusions of the earlier Options testing that this represents a sustainable and accessible location for new development and that such development can be accommodated without harm to the separation between Fareham and Stubbington. The significance of this is especially important in the context of the greater scale of development the Local Plan should accommodate and as such this represents an eminently suitable location for development. The fact this land is outside of the settlement boundary is in no way an overriding determinant that would preclude its allocation.

Climate change, flood zones and coastal management areas

3.21 We agree that the Local Plan should not direct major new development to areas identified as having a role in mitigating the impacts of flooding or coastal erosion. It is noteworthy that the areas of potential flood risk are associated with the River Hamble, River Meon, River Wallington and Lee-Solent estuary and are largely subject to nature conservation designations and landscape designations which limit the extent these locations would be suitable for development in any event.

3.22 In this context, the land identified as suitable for future development to the south of Fareham is not subject to flood risk and can be developed with Sustainable Urban Drainage measures that would not increase the risk of flooding elsewhere.

Protected areas for nature conservation

3.23 There are strategic nature conservation constraints that exist in the Borough in the form of International and Nationally designated sites. These overlap with other environmental designations and exert a significant constraint on where development can be located, limiting the extent of land absent a constraint. None of these constraints directly affect the land south of Fareham referred to in proceeding paragraphs.

Transport corridors and opportunities to encourage more active travel modes

3.24 The NPPF advises that the planning system should actively manage patterns of growth to support sustainable travel. Significant development should be focused on locations which are

or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.

3.25 In this regard, the Local Plan Strategic Transport Assessment states the following: *The proposed growth locations in the Local Plan to accommodate forecast population and economic growth, took a wide range of factors into consideration, including transport and access implications. Most of the Local Plan growth is located either within or on the edge of existing conurbations, providing good opportunities for trips to be made by modes of transport other than the private car. Consequently, the proposed growth in the Local Plan is generally in sustainable locations in terms of transport and access".*

3.26 It is important to stress that this Transport Assessment in fact includes development at the Strategic Growth Areas, therefore, this conclusion reflects the suitability of new development in this location in these terms.

3.27 Whilst certain representations have previously raised concern about traffic impacts, the Transport Assessment concludes that the scale of development proposed (including the Strategic Growth Areas) and the resulting transport impacts are capable of mitigation at the strategic level, and that the Plan is therefore deliverable and sound from a transport perspective.

Need to encourage diversity in the housing market

3.28 We agree that there needs to a balance in the portfolio of housing sites. We comment later on the likely delivery of housing from Welborne, which can only represent a modest supply of housing in anything other than the longer term.

3.29 To meet the objective of providing sufficient housing, additional housing allocations are required for all of the reasons in this representation and in particular those in response to Policy H1. Whilst development to the south of Fareham will change the character of part of the undeveloped land between Fareham and Stubbington, this must be balanced with the material benefits of the scheme in terms of the new housing to increase housing supply in the short term and to provide a surety of supply over the longer term.

3.30 The opportunity to the south of Fareham is of a sufficient scale to meet the identified need for market housing, affordable housing, specialist accommodation and self-build and custom build housing, along with the co-location of local services and facilities to support a new neighbourhood.

Sustainability and accessibility to services

3.31 Fareham is identified in the Core Strategy as a 'key growth point' in the South Hampshire sub region and a 'secondary regional centre'. The town is the largest in the Borough with a population of approximately 37,000 people. Fareham is also an important economic centre, which has developed further over recent years, with the success of The Solent Enterprise Zone at Daedalus to the south of the town supported by significant investment in infrastructure improvements including improvements to Newgate Lane, Peel Common Roundabout and the construction of the Stubbington Bypass.

3.32 Amongst the advantages previously identified for the South Fareham Strategic Growth Area is

its proximity to the town centre, the Solent Enterprise Zone at Daedalus, the railway station and existing local services and amenities with good access to walking, cycling, and public transport links. Local facilities are situated along Bishopsfield Avenue and at Broadlaw Walk. Large-scale out-of-town retail facilities are located at Newgate Lane and Fareham Road to the east of Longfield Avenue.

3.33 Large-scale development to the south of Fareham, rather than a more dispersed pattern, would maximise opportunities to prioritise pedestrian and cycle links and extend public transport to maximise sustainable modes of travel.

The requirement to meet housing and employment needs

3.34 *Good Growth* can only be achieved if the Local Plan intends to meet objectively assessed need for housing, which for the reasons set out in response to Policy H1, it does not achieve this at the present time.

Spatial Interpretation

3.35 As a matter of principle, the identification of deliverable or developable previously developed land should be a priority, however, it is widely understood that such opportunities do not exist to accommodate the scale of new housing and employment required in the Borough.

3.36 Accordingly, the allocation of greenfield sites for future development is both a legitimate and necessary measure.

3.37 The morphology of the Borough is comprised of three urbanised areas: Fareham, Portchester and the 'Western Wards', which are part of a coastal conurbation that extends from Portsmouth in the east to Southampton in the west. Fareham is the pre-eminent urban area within the Borough in terms of services and facilities and public transport. Portchester and the 'Western Wards' are characterised more as residential suburbs.

3.38 Interspersed to a greater and lesser degree between these settlements are areas of separation comprising Portsmouth Harbour, Alver Valley, Meon Valley and the River Hamble. These are strategically important corridors that separate the main urban areas, protect their identity and prevent settlements within the coastal conurbation from merging together.

3.39 To the north of the M27, the Borough is of a more rural character, noting of course the proposed new community at Welborne which will undoubtedly change the character of this area over a long period of time.

3.40 Stubbington, a residential suburb, lies south of and separate from Fareham's urban area along with the sub-regionally important employment and logistics node at Daedalus. The Borough Council have stated aspirations to maximise the potential of the airfield's land and infrastructure assets through new commercial development, providing clusters for aviation, non-aviation and skills/innovation activity. This will contribute positively to the creation of skilled jobs in the Solent Enterprise Zone.

3.41 These characteristics have led the Council, rightly in our opinion, to consider the designation of Valued Landscapes as part of the Local Plan and in this context we are aware that the 2017 Landscape Assessment acknowledges the intrinsic landscape character of the Meon, Hamble

and Hook valleys.

3.42 We agree that the Meon Valley is a distinctly valued landscape. In our 2019 response to the Issues and Options consultation we referred to various Appeal decisions that alight upon the value of the landscape in this location. Continuing to protect this area from development and formalising a landscape designation in the Meon Valley would be appropriate.

3.43 The extent to which land around the 'Western Wards' is capable of accommodating new development is constrained by the extent of nature conservation designations close to the existing urban area which limits development opportunities to small scale schemes at most.

3.44 On the basis of the above, it follows that **locations that adjoin Fareham town, as distinct from villages away from it located in the rural hinterland to the north and west of the Borough, are inherently more suitable in terms of reflecting the morphology of the Borough, preserving its natural environment and maximizing accessibility to services and facilities to achieve the most sustainable pattern of development.**

3.45 The extent to which new development opportunities in those locations can consolidate and enhance the accessibility advantages of Fareham Town Centre and Daedalus are consistent with the *Good Growth* principles set out in paras 3.5 and 3.6 above.

Development Strategy Policies

3.46 Para 3.2 of the consultation document defines the Development Strategy as providing the "*distribution, scale and form of development and supporting infrastructure, a set of proposals to deliver the strategy, policies against which to assess planning applications, and proposals for monitoring the success of the plan*".

3.47 In addition to the narration of the Strategy, this Section of the Plan includes three policies; the first controlling new development in the countryside, the second in respect of the Strategic Gap and a third concerning Landscape. These policies do not set out a Settlement Hierarchy or Spatial Strategy for the Plan area and such policies do not appear elsewhere in the Plan either. The practical effect of this is that there is no policy that delivers the spatial objectives in so far as where new development should be located i.e. affording a priority to locations within and adjoining Fareham town as the most sustainable location in the Borough.

3.48 Given that para 3.2 suggests the role of the Development Strategy provides a set of policies that direct where and how new development should be located, the omission of what are usually commonplace policies is significant.

Strategic Policy DS1: Development in the Countryside

3.49 Policy DS1 seeks to control the use of land outside defined settlement boundaries i.e. in countryside locations.

3.50 In some circumstances it would be appropriate to grant planning permission for new development in such locations. In those instances, the benefits of a development proposal would need to be considered against the criteria in part two of the policy. In this context, we do not agree that Criterion 'v' is drafted correctly.

3.51 On certain occasions other considerations associated with a development proposal would merit planning permission being granted notwithstanding the agricultural classification of the land concerned. In this regard, whilst the NPPF affords a preference to development of lower quality agricultural land, it does not preclude the development of best and most versatile land (see footnote 53 of the NPPF).

3.52 As presently drafted Policy DS1 conflicts with the expression of this policy approach in the NPPF; as such criterion 'v' should be reworded as follows: "*avoid or minimise the loss of best and most versatile agricultural land*".

Strategic Policy DS2: Development in Strategic Gaps

3.53 In earlier representations we have identified that the evidence base provided by the *Technical Review of Areas of Special Landscape Quality and Strategic Gaps* does not justify the delineation of the Strategic Gap south of Fareham in the manner shown on the Key Diagram.

3.54 In particular, that Report identifies that the land south of Longfield Avenue and west of HMS Collingwood could accommodate new development without a significant adverse effect on the objectives of the Strategic Gap designation.

3.55 If follows that this land is not an integral part of the Fareham and Stubbington Gap.

3.56 As such the Strategic Gap should not extend across this land, as this would add a policy restriction that ought not apply on the basis of the published evidence. Put simply, such a designation should not include more land than is necessary to achieve its purpose.

3.57 For the Local Plan Key Diagram to be justified, and for the Local Plan to be sound, the delineation of the Strategic Gap south of Fareham should be amended accordingly.

Strategic Policy DS3: Landscape

3.58 The Local Plan intends to formalise Areas of Special Landscape Quality to reflect their valued status as determined through the *Technical Review of Areas of Special Landscape Quality and Strategic Gaps*. As written, Policy DS3 does not however afford any particular level of protection to these areas beyond Policy DS1, which in any event requires development proposals in the Countryside to *"conserve and enhance landscapes"*.

3.59 Policy DS3 also appears to permit major development proposals in these locations whereas the Development Strategy has sought to avoid new allocations in these locations because of their landscape sensitivity. The definition of major development is provided in the Glossary[1] and when applied to this Policy, could see large scale development proposals being advanced when this is what the Local Plan is seeking to avoid. As drafted, this Policy does little to enforce the Plan's Development Strategy.

[1] For residential schemes, major development includes those of 10 dwellings or more or on a site of 0.5 hectares or more. For other development, it includes building(s) with a floor area of 1000sq.m or more or on a site of 1 hectare or more.

4 Policy H1: Addressing housing needs by the end of the plan period in an appropriate and sustainable manner

4.1 In this Section we consider specifically Policy H1 and whether, as presently formed, the Borough Council's strategic housing requirement and housing supply strategy are sound.

4.2 The NPPF expects the planning system to significantly boost the supply of new housing by providing, in the first instance, a sufficient amount of development land where it is needed (para 59 refers).

4.3 It is clear that a Local Plan's housing requirement is to be calculated by reference to the Government's Standard Method, unless exceptional circumstances can be proven (para 60 refers).

4.4 In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

4.5 As discussed in Section 2, the Plan's Vision and Strategic Priorities establish the intention to address the Borough housing and employment needs by the end of the plan period in an appropriate and sustainable manner, creating places people want to live or where businesses want to locate.

4.6 For the Plan to address, and indeed meet, housing needs by the end of the plan period, it is important to have regard to the following considerations which are material to determining a sound strategy in the context of the Government's presumption in favour of sustainable development:

– context and the backdrop to this Local Plan;

– an objective assessment of local housing need;

– unmet need from neighbouring authorities;

– the Plan's housing deliver strategy and whether this is sufficiently robust.

4.7 As will be shown, the consultation document will not achieve this, and when measured objectively, a shortfall in housing supply over the plan period will be inevitable, contrary to the stated Vision and Strategic Priority.

Context

4.8 The earlier Core Strategy set out a Development Strategy for the period to 2026 that has hitherto been achieved in part only. This partial achievement has had significant implications for housing delivery in the plan area.

4.9 In aggregate, the Core Strategy intended that some 9,000 new homes would be built in Fareham

in the 20 years between 2006 and 2026. This comprised:

- 5,350 at the North Fareham Strategic Development Area (Welborne) to meet sub-regional needs as identified in both the South East Plan and the South Hampshire Sub-Regional Strategy; and
- 3,729 elsewhere in the Borough[2];

4.10 Over the 13 years since the start of the Core Strategy's plan period (2006/7 and 2018/19) only 4,200 new homes have been built. This is equivalent to 46% of the housing requirement in 68% of the plan period.

4.11 In comparison with the trajectory on page 21 of the Core Strategy, new housing has had to be accommodated in locations outside of allocated Strategic Development Area; in the four years from 2016, almost twice as many new homes have been provided elsewhere in the Borough than the 469 intended for the whole of that 5 year period 2016/21.

4.12 Following the Core Strategy, when the Welborne Plan was prepared in 2015, and to reflect the changed circumstances by then the Council re-calculated likely delivery at the Garden Village. Policy WEL3 identified approximately 6,000 new homes to be completed by 2036. First completions were to be achieved in 2015/16, 1,500 completions were to have been achieved by 2021 and 2,860 completions by 2026.

4.13 Plainly this hasn't been achieved and without question there has been a substantial shortfall in housing provision compared to the Core Strategy.

4.14 Manifestly, this shortfall is significant and cannot simply be put to one side. It is striking that Welborne was identified originally to meet sub-regional needs but because it hasn't delivered it now represents a source of housing to meet in a substantial part the Borough's own housing need and thus the Borough's contribution of the wider sub-regional need is much reduced.

4.15 Given the strategic objective defined by the Council, and in the context of the NPPF's presumption in favour of sustainable development, this has a clear implication for plan-making in Fareham. National Planning Policy invites Local Authorities to exceed the minimum housing requirement and to adopt a positive approach to planning for future housing. Plan-making should not be a simple mathematical exercise but a fundamental examination of how to best plan for the long-term future of the Borough. In this instance, and as the Local Plan Supplement was endeavoring to achieve, this enables the Council to develop a strategy for the longer term.

4.16 The change of direction in the Regulation 19 consultation document appears to be framed by precisely the opposite; planning for the minimum plan period and the least amount of new development plausible. Patently, that approach does not include the flexibility which a Local Plan should provide.

4.17 For example, had the Regulation 19 Plan retained the level of housing calculated by reference to the published Standard Method – 520 dwellings per annum – and had a lower housing requirement in fact materialized, the practical effect of this would merely have been a housing supply strategy that would endure beyond the end of the plan period. In simple terms, the

[2] Policies CS2 and CS15 refer

housing strategy would cater for an addition 5 years worth of housing. Given that it is beyond comprehension that housing need will not cease after 2037, this would have been a positive, adaptable, plan-led, longer term strategy.

4.18 The fact that the Council has alighted upon a potentially lower housing requirement without apparently considering the practical effect of retaining the existing housing requirement manifestly demonstrates a negative, rather than positive, approach to plan making.

4.19 Moreover, the Sustainability Appraisal has plainly not considered this as a reasonable alternative and, as such, is flawed. The Assessment of Alternatives in Section 5 of the Sustainability Appraisal relates to development locations rather than the overall quantum of development The PPG advises that "*a sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic and social characteristics of the area and the likely situation if the plan were not to be adopted*". The purpose of testing reasonable alternatives is to determine that a Local Plan promotes sustainable development when judged against reasonable alternatives, to achieve relevant environmental, economic and social objectives.

4.20 This negative approach is further evident when considering the components of the housing strategy which again illustrates a do-minimum approach.

Local Housing Need

4.21 Application of the Standard Method to calculate the Local Plan's local housing need would require 520 new homes to be provided each year, or 8,320 new homes in total between 2021-2037.

4.22 Alternatively, the Regulation 19 Plan is based on 403 new homes each year which is derived from the proposed revisions to the Standard Method published as a consultation document by the Government in the Summer. These proposed revisions carry no weight at the present time and do not provide any basis for the calculation of housing need for the purpose of this Local Plan at the present time.

4.23 Only if the proposed revisions are carried forward without alteration by Government would this serve as a basis to underpin the Plan and enable it to be submitted. Any change to the formula, as it relates to Fareham or any of its neighbouring authorities, would require reconsideration of the housing requirement in Policy H1. The Regulation 19 Plan is contingent therefore on the outcome of that entirely separate process, rather than being a Plan which the Council is able to submit for Examination. It is, for want of a better term, a "wait and see" plan.

4.24 As the Council appear to acknowledge themselves by the intention not to submit the Plan for Examination until the outcome of the Government's consultation is known, it is plainly not a sound approach at the present time.

4.25 Little more can be said about this, other than to draw attention to the obvious difficulties that have arisen in light of the Government's consultation, which have led to a significant level of opposition to the suggested changes. As recently as mid-November the Planning Minister referred to estimates of local housing need derived from its consultation exercise as "*entirely speculative*" and indicating that the revised formula was being re-evaluated.

4.26 It is also important to consider when the Standard Method was introduced and the practical effects of this which the Council don't appear to acknowledge.

4.27 The Standard Method was introduced in 2018 and the assessed level of local housing need was based on a period of 2016 onwards. The Council appear not to have grappled with the guidance in the Planning Practice Guidance in respect of this: "*Strategic policy-making authorities will need to calculate their local housing need figure at the start of the plan-making process. This number should be kept under review and revised where appropriate*". Plainly we are someway into the plan making process which commenced in 2017 and this requires the Council to have asked themselves how have housing completions compared with the level of local housing need from that point.

4.28 The published requirement was 520 dwelling per annum from 2016 onwards, whereas the highest number of completions was 349 in 2016/17 and less than half for the two years since where monitoring information is available.

4.29 The Standard Method takes account of backlog but only in so far as affordability will have increased in the years prior to the calculation and does not take account of underprovision since then. In these terms, the shortfall between the assessed level of housing need by reference to the Standard Method and actual completions has to be taken into account going forward.

4.30 The following table illustrates this:

Year	Number of Completions	Level of Local Housing Need	Shortfall
2018/2019	290	520	230
2019/2020*	263	520	257
2020/2021**	132	520	388

*Projected housing supply April 2019
**Projected housing supply June 2020

4.31 This indicates in the three years since the Standard Method was first published, the cumulative shortfall in housing completions is expected to be 875. No account is taken of this in the current consultation document. Even if the lower figure of 403 was taken as the level of local housing need, the shortfall would be in excess of 500 new homes.

4.32 In the circumstance where housing delivery in the Borough has been below both that anticipated by the Core Strategy and the measure of local housing need derived from the Standard Method, however calculated, the Council are plainly wrong to have selected a plan period that takes no account of this and a housing strategy that has no regard to that underprovision. This further undermines any notion of a positively prepared plan.

Unmet Need

4.33 Section 33A of the Planning and Compulsory Purchase Act 2004 requires a local planning authority to cooperate with, *inter alia*, other local planning authorities, and engage constructively, actively and on an ongoing basis in the preparation development plan documents, so far as relating to strategic matter. Paragraph 25 of the NPPF says 'strategic policy making authorities should collaborate to identify the relevant strategic matters which they need

to address in their plans'. Unlike problems associated with soundness, a failure to discharge the obligation in Section 33A cannot be remedied once the plan has been submitted for examination.[3]

4.34 It is clear from the work of the Partnership for Urban South Hampshire that housing provision is a strategic matter and thus there is a need for co-operation between constituent plan-making authorities. In this regard, the 'plan-making' section of the PPG provides guidance in relation to the duty to cooperate. Paragraph 022 states that strategic policy making authorities are expected to have addressed key strategic matters through effective joint working, and not deferred them while relying on an inspector to direct them. It states "[An] Authority will need to submit comprehensive and robust evidence of the efforts it has made to cooperate and any outcomes achieved; this will be thoroughly tested at the plan examination."

4.35 The consultation document makes an allowance of an additional 847 houses as a contribution to meeting unmet need from Fareham's Neighbourhing Authorities. But as this is the Submission version of the Plan, this allowance should have regard to the co-operation referred to above. There is no evidence that this is anything other than an allowance made by Borough Council without reference to the joint working through PUSH; this is nothing else but a '"cart before horse" approach.

4.36 The consultation document acknowledges that there is "*a significant likelihood of a substantial level of unmet need in the sub-region*" (para 4.4) and that over the plan period the level of unmet need in the sub-region could be circa 10,750 new homes. It is instructive that the references to unmet need in para 4.5 of the consultation document are in the context of the current Standard Method and not the higher sub-regional figure that the proposed Standard Revision indicates. In this regard, the plan appears to be "comparing apples and pears".

4.37 The following table compares the housing requirement from the current Standard Method and that indicated by the proposed revision.

LPA	Current Local Plan Requirement	Average Delivery (last 3 years)	Current Standard Method	Proposed new Standard Method	Difference between current and proposed SM
Portsmouth	547	328	855	730	-125
Fareham	147	310	514	403	-111
Gosport	170	145	238	309	+71
Havant	315	402	504	963	+459
Winchester	625	643	692	1025	+333
PUSH East	1804	1828	2802	3430	+628
Southampton	815	1148	1012	832	-180
Eastleigh		857	694	885	+191
New Forest	521	346	729	782	+53
Test Valley	588	834	550	813	+263
PUSH West	1924	3183	2977	3312	+335

4.38 The above illustrates that whilst the Fareham figure might decline, across the sub-region the

[3] *Samuel Smith Old Brewery (Tadcaster) v Selby DC [2015] EWCA Civ 1104 paragraphs 38 and 40*

overall scale of housing is greater both in PUSH East and West.

4.39 Over a 16-year period, the difference between the proposed new Standard Method would require an additional 10,000 new homes to be built across PUSH East. Compared to average delivery over the past 3 years, almost twice as many new homes will need to be built. This is unquestionably a step change in housing delivery and each Local Authority area will need to contribute towards this and maximise its contribution to the sub-regional requirement.

4.40 In September 2020 the PUSH Report to its Joint Committee looked at the potential implications of housing supply relative to Local Housing Need, and using the proposed revision to the Standard Method this still identified a shortfall of over 6,500 across the PUSH East sub-region.[4]

4.41 At para 4.5 of the consultation document, the Borough Council put forward a contribution of 847 dwellings towards meeting unmet need. There is no evidence of how this figure has been derived. All that is evident from the earlier passages of that paragraph is the very unclear picture that exists and which is subject to additional work by PUSH. Consequently, the proposed contribution of 847 dwellings – 13% - to unmet need doesn't appear to have any basis in a full and proper assessment of future housing requirement and supply across the sub-region. This is significant because, historically, Welborne had been identified to provide housing supply for that sub-regional purpose whereas now its contribution almost entirely to meet Fareham's housing need.

4.42 Switching the role of Welborne in this fashion is taking away a supply of housing identified previously to meet sub-regional needs in the longer term, when plainly that need still exists, and elevating supply available to meet the Borough's need. This denies the original intention of Welbourne, and places a very heavy reliance on one source of housing to meet local needs; on the basis of the Council's strategy, some two thirds of the Borough's housing needs would be met at Welborne.

4.43 Again, this illustrates why preparing a Regulation 19 Plan on this basis isn't justified and does not contribute to effective planning across the sub-region.

4.44 Moreover, on this basis, the evidence to justify the Council having discharged its duty under Section 33A is not at all obvious; this is particularly significant as this is the Regulation 19 Plan to be submitted for Examination.

Plan Period

4.45 The current consultation document is based on the plan period 2021-2037. This is 16 years and would accord with the 'at least 15 years' in the NPPF, if the Local Plan were in fact adopted in 2021. Experience of Local Plan Examinations and the length of time between Regulation 19 and adoption suggests this is highly unlikely. But assuming the Plan is adopted in the 2022 this would provide the bare 15-year plan period.

4.46 It is in this context that one has to consider whether the plan is *"sufficiently flexible to adapt to rapid change"*. For the reasons given later we say it does not meet this requirement.

[4] Table 4 Comparison of Housing Need and Supply 2020-2036

Delivery at Welborne

4.47 The consultation document's housing strategy is heavily reliant on housing delivery at Welborne, which was previously identified to meet sub-regional requirements. Table 4.2 of the consultation indicates that over 4,000 new homes are to be built at Welborne by 2037 to meet Fareham Borough's local housing need.

4.48 This is not a realistic assumption.

4.49 It has been readily apparent for some time that past delivery assumptions at Welborne could not be achieved. Despite the Core Strategy and the Welborne Plan assuming a significant number of new homes would have been built at Welborne by the present time, there is still no outline planning permission some 14 months after the Borough Council's Planning Committee resolved in October 2019 to grant permission for the outline planning application (P/17/0266/OA).

4.50 In our response to the January 2020 Supplement, we noted that it wasn't surprising that by that time the Section 106 had not been signed given the particular scale of that development.

4.51 However, by the present time, the absence of an outline planning permission raises a more fundamental concern about delivery at Welborne.

4.52 Nowhere do the Council provide any evidence as to when they expect outline permission to be granted, the extent of any pre-commencement works and their associated timescale, when reserved matters applications are expected and when first completions will be achieved. The closest the Council gets to any justification is that the housing trajectory has been agreed with the developer Buckland.

4.53 We are aware that there will also need to be Highway Agreements relating to works to the M27 Junction 10 prior to those works being commenced; again, in our experience such highway agreements are complex and can take a long period of time to complete. The works to be undertaken to the M27 and A32 are substantial. The Planning Officer's Report highlights the estimated costs of these works as £80m-£90m and that funding gap exists in relation to these works. More recently, we understand the Council has had to seek additional funding from Government to cover earlier Local Enterprise Partnership funding that has since been lost. Hampshire County Council has recently confirmed that: "The J10 works are not fully committed at this stage and there is no defined timescale for delivery." This is clearly a major risk in overall terms but also in terms of when such works will be undertaken and the duration of such works.

4.54 This is germane to timescales as to when development at Welborne can be anticipated, notwithstanding the milestone it reached in 2019.

4.55 A number of housing trajectories have been proposed for Welborne at different stages. The Borough Council's January 2017 Background Paper concerning Welborne set out the Council's assumption at that time. This suggested that 4,090 new homes would be built at Welborne by 2036. Whilst this would align with the current assumption, this overlooks the fact that circumstances have already moved beyond the key dates suggested therein.

4.56 If the 2017 trajectory is simply rolled forward to the present day and it is assumed that outline planning permission is granted in 2021/2022 and development commences in 2023/24 then the

total number of completions would be 3,090 dwellings by 2037 – see *Appendix 1*.

4.57 This trajectory is clearly sensitive to assumptions. Any delay in commencing development beyond will 2023/24 will cause fewer completions in the plan period.

4.58 Moreover, the extent to which 250 dwellings can be built and sustained each year from 2026 onwards is also a highly sensitive assumption.

4.59 We note that more recent research from Lichfields[5] suggests that for sites of more than 2000 dwellings, the average period of time from planning to delivery is 2.9 years. Moreover, that research indicates that for scheme the size of Welborne the number of houses built each year averaged 140 dwellings.

4.60 If a mid point between these two assumptions of 185 dwellings per annum were achieved and sustained as the peak output, this would only yield 2,360 dwellings in the plan period.

4.61 It is instructive to note that to achieve 4,020 completions in the plan period would require a build rate from 2024/25 onwards of 309 dwellings per annum. A build rate in excess of 300 dwellings per annum was rejected by the Council in 2017.

4.62 What is clear from the above is that Welborne's contribution to housing supply during the plan period has been over-estimatated. This component of housing supply is not justified and consequently the housing supply strategy is not effective.

Proposed Allocations

4.63 From our analysis of proposed allocations we have been able to identify that, whilst a number of subject to current planning applications, a significant number are subject to constraints that could delay there development. A number of Sites are owned by public bodies or are subject to multiple landownerships and with existing uses[6]. Moreover, a great many are Sites within the urban areas which are likely only suited to flatted schemes to achieve the capacity numbers and may not be suitable to developers.

4.64 Other Sites are subject to nitrates constraints[7] which may require a strategic solution to enable their release.

4.65 Consequently, it is questionable whether they will all be developed and this supports not only the principle of a contingency allowance but also the importance that that allowance reflects the overall level of uncertainty associated with the housing supply strategy.

Windfall

4.66 Table 4.2 of the consultation document includes a windfall allowance of 1,224 new homes between 2021 and 2037.

4.67 The principle of including a windfall allowance is explained in the NPPF at para 70 in the

[5] Start to Finish (2016), Driving Housing Delivery (2018)
[6] FTC1, FTC2, FTC3, FTC4, FTC5, HA7, HA13, HA22, HA24, HA31, HA36-39, HA42, HA44
[7] HA1, HA12, HA34, HA40

following terms:

- Firstly, there should be compelling evidence that they will provide a reliable source of supply.
- Secondly, any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.

4.68 It is evident that the above is much more than a consideration of historic windfall delivery and requires the plan-maker to actively consider future supply from this source.

4.69 The Council's Windfall Background Paper projects forward 51 windfall completions on small sites from 2024/25 and an additional 52 windfall completions from large sites from 2025/26. The only source of information that the Council has used to arrive at these figures is its breakdown of past windfall delivery from 2009 – 2019 which averaged 101 dwellings (51 for small sites and 52 for large sites).

4.70 Para 3.6 of the Background Papers states: *"The estimated rate of windfall development is based on past completion rates…."* (emphasis added)

4.71 Para 3.9 of the Background Paper states: *"To ensure that a cautious approach is taken and windfall projections are not overly optimistic, the projections have only taken account of windfall delivery since 2009/10*".

4.72 The very next paragraphs states *"Based on the preceding analysis, the windfall projections for the Borough are 51 dwellings per year from small site delivery and 51 dwellings per year from large site delivery"*.

4.73 It is clear that the assumption in Table 4.2 of the consultation document is derived solely from past trends and it is claimed that this demonstrates *"a compelling case"*. However, nowhere in the analysis is there consideration of whether this is a reliable source of future supply, rather it is just a forward projection of what happened in the past. The analysis does not provide any consideration of expected future trends.

4.74 It is important to recognise that windfall opportunities are finite. Opportunities to redevelop vacant or redundant land will have largely been exhausted by the present time because of planning policies that have prioritised such sources of supply for the past decade and longer. Consequently, future windfall over the plan period will rely to a much greater extent on recycling of land (i.e. existing uses being changed). This is inevitable a less certain source of housing supply.

4.75 For the purpose of assessing whether the Plan's housing supply strategy is sound, we have adjusted the windfall contribution by 25% i.e. 918 completions over the plan period.

Revised Housing Strategy

4.76 In the preceding Sections we have considered both the level of local housing need and the housing supply strategy providing a reasoned justification why this Regulation 19 Plan is not sound. The following table illustrates the effect of this.

Housing Component	Dwellings	Notes
Local Housing Need 2021-2037	8,320	520 dpa
Under-supply 2018-2020	875	Added to reflect actual housebuilding relative to LHN
Unmet need from Neighbouring Authorities*	847	No adjustment
Strategic Housing Requirement	**10,050**	No adjustment
Commitments	552	No adjustment
Sites with the benefit of Resolution to Grant	838	Excludes Welborne but no other adjustment
Welborne	3,090	Reduced to reflect roll-forward of 2017 Trajectory
Allocations in the Publication Plan	1755	No adjustment
Windfall Development	918	Reduced by 25% to reflect finite supply
Total Supply	**7,150**	Sum of Supply estimates
Shortfall	2,900	

*retained at 13% of unmet need for illustrative purposes absent any Statement of Common Ground

4.77 The above illustrates that with these alternative assumptions, addition land needs to be identified for some 3,000 new homes.

4.78 Even if the strategic housing requirement were calculated simply by reference to 403 dwellings per annum, there would be no contingency to take account of changing circumstances over the plan period, contrary to the assertion in the plan to this effect.

Housing Component	Dwellings	Notes
Local Housing Need 2021-2037	6,448	403 dpa
Under-supply 2018-2020	nil	N/A
Unmet need from Neighbouring Authorities*	847	No adjustment
Strategic Housing Requirement	**7,295**	No adjustment
Commitments	552	No adjustment
Sites with the benefit of Resolution to Grant	838	Excludes Welborne but no other adjustment
Welborne	3,090	Reduced to reflect 2017 Housing Trajectory
Allocations in the Publication Plan	1755	No adjustment
Windfall Development	918	Reduced by 20% to reflect finite supply
Total Supply	**7,153**	Sum of Supply estimates
Shortfall	142	

4.79 The above analysis clearly shows that Policy H1 has not be prepared in accordance with National Planning Policy, is not justified, is not effective and is not positively-prepared. Policy H1 should be amended to increase the strategic housing requirement and for this to be phrased as a minimum, and, both because of this, and necessary adjustments to assumptions about housing supply, additional housing land should be allocated for development.

4.80 In the following Section we submit that the Strategic Growth Area identified in the Local Plan Supplement 2020 should be allocated for housing development.

5 South Fareham Strategic Growth Area

5.1 In our previous representations we supported the inclusion of Strategic Growth Areas in the Local Plan. Hallam control a substantial tract of land to the South of Fareham, adjoining the Stubbington Bypass, the construction of which has recently commenced. This land, along with other parcels in this location, is identified in Figure 3.2 of the Local Plan Supplement Consultation Document as the Proposed Strategic Growth Area South of Fareham.

5.2 The justification for the allocation of a Strategic Growth Areas is evident from the preceding Section which identified a significant shortage in the amount of new housing to be provided in the Borough and the amount of future development land allocated for this purpose. Development South of Fareham could provide housing land over the plan period, both in the immediate term and continuity over the long term.

South of Fareham

5.3 Fareham is a sub-regional centre and is the main focus for facilities and services in the Borough. The town is the largest in the Borough with a population of around 37,300. It follows that development which adjoins the existing urban area will benefit from accessibility and connectivity to these facilities and services, enhancing opportunities for active travel and supporting the vibrancy and vitality of the town.

5.4 Fareham is also an important economic centre, which has developed further over recent years with the success of The Solent Enterprise Zone at Daedalus to the south of the town supported by significant investment in infrastructure improvements including improvements to Newgate Lane and the Peel Common Roundabout.

5.5 A new, mixed use masterplanned development to the South of Fareham, contiguous with Longfield Avenue, benefits from its proximity to the town centre, Daedalus, the railway station and existing local services and amenities with good access to walking, cycling and public transport links. These are locational merits that align with *Good Growth*.

5.6 Stubbington and Hill Head form a single urban area and have a population of c.14,300. These settlements have a range of services with a local centre, doctors, dentists, two primary schools, a secondary school and a community centre.

5.7 Local employment has improved with the development at Daedalus, which lies to the south east of the settlement. Development in south Fareham would delivery homes close to this economic and employment zone, providing housing for the growing workforce.

5.8 The Stubbington Bypass is being constructed to connect Gosport Road, Peak Lane and Titchfield Road. This will inevitably create an urbanising influence through the centre of the existing Strategic Gap. Development to the south of Fareham would assist in assimilating the bypass into the landscape and soften the impact of the road on the gap, beyond what could be achieved from constructing the bypass alone.

Development Potential

5.9 Paragraph 3.24 of the consultation document identifies high-level development principles and

requirements. Hallam support these intended outcomes and these have underpinned their proposals for a mixed-use masterplanned development.

5.10 Work undertaken over a long period of time has identified the suitability of the land controlled by Hallam to accommodate new development, how development can be arranged and the extent of mitigation required.

5.11 In our response to the 2019 Issues and Options consultation, we identified potential areas for development in this location and for convenience we have attached this at *Appendix 1*. Whilst this considered only land which Hallam control, we recognise that there are other smaller scale development opportunities within the general location, and that the Borough Council intend to work with landowners and site promoters to develop a Council-led masterplan which will focus on the delivery of community benefits as part of Good Growth. In this context, Hallam are committed to working with the Council and others to develop these proposals further as part of a co-ordinated approach.

5.12 A development scheme could comprise the following:

- Approximately 1,200 units
- a new healthcare facility
- a primary school
- a care home
- community hub
- local shops
- sports hub and
- Green Infrastructure to include public open space, equipped areas of play, Sustainable Drainage Systems (SuDS), tree, hedge and shrub planting, meadows, structural woodland planting, allotment gardens and permissive footpaths and cycleways.

5.13 Development would be accessed from a primary and secondary access from Longfield Avenue, along with associated improvements to the existing Long field Avenue/Bishopsfield Road junction and carriageway and a primary access from Peak Lane.

5.14 An outline planning application for such a proposed development was submitted in June 2020 and is presently undetermined.

Accessibility and Movement

5.15 The accessibility advantages of this location enables positive promotion of active travel. The proposed development will be served by an internal network of footways and access arrangements that can be utilised by both pedestrians and cyclists. The site is surrounded by Public Rights of Way (PRoW) that in turn can serve as cycle/walking connections from the site to other roads in the vicinity of the site. These will be maintained and improved in order to encourage more sustainable modes of travel as an alternative to the conventional car.

5.16 Bus based public transport is also a feasible means of sustainable travel from this location. Service provision on the route number X5 operated by First Group provides opportunity for peak commuter travel and also for off-peak travel. The scale of development proposed is

sufficient to deliver dedicated public transport coverage between the Site and key destinations that will have the frequency and reliability to attract patronage to secure long term viability. Any improvement will be discussed with the necessary stakeholders, but it is envisaged that the development will support the introduction of new services.

5.17 The Eclipse Busway - a Bus Rapid Transport scheme between Fareham and Gosport opened in 2012 providing a priority public transport route connecting the two towns. The BRT scheme provides a more efficient service using new, comfortable, low-emission buses that encourages bus travel through enhancing the bus travel experience. Using the new busway, buses are able to avoid congested parts of the highway network including A32 so that passengers can benefit from reliable journey times and can plan their onward travel connections.

5.18 A number of new highway improvements works have been implemented or are currently under construction which is intended to improve bus journey reliability, and encourage more people to switch from car travel to using the bus. This would have an effect of helping reduce traffic numbers and traffic congestion between Fareham and Gosport, including along Newgate Lane.

Nitrates

5.19 The land is located directly west of the edge of urban area that forms part of the designated Chichester, Langstone and Portsmouth Harbours Eutrophic NVZ (TraC) (Nitrate Vulnerable Zone). The land is currently predominantly arable farmland with a history of mixed crops such as wheat, barley, oats, rape etc. and break crops such as peas, winter oil seed rape and beans.

5.20 The above is recorded on a Nutrient plan detailing fertilizer types, tonnages and time applied for each individual field. The fertilizer applied during the period of record is a mix of pig and farm yard manures.

5.21 It is recognised that intense farming with fertilization with natural manures will lead to nitrate leaching into the surrounding surface water and ground water environment.

5.22 Through development of the land, the leeching of nitrates through farming activities will be curtailed. While there will be a new source of nitrate production and leachate associated with the new development, this is considered to be at worst a neutral impact and through further assessment a net reduction in nitrate leaching can be achievable.

Biodiversity

5.23 The Hallam land is divided into two areas by Peak Lane; the eastern area comprises largely of arable land with hedgerows and ditches forming the compartmentalisation typical of the surrounding arable tenure and has limited nature conservation value. The western compartment consists of a large area of set aside land, with areas of arable crops, which are bound by limited hedgerows and tree lines.

5.24 The most significant habitat is Oxleys Coppice which is designated as a SINC and an area of ancient and semi-ancient woodland (ASNW), which has been evaluated as county level conservation value. The Scheme can ensure that Oxleys Coppice is protected.

5.25 Hedgerows are mostly classified under the Hedgerow Evaluation Grade System (HEGS) as moderate and moderate/high value. Only two hedgerows are classified as 'important' under the

Hedgerow Regulations (REGS). Several drainage ditches are found through the Site but only have limited marginal and aquatic vegetation. These are classified as no more than local conservation value.

5.26 Surveys have identified the presence of a number of protected species, bats and breeding birds. Measures to safeguard these species and their habitats can readily be accommodated as part of the development proposed. The habitats created and the species which will benefit from the mitigation measures proposed in the Site will lead to an overall beneficial effect in the long term. Similarly, in accordance with the Solent Waders and Brent Goose Strategy, a financial contribution will be made to this, based on the classification of land's suitability for supporting such species.

5.27 The Solent & Southampton Water Ramsar/SPA, which also includes Titchfield Haven SSSI, is approximately 700m from the Site. Portsmouth Harbour Ramsar/SPA/SSSI is located approximately 1.3km to the east of the Site at its nearest point, which also support a variety of habitats and an assemblage of dark-bellied brent geese. The Solent Maritime SAC extends from the River Hamble mouth up to Botley in the west, this is approximately 4.7km west of the Site.

5.28 There is the potential for a Likely Significant Effect on the Solent SPAs from an increase in recreation from new housing development within a 5.6km zone of influence of the Solent. As a result, an Interim Solent Recreation Mitigation Strategy was published in 2014 to enable initial mitigation measures to be placed, so LAs could continue to grant permission for new homes. The strategy has been updated to form the basis for future new housing up to 2034, with the Bird Aware Solent Recreation Mitigation Strategy (2017).

5.29 As this Site falls within the established zone of likely significant effect (5.6km), a HRA/AA will be required by the LPA; however a site specific Test of Likely Significance will be provided to facilitate the LPA assessment. The mitigations measures required to facilitate the Proposed Development will see a financial contribution provided for the in-combination effects on the Solent SPA, with additional bespoke mitigation provided within the Site to mitigate for the alone effects.

5.30 The details of bespoke mitigation are to be discussed with Natural England. Current proposals will include an area of County Park/Green Infrastructure to the west of Peak Lane, measuring approximately 23ha, which will include a circular walk, car park and habitat features to provide point of interest, as well as safe areas for dogs to be exercised off the lead. Alternative areas of GI will be provided around the main residential areas to the east of Peak Lane, here approximately 32ha will be provided, which will incorporate recreational opportunities and areas of biodiversity net gain.

5.31 The mitigation measures provided within the Site will ensure that there are no likely significant effects on the Solent alone and in-combination with other schemes within Fareham.

Strategic Gap

5.32 The current Core Strategy designates land between Fareham and Stubbington as a Strategic Gap. This follows such a designation being contained within earlier Development Plans; Settlement Gap policies in Hampshire date back at least 30 years when they were included within the South and Mid Hampshire Structure Plans (1988 and 1989). They were carried forward into the Hampshire County Structure Plan 1994 and the Hampshire County Structure

Plan 1996-2011. Consequently, with each new development plan needing to make provision for current and future development needs, the role and function of gaps need to be considered having regard to up to date circumstances.

5.33 The Borough Council has now commissioned a new assessment of its Strategic Gaps. Whilst there are reasons why a Gap Policy should be retained, the assessment that relates to the Gap between Fareham and Stubbington rightly identified that not all of the land currently subject to that designation serves an integral purpose to retaining separation between the settlements to protect their identifies. As described earlier, this new assessment concludes that land south of Longfield Avenue, west of HMS Collingwood can accommodate new development without significant adverse impact on the integrity of the Gap. Such a conclusion is similar to the assessment undertaken by Hallam previously.

Summary

5.34 Hallam support the identification of the Strategic Growth Area to the South of Fareham and have identified a development scheme that achieves the high-level development principles and requirements set out in the consultation document.

5.35 Importantly, development in this location can be brought forward that provides new homes, associated community and commercial facilities within an overall scheme that provides accessible green infrastructure and open space that will enable residents and visitors to experience a high quality of life and well-being. The accessibility of this location can be capitalised upon with investment in new sustainable and active modes of travel. By locating new development here, valued landscapes and natural environments will be preserved.

5.36 The merits of this location are substantial, and carefully planned development will not result in the coalescence of Fareham and Stubbington and the separate identities of these settlements can be retained.

5.37 As such, the allocation of land at South Fareham in the Local Plan for future development is considered wholly appropriate.

6 Policy NE5 and Policies Map

6.1 The Policies Map includes designations relating to Waders and Brent Geese and are associated with Policy NE5. This designation covers four categories of land – Core and Primary Support Areas, Secondary Support Areas, Low Use Areas and Candidate Areas.

6.2 The extent to which the land concerned is used by Waders and Brent Geese, particularly beyond the Core Areas, is transitory and can differ from time to time as a consequence of changes in agricultural practices (for example, arable land with wintering cereals provides an optimal foraging resource, whereas when this is replaced / succeeded by grassland habitats its function can change, which could affect species assemblages and regularity it is used. Changes in land use also promote further recreational uses which is the case for areas west of Peak Lane) or changes to the extent of the built environment (for example newly built structures, such as the Stubbington Bypass, will change the suitability of a location in proximity to it as a receptor). Therefore, to delineate these areas in the manner shown on a Policies Map, which affords permanence to the designation, fails to take account of the potential changes in circumstance and is not sound as a matter of principle.

6.3 The practical effect of this is that Policy NE5 directs the decision-maker to consider development proposals against the criteria listed therein and the status of the land by reference to the designations shown on the proposals map, which may at that point in time no longer be up-to-date or relevant.

6.4 Through Hallam's work in respect of the land to the South of Fareham, and through discussion with Natural England, it has identified a different classification to that shown on the Policies Map for certain of those parcels of land, as shown on *Appendix 2*. This illustrates how the application of Policy NE5 could misdirect the decision maker.

6.5 On this basis, these designations should not be shown on the Policies Map in the manner they are presently.

6.6 A more generic designation such as Areas of Waders and Brent Geese Sensitivity, which does not classify individual land parcels, would be more appropriate.

6.7 It would follow that Policy NE5 would be amended to require planning applications to assess and determine the use of land subject to those development proposals and at that point, when an up to date classification has been determined, the criteria and mitigation in Policy NE5 would apply.

7 Summary

7.1 These Representations have been prepared on behalf of Hallam Land Management Limited (Hallam), who control a substantial tract of land to the South of Fareham, adjoining the existing urban area and Stubbington Bypass, the construction of which has recently commenced.

7.2 This land was identified in the Local Plan Supplement 2020 as a potential Strategic Growth Area. Whilst the Regulation 19 Plan does not propose to carry forward the South of Fareham Strategic Growth Area, as is evident from these representations the need for such an allocation has not diminished.

7.3 The consultation document rightly identifies the Borough Council's commitment to meet the Borough's housing need by the end of the plan-period. This is plainly aligned with the NPPF and the Government's objectives. What is notably absent from the Vision and Strategic Priorities, is the recognition that Fareham is important in a sub-regional context and was previously intended to provide significant development land at Welborne to meet wider needs.

7.4 Policy H1 is not founded on a sound basis. In preparing and publishing this Regulation 19 Plan, the Borough Council has afforded greater weight to a potential revision to the Government's Standard Method and has disregarded the published and established measure of local housing need which has underpinned its work to date. Unless and until the Government publish a revision to the Standard Method, this version of the Plan cannot be submitted for Examination as it is plainly unsound. The Borough Council recognise this from its Committee Papers.[8] This is nothing other than a "wait and see" Plan.

7.5 Only if the Standard Method is published in the same final form will the Plan be able to proceed – there is no indication if or when the Government intend to complete this exercise given the significant scrutiny it has attracted.

7.6 A more positive approach would have been to retain the higher level of housing as the basis of the Plan to provide surety over a long term with policy measures to manage housing supply in the event the level of local housing need was reduced. Unfortunately, the Council hasn't considered this as an option or a reasonable alternative in the Sustainability Assessment.

7.7 Even in the event the proposed revision to the Standard Method were confirmed as the Plan assumes, there is little if any evidence of a cogent understanding of the level of unmet need across neighbouring authorities. There is no apparent evidence of effective co-operation to justify the contribution the Plan proposes to unmet need.

7.8 Moreover, the Council hasn't applied its mind to the level of housing that been achieved since the Standard Method was introduced at the start of the plan making process and the date the plan is to be adopted. Viewed objectively, housing completions over that three year period were below the level of local housing need and this shortfall, which is part of a much greater shortfall when compared to the Core Strategy's housing intentions, should be accounted for.

7.9 Turning to housing supply, the assumption that Welborne will provide 4000 new homes within the plan period is not founded upon evidence previously produced by the Council and the level

[8] Executive Briefing Paper 12th October 2020, para 12

of housing output assumed is at a level the Council previously considered unrealistic.

7.10 The windfall assumption drawn simply from past trends has not justified why this is a source of future supply. Uncertainties also exist in relation to a number of the proposed allocated sites because of landownership, extent of existing uses and location.

7.11 For all of the above reasons, the Plan's approach to housing will fall short of its Vision and Strategic Priorities. Policy H1 has not be prepared in accordance with National Planning Policy, is not justified, is not effective and is not positively-prepared. Policy H1 should be amended to increase the strategic housing requirement and for this to be phrased as a minimum, and, both because of this, and necessary adjustments to housing supply, additional housing land should be allocated for development.

South of Fareham

7.12 Fareham is a sub-regional centre and is the main focus for facilities and services in the Borough. It follows that development which adjoins the existing urban area will benefit from accessibility and connectivity to these facilities and services, enhancing opportunities for active travel and supporting the vibrancy and vitality of the town. Similarly, Fareham is an important economic centre, including the Solent Enterprise Zone at Daedalus to the south of the town.

7.13 It is considered that development to the south of Fareham would be in a sustainable location, with good access to walking, cycling and public transport links, as well as local services and amenities. This location adjacent to the existing urban area creates a good opportunity for a natural and sustainable extension to the urban area. Development in south Fareham would delivery homes close to the an important source of new employment and jobs at Daedalus.

Strategic Gap

7.14 The current Core Strategy designated land between Fareham and Stubbington as a Strategic Gap.

7.15 The Borough Council has now commissioned a new assessment of its Strategic Gaps. Whilst there are reasons why a Gap Policy should be retained, the assessment that relates to the Gap between Fareham and Stubbington rightly identified that not all of the land currently subject to that designation serves an integral purpose to retaining separation between the settlements to protect their identifies. This new assessment concludes that land south of Longfield Avenue, west of HMS Collingwood can accommodate new development without significant adverse impact on the integrity of the Gap. The delineation of the Strategic Gap on the Policies Map should be amended accordingly.

Proposed Modifications

7.16 The following Modifications are considered necessary for the Local Plan to be sound:

7.16.1 The minimum housing requirement in Policy H1 to be defined by reference to the existing Standard Method;

7.16.2 The housing requirement be increased further to take account of the low level of completions from 2018 onwards compared to the level of local housing need;

7.16.3 The level of unmet need that is accommodated be based on constructive, active and on ongoing engagement with neighbourhing authorities;

7.16.4 Assumptions about the delivery of new housing at Welborne be revisited and revised down;

7.16.5 The windfall allowance be revised down;

7.16.6 Alternatively, to 6.16.4 and 6.16.5 the level of contingency be increased;

7.16.7 Additional housing allocations be provided for;

7.16.8 Land South of Fareham is allocated for housing development; and

7.16.9 Separate from the allocation of land South of Fareham, the boundary of the Strategic Gap south of Longfield Avenue and west of HMS Collingwood is amended so as not to include the land identified by the Borough Council's *Technical Assessment* that is not considered integral to the Gap function.

7.16.10 The designation associated with Waders and Brent Geese on the Policies Map should be altered with consequential changes to Policy NE5.

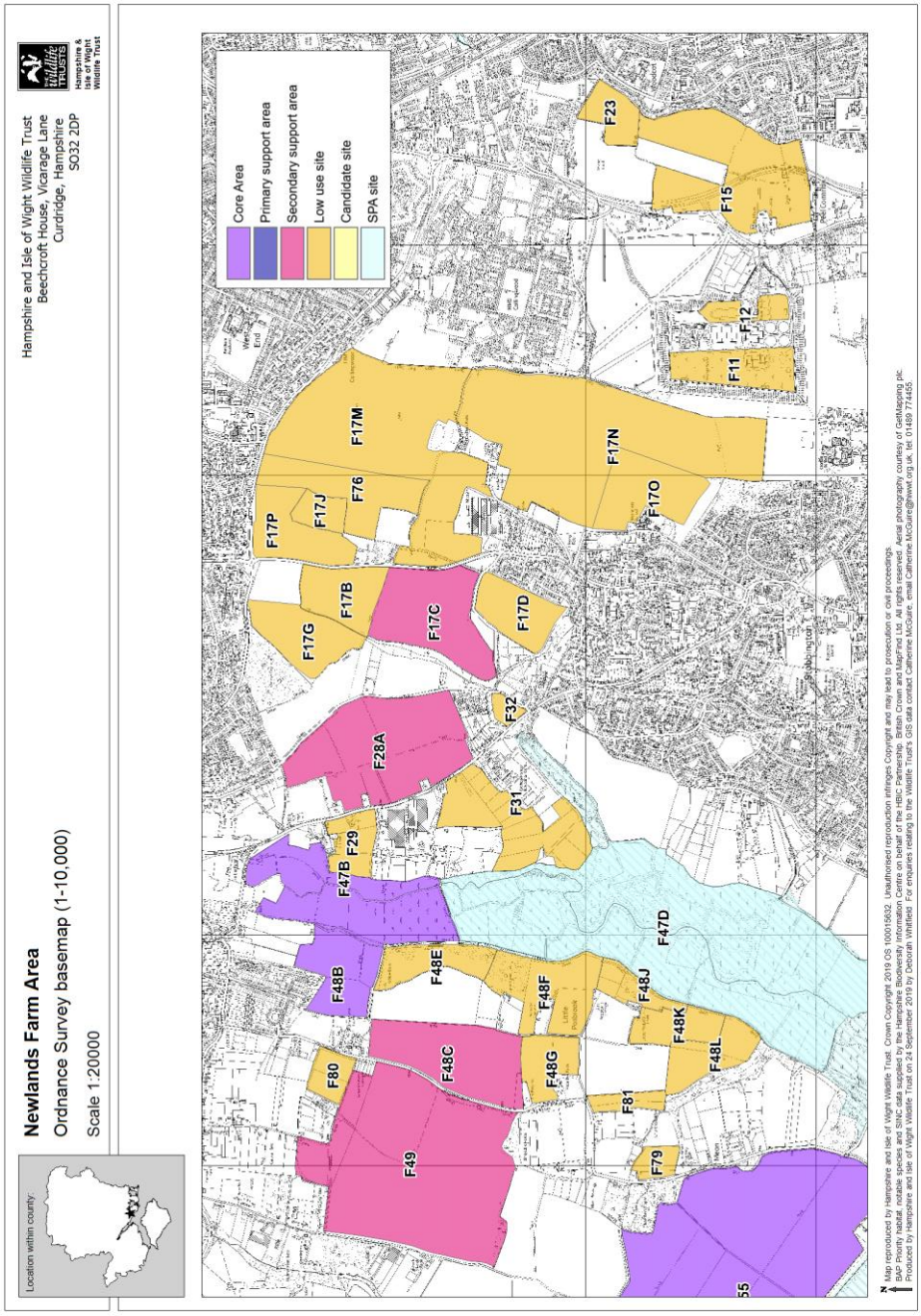
LRM Planning Limited
15th December 2020

Appendix 1: **Alternative Housing Delivery Trajectory at Welborune**

Delivery Year	Year	Dwellings Per Annum	Cumulative Completions	Further Information
1	2016/17	0		Outline Planning Application submitted
2	2016/17	0		
3	2017/18	0		
4	2018/19	0		
5	2019/20	0		Resolution to Grant October 2019
6	2020/21	0		
7	2021/22	0		Outline Planning Permission to be Granted
8	2022/23	0		Anticipated Reserved Matters Applications for Phase 1
9	2023/24	0		Anticipated commencement of Phase 1 Site Works
10	2024/25	140	140	Anticipated first housing completions
11	2025/26	200	340	
12	2026/27	250	590	
13	2027/28	250	840	
14	2028/29	250	1090	
15	2029/30	250	1340	
16	2030/31	250	1590	
17	2031/32	250	1840	
18	2032/33	250	2090	
19	3033/34	250	2340	
20	2034/35	250	2590	
21	2035/36	250	2840	
22	2036/37	250	3090	By 31st March 2037 3090 dwellings are expected to be completed

Based on assumptions in FBC Background Paper: updating the Welborne Plan (October 2017)

Appendix 2: Newlands Farm Wader and Brent Geese support habitat



Representations | Barrie Webb

1812-562246

Respondent details:

Title:	Mr
First Name:	Barrie
Last Name:	Webb
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policy: TIN1 - Sustainable Transport

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Reference Transport and other infrastructure Sustainable Transport Para 10.1 A convenient, efficient, resilient and safe transport network within the Borough is vital in supporting residents, businesses and visitors to the Borough, and to the wider economy of the Solent area. Para 10.3 Ensuring convenient cycling and walking networks which contribute towards a modal shift away from less sustainable modes of travel, providing genuine alternative options to the motor car; Policy TIN 1, para 10.5 “Applications should be supported by a Travel Plan.....” I believe the above ambitions will not be met by the LCWIP (yet to be published) therefore I consider that this element of the Fareham Local Plan is not sound. • The available information on the LCWIP contained in the Local Plan Strategic Transport Assessment document, Fig 3-5 Draft LCWIP proposed cycle network, appears to show a network of on road cycle routes. Cycling Weekly (and my own experience) cites sharing the road with lorries, the threat of being passed too close by vehicles and poor road surfaces were the top three factors putting people off cycling. https://www.cyclingweekly.com/news/lorries-close-passes-biggest-deterrents-putting-people-off-becoming-cyclists-poll-concludes-381743 • The only new walking and cycling infrastructure is The Delme to Downend Bus and Cycle TCF scheme comprising the Northern footway widened to create a SUP between St Catherine’s Way and Downend Road signalised junction; a distance of 213m to be precise • Travel plans for local developments have been poor and misleading with regard to the local walking and cycling infrastructure. • An example of this is shown in this document https://1drv.ms/b/s!AnQ00_4OgfUqvETtPfc9i2KADWu6?e=ldNGgp with further supporting evidence here, item 88,Phil Jones Associates (ATR0099) https://publications.parliament.uk/pa/cm201719/cmselect/cmtrans/1487/148713.htm para 3. I have no wish to comment on whether or not this element of the plan is Legally compliant or complies with the duty to co-operate. However, a box needed to be ticked to progress.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Unable to comment as the LWCIP has not been published

How would the modification(s) you propose make the Local Plan legally compliant or sound?

NA

Your suggested revised wording of any policy or text:

NA

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Keely, Lauren

From: Alan Mayes [redacted]
Sent: 21 November 2020 23:16
To: Consultation
Cc: Alan Mayes
Subject: Fareham local plan should include a new railway station at Welborne

Follow Up Flag: Follow up
Flag Status: Completed

I reiterate my previous comments in the email below. The building of a new railway station on the Western edge of the Welborne site is relevant for the whole of Fareham, not just for Welborne. People in existing housing in North Fareham would be able to use this new station at Welborne including by walking and cycling along the Deviation Line footpath and cycleway.
I support the railway developments proposed and supported in the attached documents

https://www.networkrail.co.uk/wp-content/uploads/2020/07/Solent-Connectivity-Continuous-Modular-Strategic-Planning.pdf
https://democracy.portsmouth.gov.uk/documents/s28560/TT%2029%20Oct%2020%20-%20Solent%20Rail%20CMSP%20report.pdf
https://democracy.portsmouth.gov.uk/ieListDocuments.aspx?CId=176&MId=4572
Decision:
1. Noted the contents of this report
2. Endorsed the CMSP recommended train service specification:
Portsmouth – Southampton: additional 2 trains per hour giving 4 trains per hour; and
Portsmouth – Eastleigh: additional train per hour giving 2 trains per hour.
3. Supported in principle the following CMSP recommended infrastructure measures that will be required in Portsmouth to facilitate the new services:
Agreed the reinstatement of track in platform 2 at Portsmouth Harbour station, bringing the platform back into use; and/or
Agreed the provision of an additional platform at Portsmouth and Southsea station, adjacent to the low-level platforms 3 and 4.

as high quality improvements to public transport services and supporting infrastructure in the Sustainable Transport policy on page 222 of the Fareham Local Plan 2037 as the proposed and supported more frequent train services from Portsmouth to Eastleigh and to Southampton would also serve Portchester, Fareham, Swanwick Stations and a new station at Welborne and provide these stations and Fareham residents with a greatly improved train service to key destinations including Portsmouth, Southampton, Eastleigh and Winchester. The infrastructure improvements in Fareham include making Fareham Station bay platform 2 a through platform, replacing the railway bridge over the A27 immediately South of Fareham Station and conversion of the single track line from Botley Station to Fareham Tunnels to double track. This double tracking of the line would also require a two platform station to be built at Welborne.

Alan Mayes
[redacted]

From: **Local Plan Consultation** <LocalPlanConsultation@fareham.gov.uk>
Date: Wed, Feb 26, 2020 at 11:27 AM
Subject: RE: Fareham local plan should include a new railway station at Welborne
[redacted]

Thank you Alan. I have added your response to the local plan consultation.

Kind regards,

Christine Munday
Policy and Engagement Officer
Fareham Borough Council
01329824335

Fr[redacted]
Se
To >
Co
Subject: Fareham local plan should include a new railway station at Welborne

The Fareham local plan should include a new railway station at Welborne. This is essential to take enough traffic off the roads in Fareham to avoid severe road traffic congestion. A bus service will not achieve the necessary modal shift to public transport. If people can walk to and from the railway station in Welborne and only have to buy a rail ticket they will take the train. If people have to spend time and money travelling by bus to Fareham Railway Station to take the train they will drive and we shall have severe road traffic congestion in Fareham.

Alan Mayes

[redacted]

Portsmouth CITY COUNCIL

Planning Policy,
Planning and Economic Development

Portsmouth City Council
Civic Offices
Guildhall Square

Gayle Wotton,
Planning Strategy Manager
Civic Offices,
Civic Way,
Fareham,
PO16 7AZ

[redacted]

Ref:

17 December 2020

Dear Gayle,

Re: Fareham Borough Council - Local Plan 2037: Portsmouth City Council response

Thank you for consulting Portsmouth City Council on the emerging Fareham Local Plan. The City Council would like to make the following comments:

Approach to Housing Need

1. While the Fareham Borough Council's (FBC) 'Regulation 19' Publication Plan has been out to consultation the Government has announced a revised standard methodology for assessing local housing need, following the *Changes to the current planning system* consultation published in August 2020. For both Fareham and Portsmouth this results in the previous standard method numbers being retained (514 and 855 per annum respectively[1]) rather than the proposed lower figures put forward for consultation by Government in August (estimated to be 403 and 730 per annum respectively). The development strategy proposed by the Reg 19 verison of the Fareham Borough Council Local Plan 2037 is based on the 420 per annum figure.

2. Portsmouth has a finite capacity to accommodate new development due to its geographical constraints; changes to Portsmouth's housing target are therefore directly reflected in the cities unmet housing need. Paragraph 4.5 of the FBC's Publication Plan references the City Council's formal request for Fareham to accommodate 1,000 dwellings of Portsmouth's unmet need; Fareham's contribution in its housing supply for the plan period of 847 dwellings to the unmet need of all neighbouring authorities' is noted and welcomed. However, under the December 2020 methodology, the City Council has a total unmet need of over 3,000 dwellings. The City Council would therefore wish to maintain the request to FBC to potentially accommodate up to 1000 dwellings as a portion of Portsmouth's unmet need. The City Council is also conducting other Duty to Cooperate discussions on the matter

[1] MHCLG *Indicative local housing need* (December 2020 revised methodology) available from: https://www.gov.uk/government/consultations/changes-to-the-current-planning-system

with neighbouring authorities in the Portsmouth Housing Market Area. Gosport and Havant Borough Councils have both indicated capacity limitations. However, the City Council recognise that the distribution of housing need is broader than the PCC and FBC authority areas, and will require consideration and co-operation at the sub regional scale.

3. In response to FBC's previous Local Plan consultation (Local Plan Supplement, March 2020), the City Council welcomed the proposal for two Strategic Growth areas (North of Downend, and South of Fareham) in Fareham Borough's Local Plan, which were indicated at that time as having the potential to meet unmet development needs from the Borough's neighbouring authorities. The City Council indicated that North of Downend would be particularly suitable for accommodating unmet need from Portsmouth given its closer geographical proximity to the city and transport links via the M27/ A27, Portchester railway station and the proposed Bus Rapid Transit (BRT) line.

4. The Publication Plan has not taken the two Strategic Growth Areas forward, due to the anticipated reduction in FBC's housing target from Government. Given the potential revision in housing need targets (published 16.12.20), this would justify FBC's reconsideration of the inclusion of such sites to help meet FBC's housing need and well as unmet need from other neighbouring authorities in the Portsmouth Housing Market Area, including PCC.

5. PCC and FBC will continue to work collaboratively to address strategic planning matters, both through the Partnership for South Hampshire (PfSH) and, where necessary, on a bilateral basis. The PfSH authorities' are currently undertaking a piece of work (as part of the review of the 2016 Spatial Strategy) to identify sufficient suitable sites to accommodate unmet housing need across the sub region, with specific focus on Housing Market Areas. This will include ensuring there are sufficient sites in the Portsmouth Housing Market Area (which contains both Portsmouth and a large part of Fareham). The City Council welcome the inclusion of land at Down End and development in part of the Stubbington Gap in the PfSH Strategic Development Opportunity Area work as part of the range of strategic site options being considered. The City Council supports the specific reference to the on-going joint work with the PfSH authorities in paragraph 1.3 of the Plan.

Employment

6. In regard to employment, Portsmouth and Fareham's authority areas' form part of a wider market area, with commuters moving between the city and the surrounding towns including Fareham and the M27 corridor. PCC supports the allocations for employment land in Policy E1: Employment Land Provision, particularly the sites at Daedalus which of sub-regional importance to the local market.

7. The City Council would encourage HBC to consider how the Local Plan could help to resist the loss of employment space (e.g. a future Article 4 Direction), as well as the loss of other allocated uses that fall under Use Class E where necessary. If allocated employment land is lost to residential uses this could lead to an increase in unsustainable travel patterns and greater pressure on the wider area. We would welcome further discussion with FBC, and other Councils in Portsmouth Housing Market area and/ or PfSH area, on this matter to establish a common approach.

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Portsdown Hill

8. Portsdown Hill is an important part of the landscape in South East Hampshire, for its open space, landscape and heritage value as well as the views of and from the hill. The City Council supports the identification of Portsdown Hill as an Area of Special Landscape Quality under the FBC Publication Plan Policy DS3, and notes the evidence produced to support the allocation in the *Technical Review of Areas of Special Landscape Quality and Strategic Gaps* (Sept 2020).

9. The City council would welcome any further opportunities for joint working on the strategic approach to Portsdown Hill, together with Winchester District Council and Havant Borough Council, including as a consultee on development proposals.

Environment

10. The City Council welcomes the inclusion of NE1 - Protection of Nature Conservation, Biodiversity and the Local Ecological Network, Policy NE6: Trees, Woodland and Hedgerows, Policy NE9: Green Infrastructure which together help protect key species and habitats and promote green space coverage within south Hampshire.

11. Portsmouth are currently developing a green infrastructure network for the city, including the identification of a number of existing and proposed 'green corridors' to link up open spaces across Portsmouth, encourage active travel, enhance biodiversity and support resilience to climate change. A first draft of the proposed network was published in PCC's Green Infrastructure Background paper in February 2019; it includes the identification of several potential 'green corridors' that would meet the boundary with Fareham's authority area: Portsdown Hill Road and Southampton Road (A27). The City Council would welcome any discussion on how these proposed corridors could be extended beyond the City Council area, and/ or support for these linkages in the FBC Local Plan if possible. The identified ecological network opportunities (shown the map in Appendix C of the Publication Plan) along Portsdown Hill Road and the A27 within the FBC authority area are noted.

12. The City Council is committed to continuing to work with FBC and the other members of the PfSH Water Quality Working Group as necessary on short, medium and long term 'nutrient neutral' mitigation solutions for housing development within the Solent catchment. Current discussions indicate that mitigation solutions are likely include the identification and securing of suitable off-setting land in the Solent catchment, predominately outside the Portsmouth urban area.

13. The City Council is also mindful of the likely forthcoming requirement to provide at least 10% biodiversity net gain on development sites, as part of the anticipated Environment Act. While the City Council is currently undertaking further work to explore how such requirements could be effectively applied within an urban environment and to identify off-site opportunities for biodiversity creation and/ or enhancement within the city, there is the potential for a shortfall in net gain provisions (subject to the final provisions of the Environment Act) within the plan period. Securing land for nitrate mitigation presents one such opportunity to seek multiple environment benefits for the sub region (biodiversity net gains, carbon off-setting, Suitable Alternative Greenspaces (SANGs) for recreational disturbance,

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habitat compensation of coastal defence schemes etc). The City Council are committed to furthering these discussions with Fareham BC and the other PfSH authorities on this matter, and to consider the potential for environmental off-setting on both a sub-regional and a site by site basis as appropriate.

Education

14. The City Council continues to maintain close links with Hampshire County Council as Education Authority due to cross border pupil movement. Development in close proximity to the FBC and PCC authority borders can impact the availability of school places across authorities. The timing and size of development should therefore be closely monitored to ensure the continued availability of school places during the life of both Local Plans.

Transport

15. The City Council welcomes the reference in paragraph 10.3 of support for proposals that promote sustainable transport links through Fareham Borough to Portsmouth and Southampton. The city also supports the reference to the development of the rapid transit networks between the two authorities and linking to others in the sub region in paragraph 10.20.

If you wish to discuss any of the matters raised in our response, please do not hesitate to contact me.

Kind regards,

Rachel Cutler

Acting Planning Policy Manager

[redacted]

DRAFT

Representations | Roy Roberts

412-402041

Respondent details:

Title:	Mr
First Name:	Roy
Last Name:	Roberts
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policies map: HOUSING ALLOCATIONS (HA1, HA3-4, HA7, HA9-10, HA12-13, HA15, HA17, HA19, HA22-24, HA26-44)

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

The plan does not take into account accumulative impacts on infrastructural elements impacted by surrounding authorities such as Winchester council with 3000 houses fronting up the existing non motorway local road system to the proposed warsash development of 900 houses which is land locked served only by the warsash road and Brook lane/barnes lane feeding up to the A27 to confront traffic from winchesters whiteley area.. Today this is an area of frequent congestion and any further traffic density will bring an unacceptable condition for quality of life. Warsash road is also currently heavily used for access to warsash areas. other proposed areas including sovereign crescent and hunts pond road will exacerbate the situation. The plan under estimates peoples desire to move about freely with available methods of transport almost 100% car. Alternative methods of transport for day to day living quoted such as cycling and walking are fanciful and remain largely recreational only in suitable weather. Available Public transport capability comes way down the list for the means to transport large numbers of people around. some years ago there was proposed tramway system to serve this area. It never materialised. This area comprising of lock heath warsash titchfield titchfieled common and park gate is already as can be confirmed by todays current situation evidence is descending into a city type housing density without the necessary transport infrastructure. with corresponding deterioration in quality of life. As an example due to the incessant drone of traffic from the A27 I cannot sleep with my bedroom window open. That is what I mean by 1 aspect of degradation in quality of life . The current situation with other infrastructural elements medical schooling etc are already having to modify to try and accommodate increasing population. for example my surgery has had to combine with others to try and spread the load with consequential increase in times to finally reach doctor appointment stage. I see no measure in the plan of what proposed housing developments will do to our quality of life. For this reason I find the plan flawed.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

raise extensive communications with surrounding authorities to establish the real cumulative effect on infrastructual elements of the area. Pressure those authorities to stop large scale development until infrastructal degradation can be halted. Therefor housing development in the areas should be confined to much lower numbers.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It addresses the case of insufficient study on the effects of cumulative development and of insufficient consideration to peoples quality of life .

Your suggested revised wording of any policy or text:

none specific

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

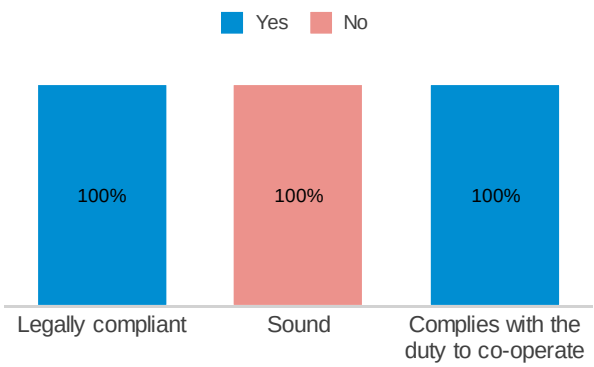
Please outline in the box below why you consider it necessary to take part in the hearing session(s):

It is not clear from this question if a member of the public will be allowed to speak at such hearings. if So this is why i consider it necessary to present my case with further examples

Paragraph | 10.3

2 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	2	2	2
Yes	2 100%	0 0%	2 100%
No	0 0%	2 100%	0 0%



Respondent: Mr Robin Webb (212-421914)

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Transport and other infrastructure. para 10.3 . The plan gives insufficient attention to 'accessibility improvement' or 'management of network congestion', particularly in respect of the Warsash peninsular and the effects of HA1 and HA6 in their contribution of traffic associated approx 950 new homes which will aggravate the already serious congestion faced by car (and bus) passengers attempting to reach the A27 or the M27 in peak periods. These policies attracted hundreds of reasoned objections, mostly about transport and local facilities in the 2017 consultation. In the current plan, however, these allocations seem unchanged. They are in evident conflict with plan statements with regard to Transport and Other Infrastructure (10.3) on ‘accessibility improvement’ and ‘management of network congestion’. The bullet list of road improvements at para 10.15 does include improvements to Warsash/Abshot Road but neither of these appear to be of relevance to the problems of A27 or M27 access. The plan (para 11.10) states that ’Development should avoid being in a place that is dominated by vehicle access and movement priority’. However, out-of-scale development (HA1 & 7 again) will generate vehicle access and movement priority by further extending the existing commuter and school access traffic jams . The plan is therefore internally inconsistent.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

The plan should either include a plan or priority statement making introducing significant improvement to roads connecting the Warsash peninsular to the A27 and M27 or, alternatively and preferably, drastically reduce the housing allocations at HA1 and HA7.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

See above

Your suggested revised wording of any policy or text:

See above

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Respondent: Ms Lesley Goddard (1812-381727)

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

No indication of how these networks will come about - what mechanism will stop ever more private road users have a negative impact on us all when we are pedestrians, cyclists or public transport users

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Give examples of how this will come about

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Give examples of how this will come about

Your suggested revised wording of any policy or text:

Give examples of how this will come about

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Representations | Lesley Goddard

1812-381727

Respondent details:

Title:	Ms
First Name:	Lesley
Last Name:	Goddard
Job Title: (where relevant)	Teacher
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: 9.11

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

I think this is too weak, and too open to interpretation " if it cannot be avoided" (which it always can by not doing the development) Should this not give examples of when “it cannot be avoided” and when “a last resort” comes into play? otherwise ordinary people without legal representation can't be able to make themselves heard against large developers with paid legal and PR PS this form asks me to judge whether a paragrpah is legally compliant and complies with duty to cooperate - I wanted to leave this blank but I had only the choice of yes or no - but my real choice was "I'm not sure"

What modification(s) is necessary to make the Local Plan legally compliant or sound?

I don't think this is sound as the wording is too weak and doesn't give examples of what "cannot be avoided" and "as a last resort" mean. Therefore, it is an open invitation to saying "this can not be avoided"

How would the modification(s) you propose make the Local Plan legally compliant or sound?

see above

Your suggested revised wording of any policy or text:

see previous answer

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

2) Policy: NE2 - Biodiversity Net Gain

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

It should be readily visible to people where the 10% gain is - so display at both the development and the net gain - and where people can contact the developer. Then e.g. if the cycle and pedestrian space opposite Crofton school remains locked for over a year later, or many of the newly planted trees have died due to lack of care it is clear who to complain to and who to copy in to within the council

What modification(s) is necessary to make the Local Plan legally compliant or sound?

see below

How would the modification(s) you propose make the Local Plan legally compliant or sound?

see below

Your suggested revised wording of any policy or text:

At the development (and mitigation site if different) the developer should display details of the "10% gain" and contact details in case of a problem arising with use. Similarly suitable fines should be written within the contract - and money set aside in case of non-compliance

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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3) Paragraph: 10.3

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

No indication of how these networks will come about - what mechanism will stop ever more private road users have a negative impact on us all when we are pedestrians, cyclists or public transport users

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Give examples of how this will come about

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Give examples of how this will come about

Your suggested revised wording of any policy or text:

Give examples of how this will come about

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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4) Paragraph: 10.8

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

"reasonable choice" must include "reasonable expected duration"

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Duration of expected time to travel to key locations needs to be included by all modes of travel - a development need to show it will decrease time to take public transport/cycle/walk relative to car travel as currently needed in nearest neighbour. This would put the onus on developers to fund the modal shift improvements.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

see above

Your suggested revised wording of any policy or text:

see above

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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5) Paragraph: 10.1

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

exclude "road junctions" from the options available

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Elsewhere you say that "road junctions" is not enough - so exclude it from this section

How would the modification(s) you propose make the Local Plan legally compliant or sound?

see above

Your suggested revised wording of any policy or text:

Can we not say something stronger e.g. developments which don’t allow car parking / encourage car share and cycle/walking are to be encouraged but those which make journeys by car the most likely outcome are not to be allowed?

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

---

6) Policy: CC1 - Climate Change

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

This is insufficient "supporting energy efficiency" rather than requiring energy efficiency is far too weak. No new development should be allowed which isn't carbon neutral.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

see below

How would the modification(s) you propose make the Local Plan legally compliant or sound?

see below

Your suggested revised wording of any policy or text:

remove "supporting energy efficiency" and replace with "requiring energy efficiency" - and state what this means in terms of heat loss

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

I'm very disappointed at the lack of "teeth" of this policy - it sounds nice but it won't make any difference to what developers do. Passiv houses have been being built since the 1990's that's 30 years of design experience. Developers never introduce extra insulation through being asked nicely - but insist on it, and it becomes industry norm within months.

Keely, Lauren

From: David Mugford [redacted]
Sent: 29 November 2020 19:47
To: Consultation
Subject: Fareham Local Plan 2037

Follow Up Flag: Follow up
Flag Status: Flagged

For Fareham Planning Department.

I must first recognise how much thought and work has gone into the Plan, and it reads well. Congratulations to the authors, who know their subject in such detail. Most of it I agree with, without reading every word, but comments have been invited.

Strategic Priorities. Para 2.21 (5). I think a vibrant future for the town centre might be positive with increased housing, ie FTC1, FTC2 and FTC6, but all these developments remove some existing parking space, or add to a car parking problem. If there is no new parking, where will out of town shoppers park their cars? Perhaps hidden within the text is an assumption that FBC can do nothing to halt changes to the retail trade: from increased IT shopping, click and collect, and the demise or closure of retail chains and local businesses. This was happening before the Covid19 outbreak, but has become much worse. So will people come from outlying communities like Stubbington, as they will not be able to buy what they want in Fareham anyway. I believe FBC will have to consider lowering business rates to counter balance lower footfall, or give help with high rents to encourage more local shops and businesses. Maybe entertainment options might bring some life to the centre. Whiteley is the main shopping centre for Fareham now, which unfortunately comes under Winchester. I would suggest that para 2.21 needs greater vision if the town centre is to survive, albeit in a different form than today.
Strategic Gap. Para 3.9 and 3.10. Para 3.9 reads positively, but 3.10 says 'a redefinition' does not preserve the size or shape of the existing. This is reinforced when read in conjunction with para 3.44 'spatial definition tightened', and 'redrawing boundaries' in para 3.46. I fear for the future of Strategic Gaps when referring back to Strategic Growth Areas in para 3.20: are these potential new SGAs, or a yet again redefinition of Strategic Gaps? My confidence in the existing SGs being retained is seriously diminished, and these conflicting phrases do not create trust in the FBC future decision making on this topic.
On this same topic of the boundaries of the Meon SG, I would greatly appreciate having or seeing a map of the Meon SG area, as my house backs on to open fields looking west to the river. This would help me to comment on any future development submission which involves land on the east side of the river along Old St and further north to Titchfield Road. Thank you.
Housing Allocation Policy HA3. What will happen to the existing business within this development outline?
Housing Allocation Policy HA41. I read this with interest, as it is local to me. A very interesting development, original thinking. But where will the residents park their cars without denying existing shoppers? And how will they be able to recharge batteries as there is no parking at the back of the existing building?
Employment. Two development sites are on Solent airfield, and the third at Whiteley. None of these is served by any form of public transport, so private transport will be essential. Does this fit with climate change? Or is it assumed e-vehicles of one sort or another will be commonplace after 2037? But in the meantime? Any thought about discussing new or revised bus routes with the bus companies?
Air Quality and Transport. Reading these as a current and topical issue worldwide, the policies read well, yet I feel quite strongly that there is something the FBC can do (other than address the issue for future planning applications) to reduce existing levels of pollution. Why not plan for the Strategic Gap between Fareham and Stubbington/Hill Head/Lee to be heavily planted with trees in the spaces between the new by-pass and existing dwellings to lower Co2 levels? This would help the environment, nature, keep communities separate, provide recreation space for good mental health, and improve air quality, all in the one exercise. More trees throughout the borough is already being studied, I understand. Central government will set the pace for reducing fossil fuel emissions, phasing out petrol and diesel. I feel the cost of e-vehicles will be prohibitive compared with existing cars, so the number of vehicles may fall. This will drive the need for better public transport. Locally, this should be a much better bus service, not just a

trunk route service as we have today in Stubbington. But I doubt that any bus service could meet the needs of the elderly, handicapped, young and old, and be available throughout the day, or be affordable. Nevertheless I would like to have found more sense of action or need in words on this under either of these two headings, and also something about car charging ports in the Housing Policy section. FBC has to lead on this last point, I believe.

Having struggled to page 244, I'm done for. But again, a very exhaustive Plan with many specialisations, and an eye opener for the uninitiated, which is me!
Thank you for your patience in reading this.
David Mugford
[redacted]

Virus-free. www.avg.com

The countryside charity
Hampshire

Ema[redacted]

Working locally and nationally for a beautiful and living countryside

15th December 2020

FAO: planningpolicy@fareham.gov.uk

Fareham Local Plan 2037 Publication
Regulation 19 Consultation

Dear Sirs,

Please find attached comments from CPRE Hampshire regarding the Regulation 19 Fareham Local Plan 2037 consultation.

Firstly, a general point; CPRE Hampshire is extremely pleased to see that Fareham BC have approached their new Local Plan from a landscape-based perspective, a process which we wholly support. Furthermore, we fully endorse Fareham BC's inclusion of a Climate Change policy, which must underpin all other policies and spatial planning.

Furthermore, we are pleased to see that Fareham have adopted housing numbers based on the latest available housing projections from the ONS, the 2018-based projections, which show a considerable reduction in estimated local need.

However, we remain disappointed that there seems to be no mention of a potential new South Hampshire **Green Belt** in the Reg 19 consultation. In an earlier consultation by Fareham BC in July 2019, there were a number of mentions of this option, notably in Section 10c regarding the Meon Valley, where it said "The Council will also be working with PUSH to consider the potential for greenbelt land across local authority areas, and there could be scope for this area to become part of a South Hampshire greenbelt." As CPRE Hampshire has long campaigned for a sub-regional area of restraint in order to encourage urban regeneration and prevent sprawl, this was very much welcomed. Sadly, this does not seem to have been included in the Reg 19 document, and we consider its exclusion to be a significant wasted opportunity, as the NPPF allows local authorities to designate Green Belt as part of the Local Plan process. It has been agreed that the PfSH authorities are to consider a new Green Belt as part of their forthcoming Statement of Common Ground and we would have hoped to see Fareham BC leading the way.

CPRE Hampshire has completed Response forms for individual policies which are attached below this letter, but in summary our headline comments are as follows:

Development Strategy

Strategic Policy DS1 Development in the Countryside: CPRE Hampshire agrees with these principles but notes that a South Hampshire Green Belt could aid considerably in achieving these goals.

Strategic Policy DS2 Strategic Gaps: We note the decision to re-define strategic gaps (the Meon and Fareham-Stubbington gaps) and suggest that a new Green Belt could achieve this. An area could easily be defined to encompass the Meon Valley, which could link to an area of larger Green Belt to the north of the Borough in Winchester District.

Strategic Policy DS3 Areas of Special Landscape Quality: CPRE Hampshire agree with Fareham BC's analysis of the Borough's varied landscapes and supports any intention to define them as Areas of Special Landscape Quality, illustrated in Figure 3.3. However, CPRE Hampshire suggests that some of these could be further protected if they also formed part of a wider South Hampshire Green Belt, in particular the Upper Hamble Valley, the Meon Valley, the Forest of Bere and Portsdown Hill.

Climate Change

Strategic Policy CC1 Climate Change: CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. The aspirations in Policy CC1 are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. We consider that this is a missed opportunity. However, we feel that Criterion a) does not go far enough. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes "Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle." It must be a fundamental tenet of the Fareham Local Plan that NO development should be permitted that relies on the car as its main means of access.

Nothing less than a drastic change to spatial strategy and a move away from South Hampshire's historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture. The adoption of a South Hampshire Green Belt would assist this by encouraging urban redevelopment, and preventing sprawl into the countryside where modal change to walking, cycling and public transport is very much more difficult to achieve.

Housing

Policy H1 Housing: CPRE Hampshire recognises that the current guidance from MHCLG requires the calculation of local housing need (LHN) based on figures from the 2014-based household projections, although a recent MHCLG consultation suggested a new methodology. Whatever the methodology, CPRE Hampshire supports Fareham BC in using the most up-to-date household figures based on the 2018-based projections. We also welcome the removal of Policy HA2 from the Reg 19 Local Plan.

Policy HA1 Warsash: CPRE Hampshire does not believe that the proposed development around Warsash can be consider truly sustainable, reliant as it is on the car as the main means of transport. We are concerned about the lack of a masterplan and believe the proposed framework does not fulfil a place making function.

Policy HP4 Five-Year Housing Land Supply: CPRE Hampshire has significant concerns about the unintended consequences of this policy, specifically its linkage with DS1, and believe that it may lead to site selection looking outside the Urban Area in the first instance.

Policy HP6 Exception Sites: The potentially inadvertent use of the word OR in Criterion c) could allow significantly large exception sites to be allowed, as long as they remain below the threshold of 5% of the size of the adjacent settlement. There should be a fixed upper limit.

Natural Environment

Strategic Policy NE1 Protection of Nature Conservation, Biodiversity and the Local Ecological Network: CPRE Hampshire supports the use of ecological network mapping to conserve nature and protect biodiversity and as a tool for influencing spatial planning.

Policy NE2 Biodiversity Net Gain: CPRE Hampshire supports the requirements for 10% biodiversity net gain on all development.

Policy NE4 Water Quality effects on the SPAs, SACs and Ramsar sites of the Solent: CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse the proposed policy until the legal issues have been resolved.

Policy NE6 Trees, Woodlands and Hedgerows: CPRE Hampshire agrees with any policy that supports the preservation or enhancement of trees, woodlands and hedgerows.

Policy NE8 Air Quality: CPRE Hampshire supports the requirements for air quality improvement but considers more could be achieved if development were only to be permitted in locations around mass public transport hubs, rather than being car dependent.

Policy NE9 Green Infrastructure: CPRE Hampshire agrees that green infrastructure is important to the wider ecological network and to the health and wellbeing of residents but suggests that it would be better protected in perpetuity were it to be formalised as part of a new Green Belt.

Transport and Other Infrastructure

Strategic Policy TIN1 Sustainable Transport: CPRE Hampshire recognises that Fareham BC aspire to have 'good growth' with existing and proposed transport corridors influencing choice of development, but we feel the policy does not go far enough. The Council should feel empowered to reject development which is not already located around, or can provide, public mass transit hubs, in particular the rail network.

The principles of development and transport as set out in the Transport for New Homes checklist should be followed - https://www.transportfornewhomes.org.uk/the-project/checklist-for-new-housing-developments/.

Design

Strategic Policy D1 High Quality Design and Placemaking: The design quality of future developments starts with overall masterplanning and landscape context as well as specific building details. Fareham has seen a proliferation of poorly designed car dependant nondescript developments over recent years, and it is critical that major improvements are made for the future.

Yours faithfully,

Caroline Dibden

Vice-President
CPRE Hampshire

The countryside charity
Hampshire

A1 Is an Agent appointed:

No, an agent is not appointed

A2 Please provide your details below:

Title:	**Mrs**
First Name:	**Caroline**
Last Name:	**Dibden**
Job Title:	**Vice-President**
Organisation:	**CPRE Hampshire, the countryside charity**
Address:	[redacted]
Telephone:	[redacted]
Email Address:	[redacted]

POLICY DS1: Development in the Countryside

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.29 – 3.36

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS1: Development in the Countryside

B1c Which part of the Policies Map?

Areas of Special Landscape Quality and Strategic Gaps

a) East of Welborne,
b) the Strategic Gap along the Meon, and
c) to the north-west of the borough.

2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire STRONGLY SUPPORTS the overall approach taken by Fareham BC in the Fareham Local Plan 2037 for a spatial strategy based on countryside, which is justified as it is in accordance with the aspirations as set out in the NPPF for development to be brownfield first, and for countryside to be protected for its intrinsic value and beauty, and for protection of Best and Most Versatile agricultural land. It is also supported by the Government's 25-year Environment Plan and for the recommendations as set out by the Climate Change Committee.

Furthermore, CPRE Hampshire SUPPORTS the Vision for the Fareham Local Plan 2037 which states that Fareham BC seek to retain its identity, and the identity of individual settlements within the Borough, through measures that seek to retain the valued landscapes and settlement definition.

We also SUPPORT Strategic Priority 2 which seeks to maximise development in the urban area and away from the wider countryside, valued landscapes and those of special quality and spaces that contribute to settlement definition.

CPRE Hampshire believes that the Vision and Strategic Priority 2 would both be better achieved if a new Green Belt was designated, due to its permanence and effectiveness. We submitted to Fareham BC and to PfSH a report by NEF Consulting on the potential socio-economic and environmental benefits of a Green Belt: https://www.cprehampshire.org.uk/our-campaigns/south-hampshire-green-belt/. This demonstrates the considerable financial benefits as well as to health and wellbeing, climate change and natural capital of protecting the green space near to population centres, in perpetuity, something that only Green Belt is designed to achieve.

Looking at the specific policy wording, CPRE Hampshire believes that criterion (e) of **Policy DS1** is unsound, specifically in the way it permits development in the countryside that is compliant with Policies **HP4, HP5 and HP6**. Permissions that might be compliant with these polices appear to be in direct contradiction with the other criteria in **Policy DS1**, and the policy is therefore internally inconsistent.

HP4 relates to the Five Year Housing Supply (5YHLS) and allows residential development outside the urban area boundary where the Council is unable to demonstrate a 5YHLS. It is believed that the Government intends to remove 5YHLS test in the planning reforms, so this policy may be redundant and should be reworded to future proof its deletion. However, that notwithstanding, the main problem is that the wording of Policy HP4 and its linkage with **DS1** could unintentionally lead to countryside locations taking priority over alternative, more sustainable, urban or brownfield locations.

HP5 relates to the provision of affordable housing on sites of 10 or more, and its linkage to **DS1** could unintentionally suggest that Fareham BC accepts in principle the development of ANY affordable housing site outside the urban area boundary. The risk is that the linkage could potentially enable large scale housing development in the countryside as long as it could be demonstrated that 40% affordable housing would be achieved.

HP6 relates to small rural affordable housing exception sites, and whilst CPRE Hampshire supports the provision of rural affordable housing, the concern is that the linkage with **DS1** could inadvertently lead to a series of separate applications which in combination amount to significant levels of development in the countryside. The cumulative impact on the separation of settlements resulting from a number of sites each individually sub- 1 hectare or <5% of the adjacent settlement must be considered, but at the moment the policy has no mechanism for dealing with this potential eventuality. See separate comments on **Policy HP6** as regards the use of the word *OR*.

CPRE Hampshire SUPPORTS criteria i) to v) of **Policy DS1** and believe they provide a sound underpinning of the principles aspired to by Fareham BC.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Fareham BC should look at the areal extent of a possible South Hampshire Green Belt as part of this Local Plan, as it has been confirmed by Leader Cllr Woodward that they wish to see such a designation to protect the countryside and gaps.

Remove the linkage of **Policies HP4, HP5 and HP6** with **Policy DS1**.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Including a proposed South Hampshire Green Belt would be in accordance with the aspirations as set out by the Council in council meetings, PfSH meetings and in press releases.

Removing the linkage of **Policies HP4, HP5 and HP6** with **Policy DS1** would remove the internal inconsistency by removing the possibility of inadvertent development in the countryside.

B4c Your suggested revised wording of any policy or text:

Remove the linkage of **Policies HP4, HP5 and HP6** from Policy **S1 (e).**

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for Local Plans to take the countryside into account when devising spatial development strategy, and we would like to appear at the Hearings to support Fareham BC in choosing this approach. Our expertise lies in spatial strategy and reconciling development requirements with the environmental constraints of countryside, and its uses and purposes.

POLICY DS2: Development in Strategic Gaps

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.43 to 3.46, Para 3.10

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS2: Development in Strategic Gaps

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC to designate strategic gaps between Fareham / Stubbington and the Western Wards (Meon Gap) and between Fareham / Bridgemary and Stubbington / Lee-on-the-Solent (Fareham- Stubbington Strategic Gap). However, a study carried out on behalf of CPRE Hampshire in January 2019, by consultants West Waddy, showed that historically strategic gaps in South Hampshire have failed to adequately prevent coalescence of settlements. This report was shared with Fareham BC as a member of the Partnership for South Hampshire, and can be submitted as part of our evidence on this matter to the examination hearings.

"An Assessment of the Effectiveness of Settlement Gap Policies in South Hampshire in preventing Urban Sprawl & the Coalescence of Settlements" – January 2019, West Waddy.

The conclusions show that through appeals and permissions the gaps designated in South Hampshire (including Fareham) have been significantly reduced over time, and are thus an ineffective policy and thus unsound. Para 3.10 confirms that this has been the case in Fareham.

The findings of this report show that "In the national context, South Hampshire is fairly unique among the large urban areas in England in having no designated Green Belt, with reliance instead being placed upon Gaps designated in Local Plans to prevent the coalescence of settlements."

Furthermore "given the major urban extensions currently being proposed and the past history of erosion of Gaps through subsequent permissions being granted, a strong argument can be made that the current Gap policies across the sub-region are failing in their remit to prevent coalescence and sprawl, which is ultimately likely to lead to currently separate settlements forming one large South Hampshire conurbation and expanding out into the adjoining areas of countryside. The exceptional circumstances therefore exist to demonstrate that a new stronger policy backed by explicit Government advice is needed to prevent this happening and the tool for this is a Green Belt, which is already in use around most large urban areas in England. South Hampshire is the exception in having no such designation."

CPRE Hampshire has submitted to Fareham BC and to PfSH a report by NEF Consulting on the potential socio-economic and environmental benefits of a Green Belt: https://www.cprehampshire.org.uk/our-campaigns/south-hampshire-green-belt/

Notwithstanding the above comments regarding a new Green Belt, CPRE Hampshire SUPPORTS the removal of the earlier proposed Strategic Growth Area SGA, previously entitled HA2 (in the Reg 18 consultation version) from the now proposed Fareham-Stubbington Strategic Gap. The previous inclusion of the SGA was clearly subject to objections by neighbouring Gosport BC, which would have undermined any Duty to Co-operate and thus soundness. It was also objected to by many CPRE members and is therefore of concern to us.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Fareham BC should look at the areal extent of a possible South Hampshire Green Belt as part of this Local Plan, as it has been confirmed by Leader Cllr Woodward that they wish to see such a designation to protect the gaps between settlements.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Including a proposed South Hampshire Green Belt would be in accordance with the aspirations as set out by the Council in council meetings, PfSH meetings and in press releases, and would lead to a much more rigorous policy to prevent coalescence which is Fareham BC's stated aim.

A need for a South Hampshire Green Belt was confirmed by Cllr Woodward in the Fareham BC Executive Committee at 6pm on Monday 7th December 2020. Its omission from the Reg 19 Local Plan consultation is thus not in accordance from the council's own publicly announced policy.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for a new South Hampshire Green Belt, and we would like to appear at the Hearings to further explain our justification and why Fareham merits the exceptional circumstances required to designate a new Green Belt. We have a petition which has been signed by nearly 15,000 people asking Fareham BC (alongside Eastleigh BC, Winchester CC and Test Valley BC) to designate a Green Belt as part of its Local Plan process.

POLICY DS3: Landscape

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.48 to 3.58

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS3: Landscape

B1c Which part of the Policies Map?

All Areas of Special Landscape Quality

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE fully SUPPORTS the approach taken by Fareham BC in respect of analysing and including Areas of Special Landscape Quality as part of its development strategy and as Strategic Policy S3. This is in accordance with the aspirations outlined in the NPPF to value landscape for its intrinsic character and beauty of the countryside, as outlined in NPPF Para 170 a) and b).

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for Local Plans to take landscape into account when devising spatial development strategy, and we would like to appear at the Hearings to support Fareham BC in choosing this approach. Our expertise lies in spatial strategy and reconciling development requirements with the environmental constraints of, and impacts upon, the wider landscape.

POLICY H1: Housing Provision

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 4.1 to 4.20

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy H1: Housing Provision

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

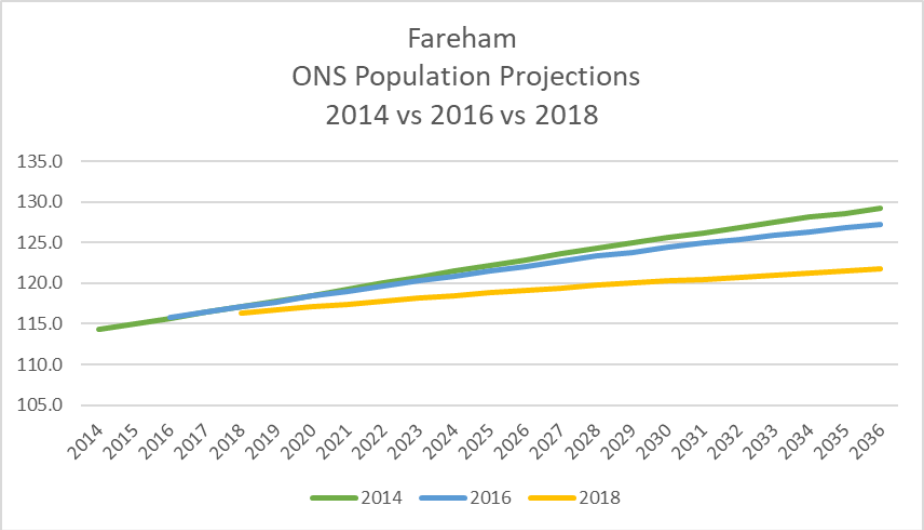
B3 Please provide details you have to support your answers above

The approach taken by Fareham BC to calculating housing need for this Reg 19 version is based upon the MHCLG consultation on a new standard method in August 2020, which showed Fareham's housing need to be lower (403 dpa) than using the previous standard method (514 dpa). CPRE Hampshire SUPPORTS the use of the latest base data on household projections (the 2018-based projections from the ONS) as it conforms with Para 31 of the NPPF "The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals."

As can be seen from the graph below, the most up-to-date population projections (in 000's) for Fareham evidences the trend towards a lower requirement, and this would translate into a lower household projection. The impact of Covid-19, and corresponding economic fallout, on migration patterns will remain unclear for some time, and it is therefore sensible to use a cautious approach to planning and development.

However, for Fareham to agree to take unmet need from Portsmouth is premature, predating as it does the revised statement of common ground from PfSH, and therefore Policy H1 is unsound.

It is also clear that there remains a significant reliance on delivery of housing at Welborne, which is subject to a separate plan. Delays to infrastructure finding at Welborne could have an impact on Fareham's overall strategy for delivery of its housing needs in the plan period.



B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Remove the requirement to take housing from Portsmouth CC.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a recognised authoritative voice on Hampshire's housing numbers, the standard methodology and has been involved in this aspect of Fareham's Local Plans since the time of the South East Plan in 2005, and the formation of PfSH (Partnership for South Hampshire).

CPRE Hampshire is part of an expert group in the National CPRE network on housing numbers, and would like to appear at the hearing sessions to SUPPORT the use of the most up-to-date household projections.

POLICY HA1: North and South of Greenaway Lane, Warsash

B1 Which part of the Local Plan is this representation about?

	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA1 North and South of Greenaway Lane, Warsash

B1c Which part of the Policies Map?

Figure 4.1

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire has significant concerns about the piecemeal development already seen, and proposed, in the Warsash area. Population growth in the 10 years 2009-2019 has reached 9% in Warsash and the western wards, while Fareham itself has only grown by 4%. As Warsash has no access to the rail network, this pattern of development could not be considered sustainable. It therefore fails the soundness tests.

An indicative framework as shown in Figure 4.1, but this does not meet the requirements for a masterplan, and it is not adequate for long-term planning to integrate the various separate sites and applications by a series of different developers. Policy HA1 will fail to meet any government aspirations for placemaking as set out in the NPPF Chapter 12, Paras 124 to 130, and is therefore unsound.

Para 124 of the NPPF states “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

Para 125 of the NPPF states "Design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics." It is apparent from discussion with CPRE Hampshire members that there has not, to date, been any meaningful involvement of local communities.

It is clear that the settlement policy boundaries have been moved to accommodate the applications pending for Warsash. This is not consistent with a plan-led approach but is simply reactive to a developer-led situation, and takes no account of the area's defining features.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

More analysis of the sustainability criteria for the overall development strategy, such as access to public transport is required before sites such as HA1 are confirmed. Has every opportunity for brownfield development around rail networks been ruled out?

Much more consultation with the local community is required before the proposed HA1 framework meets NPPF prerequisites.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has worked for some years with local campaign group Save Warsash and the Western Wards, and a number of our members will be affected by the proposals for such a large allocation of housing to one small settlement. We would like to take part in the hearing sessions to represent their concerns for initial choice of an unsustainable site, loss of countryside and open space in Warsash, and poor design due to lack of a masterplan.

POLICY HP4: Five-year housing land supply

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 5.22 to 5.28

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy HP4: Five-year housing land supply

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

Policy HP4 states "If the Council cannot demonstrate a five-year supply of land for housing against the housing requirement set out in Policy H1, additional housing sites, outside the Urban Area boundary, may be permitted where they meet all of the following criteria….." The problem with this policy is that inadvertently it encourages the first choice of sites to be "outside the Urban Area". CPRE Hampshire is sure that this is not what Fareham BC intends, and in any event it would not be in accordance with the councils own aspirations for a brownfield first approach, nor in accordance with the NPPF Para 137, and is therefore unsound. A sequential approach should be used, even in the event of a lack of a five-year housing land supply.

The problem is exacerbated by the linkage of **Policy HP4** with **Policy DS1**, particularly **DS1 Criterion (e)** as discussed above**.**

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HP4 should be rewritten to include a sequential approach, which "makes as much use as possible of suitable brownfield sites and underutilised land" as per Para 137 (a) of the NPPF.

The linkage of **Policy DS1 (e)** and **Policy HP4** should be removed.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be in accordance with the NPPF.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is part of an expert group in the National CPRE network on housing numbers, and the five-year housing land supply, and would like to appear at the hearing sessions to discuss its impact on the Fareham Reg 19 Local Plan.

POLICY HP6: Exception Sites

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 5.43 to 5.51

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy HP6: Exception sites

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The second part of **Policy HP6, Criterion (c)**, would allow exception sites with a limit of 1 hectare *OR* a proviso that the scheme does not exceed 5% of the size of the adjacent settlement. The problem is the word OR, as this could lead to large sites adjacent to large settlements being permitted as they would still be beneath the 5% cut-off. For example, Fareham town is a large settlement, of some 20,000 households, and so an exception site of up to 5% could itself number 1,000 dwellings. CPRE Hampshire is sure that this is not what was intended by Fareham BC as the aspiration is for small sites on urban boundaries.

The problem is exacerbated by the linkage of **Policy HP6, Criterion (c)**, with **Policy DS1**, particularly **DS1 Criterion (e)** as discussed above**.**

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HP6 should be rewritten to include a sequential approach, which "makes as much use as possible of suitable brownfield sites and underutilised land" as per Para 137 (a) of the NPPF.

Criterion c) should be reworded to remove the reference to *OR* 5% of the size of the adjacent settlement and have a fixed upper limit of what is meant by 'small sites' as identified in the justification text (Para 5.46).

The linkage of **Policy DS1 (e)** and **Policy HP6** should be removed.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Any ambiguity on what a "small site" means would be removed giving clarity for applicants and for FBC.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of affordable housing, such that it is located and designed appropriately, and would like to appear at the hearing sessions to discuss the impact of Policy HP6 on the Fareham Reg 19 Local Plan.

STRATEGIC POLICY CC1: Climate Change

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 8.1 to 8.10

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy CC1: Climate change

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		**NO**
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire generally SUPPORTS the approach taken by Fareham BC to Climate Change. But we believe that **Policy CC1, Criterion (a)** does not go far enough to encourage/enforce a truly sustainable pattern of development and is unlikely to lead to a meaningful reduction of emissions from private car use.

Section 19(1A) of the Planning and Compulsory Purchase Act 2004 requires that a local authority's development plan documents must: (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.

The NPPF Para 148 further includes the requirement that "the planning system should support the transition to a low carbon future in a changing climate", should "shape places in ways that contribute to radical reductions in greenhouse gas emissions" and Footnote 48 "in line with the objectives and provisions of the Climate Change Act 2008."

CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. The aspirations in **Policy CC1** are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. We consider that this is a missed opportunity. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes "Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle." It must be a fundamental tenet of the Fareham Local Plan that NO development should be permitted that relies on the car as its main means of access.

Nothing less than a drastic change to spatial strategy and a move away from South Hampshire's historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture.

Policy CC1 is therefore not legally complaint unless the large part of Fareham's spatial strategy is geared to development around mass public transport hubs and avoiding sites which are car-dependant. It is clear that sites such as Policy HA1 would fail to meet this condition.

CPRE Hampshire recommends the checklist provided by Transport for New Homes, which sets out an objective approach to planning new housing areas without dependence on cars: https://www.transportfornewhomes.org.uk/wp-content/uploads/2019/10/checklist.pdf

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

CPRE Hampshire recommends strengthening **Policy CC1, Criterion (a)** to enable a spatial strategy more likely to meet the requirements set out in Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and the NPPF, by including a requirement for mass public transport hubs to be the first approach for development, and to enable Fareham to refuse car-dependent applications.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be in accordance with Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and the NPPF Para 148.

B4c Your suggested revised wording of any policy or text:

(a) A development strategy that minimises the need to travel by allocating sites and generally directing development to locations **near to mass public transport hubs**, with better services and facilities, or where they are capable of being improved.

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning housing, such that it is located and designed appropriately around public transport hubs to minimise emissions and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy CC1** in this regard.

POLICY NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.5 to 9.27

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

B1c Which part of the Policies Map?

The Local Ecological Network map in Appendix C

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The approach taken by Fareham BC is sound, and CPRE Hampshire SUPPORTS the requirement for nature to be conserved and ecological networks to be protected as per the forthcoming Environment Act.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning development, such that it is located and designed appropriately to conserve and enhance the biodiversity of the area and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE1** in this regard.

POLICY NE2: Biodiversity net gain

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.28 to 9.44

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE2: Biodiversity net gain

B1c Which part of the Policies Map?

The Local Ecological Network map in Appendix C

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The approach taken by Fareham BC is sound, and CPRE Hampshire SUPPORTS the requirement for biodiversity net gain as per the forthcoming Environment Act.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning development, such that it is located and designed appropriately to see a net gain in biodiversity of the area, and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE2** in this regard.

POLICY NE4: Water quality effects on the SPAs, SACs and Ramsar sites of the Solent

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.50 to 9.54

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE4: Water quality effects on the SPAs, SACs and Ramsar sites of the Solent

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		**NO**
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse the proposed policy until the legal issues have been resolved.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire's remit covers protection and enhancement of both land and seascape, including Hampshire's iconic chalk streams and rivers, and the Solent. In the absence of an outcome on the legal matters, the hearing session may be the first opportunity to evaluate the effectiveness and legality of the proposed policy.

POLICY NE6: Trees, woodland and hedgerows

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.79 to 9.89

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE6: Trees, woodland and hedgerows

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE6** is sound. The Climate Change Committee has called for a 40% increase in the extent of hedgerows by 2050 to help tackle the climate emergency, and we would thus like to see more hedgerows planted and restored in Fareham BC.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

NO Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

POLICY NE8: Air quality

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.98 to 9.118

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE8: Air quality

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE8** is sound.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

NO Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

POLICY NE9: Green infrastructure

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.119 to9.125

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE9: Green infrastructure

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE9** is sound. However, we believe that a link with **Policy HE1** should be included within **Policy HE9** itself, rather than just within the supporting text in **Para 9.122**. CPRE Hampshire further believes that much better Green Infrastructure provision could be safeguarded over the long term if it were to be incorporated within a South Hampshire Green Belt.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of green infrastructure alongside planning development, such that it is located and designed appropriately, in order to benefit biodiversity, natural capital, but also residents' health and wellbeing. We would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE9** in this regard, and to discuss whether a South Hampshire Green Belt could ensure green infrastructure is protected in perpetuity.

POLICY TIN1: Sustainable transport

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 10.1 to 10.11

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy TIN1: Sustainable transport

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy TIN1** to be a good starting point. CPRE Hampshire recognises that Fareham BC aspire to have 'good growth' with existing and proposed transport corridors influencing choice of development, however we feel **Policy TIN1** does not go far enough. The Council should feel empowered to reject development which is not already located around, or can provide, public mass transit hubs, in particular the rail network. The policy as it stands does not give Fareham BC a sufficiently robust mechanism for achieving this. It is therefore unlikely to comply with the aspirations to meet climate change objectives as set out in **Policy CC1** or for air quality in **Policy NE8**.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

The principles of development and transport as set out in the Transport for New Homes checklist should be followed - https://www.transportfornewhomes.org.uk/the-project/checklist-for-new-housing-developments/.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

The policy would then comply with climate change and air quality objectives.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning housing, such that it is located and designed appropriately around public transport hubs to minimise emissions and impacts on climate change. We would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy TIN1** in this regard.

POLICY D1: High quality design and place making

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 11.1 to 11.36

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY D1: High quality design and place making

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire welcomes the approach taken by Fareham BC towards high quality design in **Policy D1** but would like to see the inclusion of the words countryside and landscape into **Criterion (i)**. The omission of these words makes it inconsistent with **Strategic Policies DS1 and DS3** and therefore unsound.

The design quality of future developments starts with overall masterplanning and landscape context as well as specific building details. Fareham has seen a proliferation of poorly designed car dependant nondescript developments over recent years, and it is critical that major improvements are made for the future.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include the words countryside and landscape into **Criterion (i).**

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

This would then be in accordance with **Strategic Policies DS1 and DS3**.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire has many members in Fareham who are keenly interested in the design of future developments and would like to see major improvements over previous failures in design quality, which has historically resulted in large spawling estates of car-dependant nondescript housing.

Fareham Borough Council Local Plan (Reg.19) Proposed Submission Version Consultation

Hampshire County Council Response – 18 December 2020

Hampshire County Council does consider the local plan to be sound and legally compliant. The County Council welcomes the opportunity to respond on this consultation and sets out its comments firstly on the Transport Assessment and then on specific local plan policies in its capacity as the local highways authority, local education authority and in its role as an adult services provider with a focus on specialist care.

The County Council then sets out its comments on specific site allocations in its capacity as the local highway authority, local minerals and waste planning authority and also as the local education authority with responsibility for school place planning.

Policy HA2: Newgate Lane South (removal as a housing allocation)

Hampshire County Council is the Local Highway Authority (LHA) for all roads in Hampshire except for motorways and trunk roads and the LHA response is concerned with the potential highway and transportation impacts of the land use proposals set out by the borough council on the local road network. HCC's primary concern as highway authority is the efficient use, management and maintenance of the local highway network. Ensuring that all new development mitigates its impact on the Hampshire network is the function of the highway authority.

The LHA submitted comments in December 2017 and February 2020 in response to the draft local plan regulation 18 consultations. As part of both responses the LHA submitted an objection to policy HA2 (Newgate Lane South). This objection is not resubmitted due to the removal of policy HA2 as an allocated housing site from the revised development strategy in the Publication Plan.

Transport Assessment

At the time of the previous draft local plan consultation in January 2020 the evidence base did not include a completed Transport Assessment (TA) to replace the interim TA published in support of the 2017 draft local plan consultation therefore the local highway authority submitted a holding objection. The TA has now been finalised and forms part of the Publication Plan evidence base.

The LHA supports the methodology used by FBC in preparing a borough-wide TA and the use of the strategic model known as the Sub Regional Transport Model (SRTM) to assess the wider transport impacts of the strategic disposition of proposed development across the Borough.

The Fareham Local Plan - SRTM modelling report (2020) sets out the Baseline, the Do minimum (with local plan development) scenario and the Do Something (with mitigation) model runs and forms part of the transport evidence base. As part of the strategic transport modelling the LHA understands that a total of 2,150 dwellings was attributed to the proposed Strategic Growth Areas (SGAs) and included in the Do minimum scenario. This means that the strategic modelling was carried out using a higher housing number than is currently proposed in the Publication Plan. The LHA recognises that the strategic modelling with the higher housing number represents a worst-case scenario and that the limitations of the SRTM do not allow for localised impacts at junctions to be attributed to specific development sites. Consequently, it is not possible for the SRTM to isolate the transport impacts of the SGAs on the highway network. Therefore, the LHA accepts the outputs from the strategic modelling report and has not requested an additional model run of the SRTM to reflect the removal of the two SGAs and subsequent lower housing number.

The SRTM modelling report indicates that the incremental impact of all the site allocations including the SGAs is forecast to affect links and junctions across the highway network and particularly along the A27 corridor through Fareham borough. The future resilience of the A27 corridor is a concern for the LHA which is why the LHA is undertaking a transport study for the A27 corridor which the County Council will seek to adopt as future strategy. The strategy will seek to incorporate a multi modal approach that facilitates a modal shift away from private car use. Future transport assessments of development sites along the A27 corridor should take this into account and have regard to the emerging transport strategy.

A key aspect of the A27 corridor strategy will be the application of the 'Link and Place' approach to street planning and design. This approach recognises a street functions as both a link (that is movement by all modes of transport including pedestrians) and a place (destination in itself) and will help determine policy priorities between competing users with a greater emphasis on the function of places. This 'link and place' approach is being developed as a Hampshire County Council policy which will be fully imbedded in the next Local Transport Plan for Hampshire (Local Transport Plan 4).

The TA assessed the cumulative impacts of the site allocations and demonstrates that the significant transport impacts of the local plan development on the highway network can be mitigated through proposed highway interventions. The TA specifically highlights the junction at Parkway/Leafy lane which is north of the M27 junction 9 and serves the Whiteley business estate in the adjoining district of Winchester City Council. The Parkway/Leafy Lane junction is predicted to be significantly impacted by local plan development traffic (with long queues along Leafy Lane) and meets the criteria for requiring mitigation.

However, this junction does not warrant a Do Something mitigation scheme for increased junction capacity. This is because the Leafy Lane arm of the junction leads to a residential area with a 20mph zone reinforced by vertical speed reduction measures. The policy approach by the LHA is to reduce rat-running along Leafy Lane between

Fareham and Whiteley. Therefore, an alternative highway scheme which strengthens the current situation of suppressing flows along Leafy Lane should be the mitigation scheme to be taken forward. The LHA will need further discussions with both Fareham Borough Council and Winchester City Council to establish the form of any mitigation scheme if it is required.

The Do Something modelling for the TA proposed five mitigation schemes for increased junction capacity and modelled only the highway impacts of increased motorised vehicle traffic. There are other solutions for mitigating the transport impacts from local plan development which are more in line with the emerging policy agenda on decarbonising transport from Government and Hampshire County Council. These mitigation options would generally follow a sequential approach to assess their impact on the local road network and the role they can play in traffic reduction and reducing transport emissions starting with measures to avoid the need to travel, active travel measures, public transport (SE Hampshire rapid transit) and finally localised junction improvements. This wider and sequential approach to mitigation will need to be applied to all site-specific transport assessments.

Development Strategy

The LHA acknowledges that the Publication Plan proposes a lower housing number than in the previous draft local plans. This lower housing number is in response to a lower level of housing growth proposed by Government in its consultation in August 2020 on a new standard methodology for calculating the annual housing need. The LHA recognises that FBC need to await the outcome of the Government's consultation before the Publication Plan with the lower housing number can proceed to adoption in line with the FBC's revised Local Development Scheme (September 2020).

The consequence of a reduced housing number is a change to the development strategy and the removal of several housing sites. The LHA supports the removal of housing site HA2 Newgate Lane South. The LHA submitted an objection to policy HA2 in the previous draft local plan consultations.

The LHA also supports the removal of the Strategic Growth Area policy from the Publication Plan. The South of Fareham and North of Fareham Strategic Growth Areas were included in the draft local plan consultations and the LHA submitted a holding objection.

Climate Change

Fareham Borough Council as Local Planning Authority has a legal duty to help meet the requirements of the Climate Change Act 2008. The LHA wishes to be reassured that the borough Council has satisfied itself that the Publication Plan goes far enough in supporting the Government and Hampshire County Council policies on climate change that have emerged during the local plan preparation process. This is in view of the Hampshire County Council's recently adopted climate change strategy and targets to be

carbon neutral by 2050 and resilient to a two degree rise in temperature. For Hampshire to meet these targets, which are in line with Government legal requirements, land-use planning and transport policies at the local district level need to play a strong role and are likely to be most effective at the plan making stage.

The LHA acknowledges the transport evidence submitted in the Strategic Transport Assessment which shows how the traffic impact of the local plan development can be mitigated in traffic and transport terms. The LHA wishes to see demonstrated how the local plan proposals, in relation to transport and how we travel, will contribute to the longer-term goal of achieving carbon neutrality and building resilient networks and systems.

Strategic Policy CC1: Climate Change

The LHA supports the amended climate change chapter and strategic policy CC1 however the supporting text needs more detail with reference to the County Council's adopted Climate Change Strategy (2020) and targets including the resilience of the highway network.

Policy NE8: Air Quality

The local plan correctly identifies road transport emissions as the main source of air pollution which is relevant to the County Council's responsibilities as both highway and public health authority. The LHA supports the local plan commitments to reduce, minimise and mitigate road transport emissions and their impact. However, the Air Quality Policy NE8 needs to be more specific and should be amended to include the policy text 'development should deliver sustainable transport (public transport, walking and cycling) as part of improving air quality'.

Policy TIN1 Sustainable Transport

Given the connection between transport, local plan allocations, air quality and health, there is a lack of commentary or cross reference on air quality management within the Transport Chapter. For example, the supportive text needs to make clear how the transport polices (such as Sustainable Transport TIN1) contribute to both the climate change objectives of reducing CO2 emissions and to the air quality objectives of reducing air pollution.

The LHA recommend amending policy TIN1 on Sustainable Transport to make direct reference to the role of sustainable transport in improving air quality. The supporting policy text also needs to refer to the Air Quality Management Areas / Clean Air Zone designation (on sections of the A27 and A32) and the Air Quality Action Plans in place due to concerns over nitrogen dioxide levels caused by road traffic. Likewise, the Air Quality section needs to refer to the transport chapter and policies and the role they play in mitigating the transport impacts on air quality.

The Transport chapter needs to refer to the Strategic Transport Assessment and the impacts of the local plan traffic on air quality in particular air pollution from the M27, the A32 and A27. This should be cross-referenced with the air quality work carried out as part of the AQMAs and the local plan Sustainability Appraisal. The LHA supports transport mitigation measures of sustainable and active travel modes as an alternative to making private vehicle trips which help overall to reduce emissions harmful to human health and the environment. The LHA would not support any transport mitigation measures which threatened to undermine the success of the current Air Quality Management Areas.

The Transport chapter needs to strengthen the commitment to deliver high quality walking and cycling facilities with reference to the Government's new cycle infrastructure design guidance in Local Transport Note 1/20. Reference to cycle infrastructure design should also be included in the Design chapter.

To contribute to reducing car use, opportunities for enhancing and encouraging active travel to and from school should be encouraged and implemented working closely with Hampshire County Council Children's Services and Highways Departments. The County Council will require the provision of safe walking and cycle routes to schools and existing routes to be enhanced where necessary to improve walking and cycling numbers. Contributions from developers will be sought where necessary including for the production and monitoring of school travel plans (STP's).

PolicyTIN3: Safeguarded Routes

The LHA supports the new policy TIN3 Safeguarded routes in relation to delivering bus rapid transit in Fareham and Portchester. However, the supporting text should refer to the future extensions of the SEHRT network to the west of Fareham towards Segensworth, Swanwick Station, Whiteley and the North Whiteley major development area and to serve the Solent Enterprise Zone at Daedalus and adjacent coastal settlements.

Strategic Policy R4 Community and Leisure Facilities

Hampshire County Council Children's Services consider that it is important that the impact of additional housing is assessed and where necessary developer contributions are provided to provide additional childcare places either through on-site facilities or the expansion of nearby provision. The impact will be assessed on a case-by-case basis.

The County Council also provides an Early Years guidance note on this issue for the Borough Council to consider in their plan making in relation to the future need and housing allocations.

Strategic Priority 8

Hampshire County Council Adult Services welcome the reference to affordable housing and the need to address the specific needs of different groups in the community, including the elderly and people with disabilities. However, it is recommended that reference is made to the need to meet a range of housing needs, including those in need of affordable housing and those in need of specialist housing including the elderly and people with disabilities in Strategic Policy H1: Housing Provision**.**
Consideration should also be given to whether opportunities are available to encourage specialist housing provision in specific site allocations.

Policy HP 5: Affordable Housing

The County Council recommend that Policy HP5 or the supporting text should encourage the provision of housing to meet a range of needs, including specialist housing to meet older persons' needs (such as extra care housing) and those with disabilities.

Policy HP7: Adaptable and Accessible Dwellings

The County Council notes that the Specialist Housing Topic Paper includes reference to the low cost of providing homes to above base accessibility standards. Although there is a correlation between age and mobility, people of all ages may have some mobility impairment, either permanently or temporarily.

The proposed percentages of housing the policy requires to be built to higher accessibility standards is modest and given the rate at which the stock is added to each year it will be a very long time before a significant supply of accessible housing is available in the Borough. With such modest levels of provision, the likelihood of a person who develops mobility impairment will find themselves in a home that can meet their needs is low. Adopting a requirement for a larger proportion of the stock to be built to Cat2 standards in particular would better meet individuals' changing needs and support the creation of sustainable communities by reducing the need to move to find suitable accommodation.

Policy HP 8: Older Persons and Specialist Housing Provision

The inclusion of an enabling policy is welcomed by the County Council; however it is recommended there is specific mention of specialist provision of affordable housing, including extra care housing and housing for those with disabilities. It is noted that specific housing allocations are made only in respect of sheltered accommodation (Policies HA42 / 43 /44). The County Council consider that these sites may also be suitable for other forms of specialist housing, including extra care housing and housing for those with disabilities. It is recommended those policies are amended to reflect this.

The County Council supports the opportunity for exception type development in specific circumstances in this policy and Policy HP6.

Housing Site Allocations

The County Council has considered the housing allocations in its capacity as the local highways authority, local education authority and local minerals and waste planning authority and provides the following commentary.

An initial assessment of the impact on school place planning has been considered based on the level of housing identified, and details are highlighted below for specific sites where there will be an impact on the supply of local school places at primary, secondary and education for pupils with Special Educational Needs and Disabilities (SEND).

The County Council as the local minerals and waste planning authority is pleased to see that some of the comments regarding mineral and waste safeguarding, from the Regulation 18 consultation, have been considered and included within the Regulation 19 proposed submission document. Within the County Council's Regulation 18 response a list of sites that were deemed to require a Mineral Resource Assessment as part of any potential application was provided. It is noted that all the allocated housing sites that the County Council made such comments on have been removed from the Proposed Submission Document as being no longer available or no longer suitable.

Housing Allocation Policy HA1 – North and south of Greenaway Lane – 824 dwellings

The development of 824 dwellings will create additional pressure for school places locally at primary, secondary and special schools. It is welcomed that the need for developer contributions has been identified and they will be sought to provide additional educational infrastructure where required. Pedestrian and cycle paths should be provided to local schools and existing routes enhanced where necessary to promote active travel to and from schools.

Whilst the County Council welcome the inclusion of site-specific requirements for Minerals Assessments across the Proposed Submission Document, based upon the County Council's data, this site does not sit within the Minerals and Waste Consultation Area (MWCA). As such, the County Council do not require that an application for the site be accompanied by a Minerals Assessment, as outlined in site-specific requirement j.

Housing Allocation Policy HA3 – Southampton Road – 384 dwellings

The identification of the need for developer contributions for education and ensuring safe walking/cycling routes to local schools are provided, is welcomed.

Whilst the County Council welcome the inclusion of site-specific requirements for Minerals Assessments across the Proposed Submission Document, based upon the County Council's data, this site does not sit within the Minerals and Waste Consultation Area (MWCA). As such, the County Council do not require that an application for the site be accompanied by a Minerals Assessment, as outlined in site-specific requirement k.

Housing Allocation Policy HA4 – Downend Road East, Portchester – 350 dwellings

It is welcomed that the need for developer contributions has been identified and they will be sought to provide additional educational infrastructure where required. Pedestrian and cycle paths should be provided to local schools and existing routes enhanced where necessary to promote active travel to and from schools.

Whilst the County Council welcome the inclusion of site-specific requirement j, that the site will require a Minerals Assessment prior to any development. The County Council would also like to bring to the Borough Council's attention that this allocated housing site sits within the safeguarded buffer zone of Warren Farm and Down End Quarry, a safeguarded waste site operated by Veolia Environmental Services (UK) Plc.

The safeguarded buffer zone is informed by the safeguarded sites list as defined through 'Policy 26: Safeguarding - waste infrastructure' of the adopted Hampshire Minerals and Waste Plan (2013) (HMWP). The purpose of this policy is to protect current and potential waste sites from pressures to be replaced by other forms of development, including through 'encroachment' where nearby land-uses impact their ability to continue operating.

It is often the case that appropriate buffers and mitigation measures can make potential nearby development compatible. Any mitigation measures would need to be undertaken by the proposed non-minerals or waste development (i.e. the allocated housing development) and reduce potential impacts to and from the safeguarded site to levels that would ensure the safeguarded site could continue its intended waste use.

Usually, the mitigation measures would need to focus on impacts such as noise, dust, visual impact, odour and traffic movements. They can take a variety of forms, including landscape design, tree planting, barriers, building design and orientation and use of different building materials.

The appropriate mitigation measures are best informed through direct discussions with the operator of the safeguarded site as they will be most be aware of operational requirements. However, the County Council is also available for further discussions, as well as facilitation, if required.

With regard to the above site, the County Council would therefore request further wording be added to the site-specific requirements of allocated housing site HA4 as set out below:

"the provision of evidence that the safeguarded site has been considered within any forthcoming planning application, how operator comments have been taken into account and what impacts these comments have had on the proposed development design. Details of any mitigation measures chosen as a result of the analysis should also be included with an application for the site".

In the unlikely event that it is not possible to agree appropriate mitigation measures, the County Council would seek evidence that the waste management capacity can be relocated or provided elsewhere and delivered.

Housing Allocation Policy HA9 - Heath Road

Whilst the County Council welcome the inclusion of site-specific requirements for Minerals Assessments across the Proposed Submission Document, based upon the County Council's data, this site does not sit within the Minerals and Waste Consultation Area (MWCA). As such, the County Council do not require that an application for the site be accompanied by a Minerals Assessment, as outlined in site-specific requirement g.

Policy HA2: Newgate Lane South

The County Council as local highway authority supports the removal of policy HA2 Newgate Lane South.

Strategic Growth Area

The County Council as local highway authority supports the removal of the Strategic Growth Area policy.

Employment Allocations

The County Council has considered the employment site allocations in its capacity as local minerals and waste planning authority and provides the following commentary.

Policy E2 - Faraday Business Park

Whilst a number of the allocated housing sites have had site-specific requirements added to them for Minerals Assessments, allocated employment site E2 - Faraday Business Park has not had any added. In line with the County Council's Regulation 18 response to the local plan consultation, the County Council again request that a site-specific requirement be added to this allocated site policy so that any forthcoming planning application would need to be accompanied by a Minerals Resource

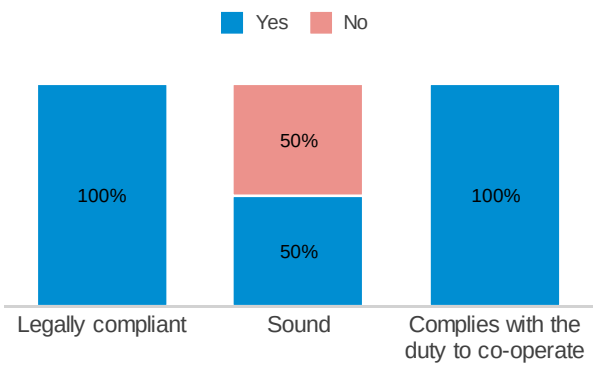
Assessment. The County Council recommend adding the following site-specific wording: The site is within a Minerals Consultation Area. Minerals extraction may be appropriate, where environmentally suitable, subject to confirmation of the scale and quality of the resource.

The County Council would like to take this opportunity to reiterate that any development or significant redevelopments of land may impact mineral resources. As minerals can only be worked where they are found, it is important that viable mineral resources are 'safeguarded' (protected) from needless sterilisation by other development to help to secure a long-term future supply of minerals. Mineral resources are necessary for a vast array of construction activities and their availability is a prerequisite for any housing development. As such, the NPPF requires planning authorities to define Minerals Safeguarding Areas and adopt policies so that, 1) known locations of mineral resources of local and national importance are not needlessly sterilised by non-mineral development, 2) if it is necessary for non-mineral development to take place, the prior extraction of minerals, where practicable and environmentally feasible, is encouraged.

Policy | TIN1 - Sustainable Transport

2 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	2	2	2
Yes	2 100%	1 50%	2 100%
No	0 0%	1 50%	0 0%



Respondent: Mrs Wendy Ball (2311-221619)

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Improvement is indeed needed with respect to local public transport networks, cycling and walking routes. There should be a reduced need to travel by motorised vehicle.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Respondent: Mr Barrie Webb (1812-562246)

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Reference Transport and other infrastructure Sustainable Transport Para 10.1 A convenient, efficient, resilient and safe transport network within the Borough is vital in supporting residents, businesses and visitors to the Borough, and to the wider economy of the Solent area. Para 10.3 Ensuring convenient cycling and walking networks which contribute towards a modal shift away from less sustainable modes of travel, providing genuine alternative options to the motor car; Policy TIN 1, para 10.5 “Applications should be supported by a Travel Plan.....” I believe the above ambitions will not be met by the LCWIP (yet to be published) therefore I consider that this element of the Fareham Local Plan is not sound. • The available information on the LCWIP contained in the Local Plan Strategic Transport Assessment document, Fig 3-5 Draft LCWIP proposed cycle network, appears to show a network of on road cycle routes. Cycling Weekly (and my own experience) cites sharing the road with lorries, the threat of being passed too close by vehicles and poor road surfaces were the top three factors putting people off cycling. https://www.cyclingweekly.com/news/lorries-close-passes-biggest-deterrents-putting-people-off-becoming-cyclists-poll-concludes-381743 • The only new walking and cycling infrastructure is The Delme to Downend Bus and Cycle TCF scheme comprising the Northern footway widened to create a SUP between St Catherine’s Way and Downend Road signalised junction; a distance of 213m to be precise • Travel plans for local developments have been poor and misleading with regard to the local walking and cycling infrastructure. • An example of this is shown in this document https://1drv.ms/b/s!AnQ00_4OgfUqvETtPfc9i2KADWu6?e=ldNGgp with further supporting evidence here, item 88,Phil Jones Associates (ATR0099) https://publications.parliament.uk/pa/cm201719/cmselect/cmtrans/1487/148713.htm para 3. I have no wish to comment on whether or not this element of the plan is Legally compliant or complies with the duty to co-operate. However, a box needed to be ticked to progress.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Unable to comment as the LWCIP has not been published

How would the modification(s) you propose make the Local Plan legally compliant or sound?

NA

Your suggested revised wording of any policy or text:

NA

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

J11 M27 – Down Barn Farm, Fareham

Representations on the Fareham Borough Local Plan to 2037

Submitted on behalf of Graham Moyse

December 2020

Turley
Planning

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Stuart Irvine

[redacted]

1. Introduction

1.1 Turley are instructed by Graham Moyse to prepare representations in respect of the Fareham Local Plan 2037 – Regulation 19 Submission Draft.

1.2 Graham Moyse owns land in the vicinity of Junction 11 of the M27 (known as Down Barn Farm) and as a local farmer and entrepreneur, oversees a number of valued local businesses.

1.3 The primary purpose of the representations is to shape the policies of the Local Plan to support the aspirations of Graham Moyse in respect of the potential that exists at Down Barn Farm.

1.4 The representations have been set out in Section 2 of this report and have also been submitted individually on the relevant representation forms.

1.5 Section 3 sets out some initial details of the potential that exists on the land at J11 of the M27 (including Down Barn Farm). Whilst these proposals are still at a formative stage, that they offer an exciting and unique opportunity to address two key development concepts, namely:

- A dedicated electric vehicle service station and associated facilities
- A location to accommodate business / infrastructure users that require proximity to the strategic road network

1.6 The location of the site at Junction 11 of the M27 is well suited to respond to such uses given its accessibility to the motorway network and its proximity to key urban areas.

1.7 Whilst the broad principles of the emerging Local Plan are supported, it is our view that there are two substantive omissions in terms of its content, namely:

- Insufficient recognition is given to the need to provide infrastructure to support the growth of electric vehicle usage (including specific allocations for such facilities); and
- There has been a failure to recognise the need for specific employment provision to accommodate users who need a high level of accessibility and are of form that is not well suited to being within the built up environment.

1.8 These principles are drawn out through the representation in Section 2.0, with the conclusions that:

- The wording of several policies should be amended to more fully recognise the importance of electric vehicles and to provide support to the delivery of infrastructure that is necessary to support the establishment and growth of the electric vehicle network over the lifetime of the Local Plan.

- Greater recognition should be given within the relevant employment policies, to supporting growth in locations, such as the land at J11 of the M27, where they respond to the specific needs of users.

2. Representations

2.1 Representations have been made in respect of the following chapters, paragraphs and policies of the plan.

- Paragraph 2.10 – Fareham Local Plan 2037 Vision
- Paragraph 2.12 – Strategic Priorities
- Paragraphs 3.4 / 3.5 – Good Growth
- Policy DS1 – Development in the Countryside
- Policy DS3 – Landscape
- Chapter 6 – Employment
- Policy E1 – Employment Land Provision
- Chapter 8 – Climate Change
- Policy CC1 – Climate Change
- Policy CC4 – Renewable and Low Carbon Energy
- Policy NE8 – Air Quality
- Policy TIN1 – Sustainable Transport
- Policy TIN4 – Infrastructure Delivery

2.2 Each representation is by its nature an objection and consideration has been given in respect of each as to how the plan could be amended to overcome the objection.

2.3 In addition to the representations being set out below, each has also been submitted on an individual objection form.

Paragraph 2.10 - Fareham Local Plan 2037 Vision

Representation

2.4 The vision is supported in general terms. However, its failure to include reference to supporting measures to address climate change is a significant oversight. Making provision for the necessary infrastructure within the Borough to support changing technologies is fundamental to addressing climate change. There are substantive changes, such as the transition of petrol to electric vehicles, which will take effect over the plan period, and the vision should reflect the need to deliver appropriate infrastructure to support that change.

Amendment

2.5 Add an additional statement to confirm that the Local Plan will promote the delivery of infrastructure to support infrastructure delivery that is relevant to address the climate change agenda.

Paragraph 2.12 – Strategic Priorities

Representation

2.6 Whilst there is a strategic priority relating the climate change, it fails to recognise the need for and importance of infrastructure delivery to support key aspects such as the transition from a road network that is dominated by petrol based vehicles to one where electric vehicles are the primary vehicle mode. This transition will take place over the life of the plan period and there is a need to promote both home and network based facilities to enable this to take place. A failure to specifically reference this as a strategic priority is a clear oversight.

Amendment

2.7 Amend strategic priority number 11 to make specific reference to the provision of infrastructure to supports electric vehicles changing, both at home and across the highway network.

Paragraphs 3.4 / 3.5 – Good Growth

Representation

2.8 The concept of good growth should be extended to make specific reference to highway network related infrastructure that promotes electric vehicles. Over the plan period the sale of petrol / diesel vehicles will end (2030) and the transition toward alternatives, principally electric vehicles will require the delivery of necessary infrastructure, both in homes and across the network. The promotion of good growth should include a clear and proactive intent to deliver such infrastructure.

Amendment

2.9 Include reference within the supporting text to the delivery of electric vehicle related infrastructure as part of measures to address climate change.

Policy DS1 – Development in the Countryside

Representation

2.10 The policy should include an additional bullet that allows for employment related development that has a specific locational requirement, such as accessibility to the strategic road network.

2.11 In addition there should also be a wording amendment to bullet h), to recognise that certain infrastructure can have specific location requirements, which means that delivery is required within a countryside location.

2.12 Examples of such provision include facilities to serve the strategic road network (including electric vehicle charging stations) and to those forms of business where there are specific sustainable advantages to being close to roads (for example waste related activities).

2.13 The policy should provide sufficient flexibility to allow for due consideration to be given to infrastructure and commercial requirements and the way in which key climate change and wider sustainability can be achieved by accommodating appropriate development in the countryside. It is recognised that such uses may be limited in form, but the policy should acknowledge that such uses should be supported.

Amendment

2.14 Amend the policy to include reference to commercial and infrastructure based uses that have key locational requirements, such as proximity and accessibility to the strategic road network.

Policy DS3 - Landscape

Representation

2.15 The policy is well formed, but would benefit from specific recognition that there will be forms of development that have specific locational requirements. This may include growth in locations where change in the landscape is more sensitive to change. In such circumstances, there will be means through which impacts can be appropriately mitigated. To support this, the policy should include reference to supporting development where landscape impacts are being addressed through appropriately formed landscape strategies.

Amendment

2.16 Amend the policy to reflect that where there are landscape impacts associated with development, growth can still be supported provided an appropriate landscape strategy (including mitigation where required) is set out.

Chapter 6 - Employment

Representation

2.17 The approach to employment provision set out within Chapter 6 serves to faces adequately into the quantitative employment needs of the Borough over the plan period. However, there is a lack of recognition to key qualitative matters, including the need to support the demands of business that have specific location requirements and to those uses that may be displaced to accommodate other uses (particularly residential).

2.18 There will be businesses that demand locations that are well related to the strategic road network for example, or are for forms of development that are not well suited to

either residential areas or B1 based business locations. There does not appear to be a cogent evidence base to demonstrate how the needs of such users are to be accommodated.

2.19 By its nature, the quantitative approach to employment provision does not factor this in, with new employment provision being on a restricted number of sites, which are either distant from the strategic network or are focussed on office based uses. On existing sites, there has been a significant reduction of available provision as a consequence of redevelopment for other uses, particularly residential. This implication of these changes has not been addressed, with the needs of displaced uses being particularly acute.

2.20 To address this, the employment strategy should make specific allowance for the broad needs of business, with a positive and proactive approach to accommodating the genuine needs of economic development, with a presumption in favour of investment in employment generating development and associated infrastructure.

Amendment

2.21 Expand the employment section to include a policy that supports employment generating development (by way of presumption in favour) and recognises the specific location requirements of certain commercial uses, including those that have been displaced by the redevelopment of existing employment sites.

Policy E1 – Employment Land Provision

Representation

2.22 The policy is wholly focussed on a numerical approach to employment provision, with no reference to qualitative employment needs. In addition, the new employment allocations are highly restrictive in locational terms and provide limited scope for new growth in other parts of the Borough.

2.23 The policy should recognise the broader employment needs that will exist within the Borough across the plan period, to ensure that opportunities for new investment are not missed, or that the qualitative and location needs of businesses can be met.

2.24 In this regard, the policy should be expanded to recognise that the employment requirements should not be viewed as a maximum provision and that other opportunities for employment growth should not be frustrated unnecessarily. This should take the form of a general presumption in favour of employment generating development in suitable and sustainable locations.

2.25 In specific terms, consideration should be given to identifying land at J11 of the M27 (including Down Barn Farm) as an employment allocation. This site is well related to the strategic road network and provides a unique opportunity to accommodate users who are dependent upon such a location. The site is also well suited to accommodate users who are also ill suited to either a residential environment or a more traditional business park location. This is reflected by its current use by the Highways Agency as a

processing facility to support the implementation of the smart motorway improvements on the M27.

2.26 The merits of this location are not driven by the quantitative needs as set out within the plan, but the qualitative considerations described above. The site would be of particular interest to a number of existing business who are being displaced by other major developments in the wider South Hampshire context. This is a unique opportunity that the Local Plan should embrace either by way of a specific allocation, or by creating policies that allow due consideration to be given to such development should it come forward via a planning application.

Amendment

2.27 Amend the policy to reflect the comments above.

Chapter 8 – Climate Change

Representation

2.28 The climate change chapter has not been drafted with a full recognition of key consideration that are relevant to the promotion of climate change objectives. In particular, the failure to adequately reference the transition of petrol to electric vehicle based travel and its associated infrastructure needs is a major oversight.

2.29 The Government has committed to ending the sale of petrol and diesel vehicles by 2030, with all vehicles to be zero emission based by 2035. Both of these events are within the plan period and will require the delivery of appropriate home based and network based infrastructure.

2.30 It is noted that the broader plan includes policies that reference the need to integrate electric vehicle charging into new development, however, it is entirely silent on the needs to delivery supporting infrastructure across the wider transport network. This should be addressed by the provision of a specific policy within Chapter 8 that promotes the provision of key infrastructure that will support the transition of the highway network to net zero. This would include support for electric changing facilities in appropriate locations that are well related to the strategic road network.

Amendment

2.31 Include specific reference within the Chapter to the need to support the transition to a net zero highway network, with a specific policy that promotes the delivery of related infrastructure, including electric vehicle changing.

Policy CC1 – Climate Change

Representation

2.32 This policy is inadequate as it fails to recognise the importance of supporting the transition of road vehicles towards net zero, which will be a key consideration over the plan period if wider Government objectives are to be achieved.

Amendment

2.33 Amend the policy to include a bullet point that recognises the importance of infrastructure delivery associated with the transition of the road vehicles to net zero, including appropriate supporting infrastructure.

Policy CC4 – Renewable and Low Carbon Energy

Representation

2.34 This policy focuses exclusively on energy generating development. This is unnecessarily narrow, and indeed has been drafted in an overly negative way that fails to recognise the fundamental benefits associated with delivering such valuable forms of energy generation.

2.35 The policy should recognise that there will be infrastructure that serves to promote net zero, such as electric vehicles, which should be supported. This may sit in a policy of its own, but failing that, CC4 should be expanded to include the consideration of development proposals that deliver such infrastructure, but with a more generous presumption in favour of such development, rather than the overly restrictive approach that is currently cast within the policy.

2.36 This restrictive approach has been driven by the perception that uses such as solar farms and wind farms imply significant impacts (particularly visual). This is not the case of all forms of net zero and progressive technologies and the policy should make a clear distinction in that regard.

Amendment

2.37 Unless addressed in a policy of its own right, CC4 should be amended to include reference to other forms of infrastructure that promote net zero related technologies, such as electric vehicle charging. In making these amendments, the policy text should be recast to recognise that these technologies are different to those energy generating uses that are perceived to have significant visual impacts. This should be reflected by a general presumption in favour of the delivery of lower impact infrastructure.

Policy NE8 – Air Quality

Representation

2.38 The references within this policy to the promotion of electric vehicle charging infrastructure is welcomed. However, this is focussed exclusively on provision within new developments. This is insufficient to meet the infrastructure needs required to service the transition of petrol / diesel vehicles to net zero emissions based vehicles over the period to 2025.

2.39 Whilst home based infrastructure is appropriate, it does not address the key consideration of charging facilities within the wider highway network, particularly in terms of users who are travelling across the strategic road network where there is a substantive issue regarding the ability to recharge when on longer journeys or where access to home based infrastructure is not available.

2.40 In this respect, unless addressed elsewhere in the plan, policy NE8 should include provisions that support the delivery of electric vehicle charging infrastructure to serve the wider strategic road network.

Amendment

2.41 Amend the policy as suggested above.

Policy TIN1 – Sustainable Transport

Representation

2.42 This policy is premised on the basis of the promotion of non-car based means of travel. This is commendable but does not adequately recognise that the transition towards net zero emissions based vehicles will also make a valuable contribution towards more sustainable transport patterns. Given the timescales associated with this transition (over the period to 2035), there should be strong support within TIN1 to the delivery of infrastructure that enables this transition.

Amendment

2.43 Amend to include reference to the role of electric vehicles as a sustainable mode of transport and to provide support for appropriate infrastructure to facilitate their delivery.

Policy TIN4 – Infrastructure Delivery

Representation

2.44 This policy focuses wholly on ensuring that infrastructure that supports new development is delivered in a timely manner. This is supported but it fails to address the need for the delivery of wider infrastructure, particularly that which stems from the objectives set out within the Climate Change chapter (and also reflecting our representations on the policies in that chapter).

2.45 The policy should be broadened in its intent to incorporate a focus on ensuring that this wider infrastructure is delivered alongside new development to ensure that core climate change objectives are capable of being met. This implies an imperative to support the early delivery of such infrastructure within the early parts of the plan period.

Amendment

2.46 Amend to include reference to the timely delivery of wider infrastructure, particularly that which is crucial to supporting climate change related objectives.

3. Land at J11 of the M27 (inc Down Barn Farm)

3.1 The land at J 11 of the M27 comprises the land immediately adjacent to the motorway junction (to the north and north east) extending up to Boarhunt Road. The site currently accommodates a number of users, including a park & ride and strategic base for the Highways England in undertaking the smart motorway improvements that are currently underway.

3.2 A plan showing the location of the site is attached at Appendix One.

3.3 This site offers a unique opportunity to respond to a range of development needs, including those that require a location that is directly related to the strategic road network, or to accommodate users that are not well suited to either a residential environment or a business park.

3.4 A number of potential forms of development are appropriate for this location, including:

- Service facilities to serve the M27, including scope for an electric vehicle charging station.
- Uses of a similar form to those that are currently in place to meet the needs of Highways England – such as processing of building / waste materials.
- Displaced users who require relocation away from other sites that are being redeveloped for other uses or are allocated for such development. This is particularly relevant to locations such as Tipner where the sites development will require a number of business to relocate to alternative sites that meet their needs.
- Other uses that require accessibility to the strategic road network.

3.5 The site can be developed in an appropriate manner, incorporating a strong landscape framework and measure to promote biodiversity gain. The ability of the site to accommodate significant development without giving rise to undue impacts is currently being demonstrated by the scale of existing activity on site.

3.6 Further details to support the promotion of the site in the manner outlined above are currently in preparation and we would welcome the opportunity to consider how the Local Plan can support its delivery.

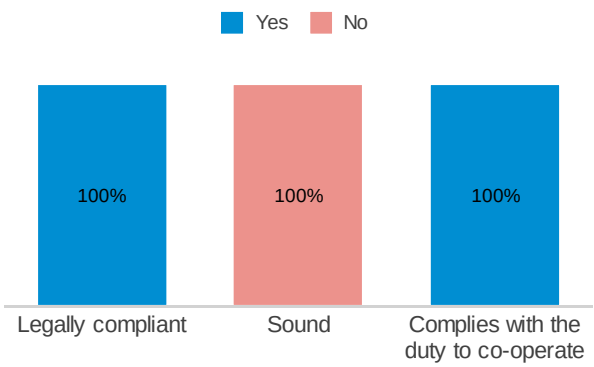
Appendix 1: Land at J11 of the M27 (inc Down Barn Farm).

Turley
Planning

Paragraph | 10.8

1 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	1	1	1
Yes	1 100%	0 0%	1 100%
No	0 0%	1 100%	0 0%



Respondent: Ms Lesley Goddard (1812-381727)

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

"reasonable choice" must include "reasonable expected duration"

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Duration of expected time to travel to key locations needs to be included by all modes of travel - a development need to show it will decrease time to take public transport/cycle/walk relative to car travel as currently needed in nearest neighbour. This would put the onus on developers to fund the modal shift improvements.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

see above

Your suggested revised wording of any policy or text:

see above

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

From: Andy Mooney <[redacted]
Sent: 18 December 2020 12:58
To: Consultation <Consultation@fareham.gov.uk>
Subject: Fareham Local Plan Consultation

On behalf of Fareham Constituency Labour Party, I wish to submit the following in response to the consultation

Fareham Labour Party response to local plan consultation

Fareham Labour would wish to submit the following in response to the consultation on the Publication Local Plan.

We welcome the fact that the revised local plan reduces the number of houses to be built on greenfield sites as we believe that the bulk of the housing needs for Fareham should be accommodated through a combination of the Welborne development and through the use of brownfield sites elsewhere in the borough. We welcome the removal of sites in Portchester and Wallington and preservation of the strategic gap. We remain concerned at the level of development proposed for the Western Wards. We are disappointed that greenfield sites remain under threat. We support prioritising brownfield sites, including building higher density housing in existing town centres.

We do not agree that the provision for affordable homes in the plan is adequate. We question whether this plan is accounting for growth in demand over this period or even seeking to maintain a bare minimum in providing good living conditions for local families. We see town centres as one area that can provide much needed affordable housing.

Fareham Borough Council should not ignore the fact that many especially young people need affordable housing. The council should identify further brownfield sites for development.

The Fareham local plan should include a new railway station on the Western edge of the Welborne development, this is relevant for the whole of Fareham, not just for Welborne. Residents in existing housing in North Fareham would be able to use this new station at Welborne including by walking and cycling. The provision of such a railway station is essential to take sufficient traffic off the roads in Fareham to avoid severe traffic congestion. A bus service will not achieve the necessary modal shift to public transport. If people can walk to and from the railway station in Welborne and only have to buy a rail ticket they will take the train. If people have to spend time and money travelling by bus to Fareham Railway Station to take the train they will drive and we shall have severe road traffic congestion in Fareham.

Regards

Andrew Mooney

[redacted]

Representations | Stuart Young

212-45138

Respondent details:

Title:	Mr
First Name:	Stuart
Last Name:	Young
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: 10.15

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

The roads around the area are already far too busy. The A27 heading to the area from junction 8 of the M27 is already at gridlock because of the vast numbers of houses already built in the last few years. This will get worse with the proposal to build so many houses. The same goes for the gridlock at Junction 9 of the M27. Why do they not build houses on areas where there is room for expansion both in terms of land but also expansion of overall infrastructure.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Build houses in an area where there is space to deal with lots more people and cars.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would need to be legally compliant in another area.

Your suggested revised wording of any policy or text:

Leave that to the lawyers.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Patron Her Majesty The Queen

Bringing Horses and People Together

The British Horse Society

26 July 2019

The Consultation Team
Fareham Borough Council
Civic Offices, Civic Way
Fareham
Hampshire
PO16 7AZ

Dear Sirs,

FAREHAM BOROUGH COUNCIL LOCAL PLAN ISSUES AND OPTIONS CONSULTATION

I am writing on behalf of the British Horse Society (BHS) in response to the current consultation on the Fareham Borough Local Plan. The BHS is the largest and most influential equestrian charity in the country, working to improve the lives of horses and their owners through its four core foundations of education, welfare, safety and access.

1. BACKGROUND TO OUR COMMENTS

Nationally, it is estimated that there are **3.5 million people** in the UK who ride or who drive a horse-drawn carriage. Hampshire has among the highest densities of horse ownership in the country *(source: former National Equine Database).* We estimate that there are currently more than **87,000 horses** within the county contributing at least **£313 million each year** to the local economy, mainly through goods and services supplied by small businesses such as feed merchants, vets, farriers, trainers, saddlers, etc.

A large number of these horses are kept within Fareham Borough, both at small yards and at major centres such as Crofton Manor.

Road Safety is a particular concern to equestrians, who are among the most vulnerable road users. Between November 2010 and March 2019, the BHS received reports of 3,737 road incidents, in which **315 horses and 43 people were killed**. Research indicates however that only 1 in 10 incidents are being reported to the BHS; in 2016-17 alone, **3,863** horse riders and carriage drivers in England and Wales were admitted to hospital after being injured in transport accidents. *(NHS Hospital Episodes Statistics)*

The BHS actively campaigns to improve road safety by making motorists aware of what to do when they encounter horses on the road (see https://www.bhs.org.uk/our-work/safety/dead-slow – we recommend taking a few minutes to watch the 'Dead Slow' virtual reality film for an impression of how vulnerable equestrians are in proximity to cars and lorries).

Because of the difficulties that equestrians encounter on roads, they avoid using them wherever possible. Road use is often unavoidable, however, sometimes simply because people have nowhere else to exercise their horses. The main off-road access available to them is the network of Rights of Way (RoW). Hampshire has around 3,000 miles of RoW, but only 28% of this network is available for horse riders (who may only use routes designated as Bridleways and Byways) and a mere 11% to carriage

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drivers (who only have access to Byways). An additional factor is that the network is fragmented, and roads are often the only available links between one RoW and the next.

This fragmentation is particularly prevalent within the highly-populated south of Hampshire, as a result of earlier development. Research carried out by Hampshire County Council for its Countryside Access Plan for the Solent 2008-13 identified that:

- **The rights of way network is particularly fragmented in this part of Hampshire**
- **There is an undersupply of access resource for horse riding and carriage driving**
- **Countryside users are forced to use or cross busy roads to link up off-road access.**

The revision of this Plan in 2015 confirmed that these findings still hold true, and the current Countryside Access Plan 2015-25 (the statutory Rights of Way Improvement Plan for Hampshire) identifies **'Improving connectivity of the network'** as one of the two key issues for managing access to the countryside for all users.

The Hampshire Countryside Access Forum (HCAF, an independent body whose statutory purpose is to advise local authorities and other bodies on access issues) has recently published Equestrians in Hampshire, a reference guide for planners and developers. The Forum have produced this guidance because they recognise:

a) the impacts of new developments and highway infrastructure on future safe access to the RoW network, and
b) the lack of information currently available to decision-makers about providing for the needs of equestrians.

This guidance has been circulated to all planning authorities in Hampshire and is also attracting interest from local authorities in other parts of the country.

2. THE DRAFT LOCAL PLAN FOR FAREHAM

Within the Borough of Fareham, there is a both a demonstrable demand for safe access for equestrians and a documented lack of provision. The issues identified in the Hampshire Countryside Access Plan for the Solent 2008-13 were confirmed by findings from a drop-in session organised by the BHS for equestrians at Crofton Community Hall in November 2017, where equestrians identified the following generic issues:

- Lack of bridleways and safe riding in and around Fareham
- Having to ride on very busy roads in order to reach safe riding
- Lack of inclusion in transport and housing development policies, especially where road improvements are being made and new roads built
- Lack of parking for horse boxes and trailers where there is access to safe off-road riding.

The results of this session were passed on to the Borough Council in our response to the Local Plan Review dated 6 December 2017 and it is disappointing that the current draft Local Plan does not appear to reflect these concerns. We hope that Fareham Borough Council will take the opportunity to address this in the current Review, and ask that the Plan should include:

a. Recognition of equestrians as vulnerable road users

Historically, pedestrians and cyclists have been considered as the main vulnerable road users. Equestrians are however increasingly recognised as being part of this group: during the Parliamentary Debate on Road Safety in November 2018 Jesse Norman, Under Secretary of State for Transport, stated that

"We should be clear that the cycling and walking strategy may have that name but is absolutely targeted at vulnerable road users, including horse-riders."

We therefore ask that the Local Plan includes Fareham's equestrians as vulnerable road users, to ensure that their needs are considered equally alongside those of pedestrians and cyclists.

b. Inclusion of equestrians in the emerging Fareham Active Travel Strategy

The term 'Active Travel' applies to journeys undertaken for a range of purposes, whether to reach a place of work or local amenities, or for recreation. It is also the case that many of the routes that are used to walk or cycle to work or school are the same routes which at other times provide for recreational use.

It is now acknowledged that horse-riding is as much an 'active travel' mode as recreational walking or cycling. At the recent Parliamentary Debate on Active Travel in Westminster Hall, Robert Courts MP proposed that ***"horse riders…ought to be thought about in the context of active travel as well."*** This was endorsed by Michael Ellis, Minister of State for Transport, who confirmed that ***"Active travel includes horse riders and bridle paths – this debate includes them."***

We therefore suggest that horse-riding should be included within the emerging Fareham Active Travel Strategy and would welcome the opportunity to contribute the development of this document.

c. Equestrians to be included in any shared-use routes, wherever possible

In order to maximise opportunities within development to help provide more off-road links for equestrians, where shared-use routes are created for active travel as a part of any development, planning policy should support the automatic inclusion of horse riders on shared off-road routes, unless there are specific reasons why this is not possible.

The proposed development at Welborne is an example of how this can benefit the wider off-road network, providing new shared-use routes which will reconnect the wider local RoW network, together with a long-awaited shared route linking Fareham to the Meon Valley Trail.

Conflict with cyclists is sometimes given as a reason for excluding horses from shared routes, but this rarely has anything to do with either the horse or the bicycle, simply the inconsiderate person who happens to be riding one or the other. Horse riders and cyclists as two vulnerable road user groups have more in common with each other than differences. This is illustrated by the work that the BHS is doing in partnership with Cycling UK in the current 'Be Nice, Say Hi!' campaign and with Sustrans in their 'Paths for Everyone' initiative.

The key to a successful shared route is the design: for example, rather than positioning a cycle path down the centre of a route with verges either side, the cycle path should be positioned to one side and the two verges combined to provide a soft surface for walkers, runners and horses on the other. (This also addresses the issue of horse droppings which, as research has confirmed, represent no danger to health and disperse quickly, particularly on unsurfaced paths.)

d. Reference to the Hampshire Countryside Access Forum (HCAF) guidance Equestrians in Hampshire

The HCAF has developed this guidance for planners and developers in response to feedback from local authorities, which indicated that they would welcome more information about how they can include equestrians in their work, engagement and consultation.

Written by members of HCAF with support from Hampshire Countryside Service and the BHS, this document has been widely circulated within and beyond Hampshire, sparking interest from other authorities outside the county.

We would urge Fareham Borough Council to incorporate the principles set out in this guidance into their planning policy: most particularly, **that equestrians should be considered and consulted with at an early stage within the planning of any major housing or infrastructure development.** This has been the case at Welborne, where as a result the proposed new bridleways, when implemented, will restore connectivity within the wider RoW network in a way that will benefit all users, including equestrians.

3. CONCLUSION

The special edition of Fareham Today that has been published as part of this consultation states that **"Good growth also means providing open space and leisure opportunities to encourage healthy and active lifestyles and encouraging more of us to use active forms of travel".**

Horse riding is a year-round activity which (along with associated activities such as mucking out and pasture maintenance) expends sufficient energy to be classed as moderate intensity exercise. The majority of those who ride regularly are women, and a significant proportion of riders are over 45. For some older or disabled people, being on horseback or in a horse-drawn carriage gives them access to the countryside and a freedom of movement that they would not otherwise be able to achieve. There are also considerable psychological and social benefits from equestrian activities, as the BHS is demonstrating through the Changing Lives through Horses initiative.

Equestrianism is a popular activity in this part of Hampshire, and one which contributes significantly to the local economy. The equestrian community in Fareham currently has many difficulties in finding safe access within the Borough, mainly as a result of past development. Many of these issues could be addressed and resolved through good planning of future development, as demonstrated at Welborne. We hope therefore that the Fareham Local Plan will include policies that will support this.

If you have any questions, or would like to discuss any aspect of this response further, please do not hesitate to contact me.

Yours faithfully

[redacted]

Petronella Nattrass
Access Field Officer – South Region

[redacted]

Technical Note 03

Project:	**Highways England Spatial Planning Arrangement 2016-2020**	Job No:	**60600479 / SF001.004**
Subject:	**Fareham Publication Draft Local Plan 2037 and Supporting Documents Review**		
Prepared by:	**Kimberley Pettingill**	Date:	**9th December 2020**
Checked by:	**Andrew Cuthbert**	Date:	**11th December 2020**
Verified by:	**Liz Judson**	Date:	**11th December 2020**
Approved by:	**Andrew Cuthbert**	Date:	**14th December 2020**

Executive Summary

Following a review of the Regulation 19 Fareham Publication Draft Local Plan 2037 and documents prepared in support of the 2037 Fareham Local Plan, AECOM make the following recommendations.

Recommendations regarded as critical to the acceptability of the forthcoming Local Plan

None

Recommendations regarded as important but not critical to the acceptability of the forthcoming Local Plan

1. Clarification should be sought with regards to the housing figures used within the SRTM model (for both the 2036 baseline, and 2036 Do Minimum scenarios). (para 5.9).
2. The SGAs should be removed from the model and a re-run of the modelling undertaken as appropriate. (para 5.10).

AECOM advise Highways England to formally raise the concerns highlighted in this note in the consultation response to the Fareham Publication Draft Local Plan 2037 Draft Transport Strategy and to continue to work with Fareham Borough Council and the other stakeholders to resolve the issues identified.

1. Introduction

1.1. This Technical Note (TN) documents a review, carried out by AECOM on behalf of Highways England, of the Regulation 19 Fareham Publication Local Plan (the PLP). The purpose of this review is to understand the impact of the proposed Local Plan site allocations within Fareham on the Strategic Road Network (SRN) and to determine whether sufficient highway infrastructure and mitigation is proposed to accommodate the planned growth.

1.2. AECOM have previously undertaken three tasks in relation to the Fareham Local Plan with the initial work being reported in AECOM TN01 and TN02. TN02 documents AECOMs review of the Fareham Local Plan 2036 Supplement document, which set out the plan for future development within Fareham and was an extension of the 2017 Draft LP which had already been consulted on. Within the LP Supplement, the development strategy and housing sections of the 2036 plan had been updated to reflect the increased housing requirements for Fareham. The most recent work reported in Briefing Note BN03 reported on the responses received from the Local Planning Authority and their Consultants to the issues raised in TN02.

1.3. The purpose of this review is therefore to determine what has changed within the most recent PLP since the last AECOM review (presented in TN02 and BN03), and to assess whether any of the amendments are likely to have a detrimental impact on the SRN .

1.4. The documents, issued by Fareham Borough Council (FBC) for consultation under Regulation 19 (Town and Country Planning Regulations 2012) and included in this review are as follows:

- Fareham Publication Local Plan 2037;
- Infrastructure Delivery Plan (IDP) September 2020;
- Strategic Transport Assessment (Atkins, September 2020) and supporting appendices; and
- Strategic Transport Assessment SRTM Modelling Report (Systra, August 2020).

1.5. The PLP contains strategic priorities, policies and allocations which aim to achieve sustainable development in the Borough whilst also identifying and protecting its valued assets. The PLP sets out what the Council considers are the opportunities for development and policies on what will or will not be permitted and where. The plan aims to ensure beneficial and high-quality development to meet the future needs of its residents, workers and visitors, whilst protecting its most valued natural and man-made assets such as landscapes, settlement character, heritage and community buildings.

1.6. The IDP is a supporting document to the PLP. It outlines the existing and planned infrastructure improvements required to accommodate LP growth.

1.7. The SRTM report forms part of the evidence base for the PLP, and informs the modelling section of the Strategic Transport Assessment (STA). AECOM have previously reviewed, on behalf of Highways England, both the initial version of the SRTM report (issued July 2019) and the updated version (issued in January 2020). These reviews are reported in our TN01, TN02 and BN03, dated October 2019, February 2020 and April 2020, respectively. Within these reports AECOM made a number of recommendations for additional assessment to be carried out to support the LP.

1.8. AECOM will undertake a general high level overview of the Publication Draft of the Local Plan (and relevant supporting documents) to determine whether it is broadly consistent with the Regulation 18 Draft and that nothing significant has been introduced that would be a threat to the SRN.

1.9. AECOM will review the latest LP consultation documents listed above against our previous recommendations from TN01, TN02 and BN01 to determine whether these have been addressed. This TN03 will highlight any potential points of concern to Highways England and advise whether it would be appropriate to make any representations to the consultation documents, with a view to protecting the safe and reliable operation of the SRN.

1.10. The PLP represents the 'Publication' stage of the Local Plan process. It is the result of updating and merging the Regulation 18 Draft Local Plan and Supplement taking into account the changes to national policy and guidance as well as comments received during the consultation exercises. This is the final stage before the Local Plan is submitted to the Secretary of State for independent examination. The Regulation 19 Local Plan consultation period is open until **Friday 18th December 2020**.

1.11. For ease of reference, AECOM's main comments and recommendations are presented in bold and underlined text throughout the note. Recommendations regarded as critical to the acceptability of the PLP are coloured **red.** Recommendations regarded as important but not critical to the acceptability of the PLP are highlighted in **amber.**

2. Background

2.1. Fareham Borough Council is the Local Planning Authority for a significant area within South Hampshire between the cities of Southampton and Portsmouth.

2.2. The development strategy proposed by the Local Plan includes:

- Provision for at least 8,389 new residential dwellings and 104,000m^2 of new employment floorspace;
- The strategic employment site at Daedalus (Solent Enterprise Zone) to deliver an additional 77,200m^2 of employment floorspace over and above that already planned for;
- Strategic opportunities in Fareham Town Centre that contribute to the delivery of at least 428 dwellings as part of a wider regeneration strategy;
- Development allocations on previously developed land where available, and on greenfield land around the edges of existing urban areas in order to meet remaining housing and employment needs, but otherwise managing appropriate levels of development outside of urban areas.

2.3. Fareham is served by the M27 Motorway, with M27 Junctions 9, 10 and 11 lying within the borough. Highways England are therefore concerned with the impact of planned growth on the safe and free-flow of traffic using the M27 and whether sufficient infrastructure and mitigation is proposed to accommodate this growth.

2.4. The Fareham PLP consultation documents (listed in para 1.2 of this TN) have been reviewed in the context of DfT Circular 02/2013[1] and Highways England's 'Planning for the Future' guidance[2], which provides an outline of matters that will be considered when Highways England are engaged in the local plan process. It states that Highways England will *"seek to provide a recommendation as to the soundness of proposed policies and proposals in relation to their interaction with the SRN".*

[1] The Strategic Road Network and the Delivery of Sustainable Development.

[2] The Strategic Road Network: Planning for the Future, A Guide to Working with Highways England on Planning Matters (September 2015).

3. Publication Local Plan 2037

3.1. FBC's current adopted local plan comprises three parts as follows:

- Local Plan Part 1 (LP1) Core Strategy (adopted in August 2011);
- Local Plan Part 2 (LP2) Development Sites & Policies (adopted in June 2015); and
- Local Plan Part 3 (LP3) The Welborne Plan (adopted in June 2015).

3.2. The Fareham Local Plan 2037 will formally replace the adopted LP1 and LP2. Local Plan Part 3: The Welborne Plan will not be replaced by the 2037 plan, but together with the new Local Plan and any Supplementary Planning Documents (SPDs), will make up the suite of planning policies upon which planning applications will be considered.

3.3. The Fareham Local Plan proposed plan period will cover sixteen years from the date of adoption, which is anticipated to take place in 2021, the period will therefore extend to 2037. This period differs from that stated in earlier drafts (2020 to 2036) and has been reflected in the plan name which has changed from Fareham Local Plan 2036 to Fareham Local Plan 2037.

3.4. Since the most recent AECOM review (reported within BN03), the Government published a new planning consultation (in August 2020) which proposes further changes to the way housing need is calculated. Local housing need should be determined by using the standard methodology set out in national Planning Practice Guidance (PPG). This methodology currently combines 2014-based household projections with affordability data released in March 2020 to calculate the annual need. Using this method, the housing need for Fareham currently stands at a minimum of 514 dwellings per annum (dpa). However, in August 2020, the Government released a consultation on a new standard methodology which affords councils the option of using either a percentage of the Borough's existing housing stock as the calculation's starting point or the most up-to-date household projections, whichever is the higher, before an affordability uplift is applied. FBC therefore considers it appropriate for this Publication Local Plan to plan for a scale of growth based on the proposed new methodology, and not one based on out-of-date household projections. This reduces the minimum housing need figure to 403dpa, based on a base date of 2021, resulting in a total of 6,448 dwellings over the 16 year plan period.

3.5. The PLP also makes provision for an additional 847 dwellings over the 16 year plan period, in order to contribute to neighbouring authority unmet housing needs (i.e. within Portsmouth City Council and Gosport Borough Council). Therefore, this results in the total minimum housing requirement as set out in the PLP of 7,295 over the 16 year period.

3.6. Policy H1 states that the Council will make provision for at least 8,389 new homes across the Borough during the Plan period of 2021-2037, which allows for a 15% contingency (over the minimum requirement) should delivery on some sites not match expectations.

3.7. The LP Supplement previously reviewed by AECOM and reported in TN02 and BN03, stated a requirement for 520 dwellings per annum to be delivered between 2020 and 2036 (totalling 8,320 dwellings). Therefore, the PLP identifies the requirement for an additional 69 houses over the 16 year plan period.

3.8. The general locations of the areas proposed for growth are illustrated on Figure 3.1 of the PLP. .

3.9. The proposed development sites and growth areas included within the PLP have been compared to those included within the LP Supplement, and AECOM note that there are a number of differences, as outlined in further detail below.

Housing Allocation policies

3.10. A number of additional small sites are included in the PLP that were not previously included within the LP Supplement (and therefore not considered in AECOMs previous review), these are listed below:

- HA27: Rookery Avenue (32 dwellings)
- HA28: 3-33 West Street, Porchester (16 dwellings)
- HA29: Land East of Church Road (20 dwellings)
- HA30: 33 Lodge Road (9 dwellings)
- HA31: Hammond Industrial Estate (36 dwellings)
- HA32: Egmont Nursery (8 dwellings)
- HA33: Land East of Bye Road (7 dwellings)
- HA34: Land South West of Sovereign Crescent (38 dwellings)
- HA35: Former Scout Hut, Coldeast Way (7 dwellings)
- HA37: Former Locks Heath Filling Station (30 dwellings)
- HA38: 68 Titchfield Park Road (9 dwellings)
- HA39: Land at 51 Greenaway Lane (5 dwellings)
- HA40: Land West of Northfield Park (22 dwellings)
- HA41: Stubbington Green (9 dwellings)
- HA43: Corner of Straight Road (16 dwellings)
- HA44: Assheton Court (60 dwellings, net yield 27)
- HA45: Rear of 77 Burridge Road (3 dwellings)

3.11. It is not considered that any of the above sites would be of particular interest to Highways England due to the proposed scale of the development at each site, and the relative remoteness of the sites to the SRN. Therefore, AECOM see no reason for Highways England to object to these additional proposed allocation sites in isolation.

3.12. However, Highways England's previous response to the 'Issues and Options' consultation which took place in the summer of 2019 should remain, that '*consideration will need to be given to assessing the cumulative impact of new sites that might be taken forward together with already planned growth in Fareham on the SRN*'.

Employment Land Provision

3.13. Three employment land sites have been allocated within the PLP, Faraday Business Park (Daedalus East), Swordfish Business Park (Daedalus West) and Solent 2, all previously identified in Local Plan Part 2 and within the LP Supplement.

3.14. Policy E2 outlines the details for Faraday Business Park and states an employment space capacity of 65,100m^2 (in addition to the 28,000m^2 already consented). This is in excess of the 40,000m^2 proposed within the LP Supplement and may result in a more significant impact on the SRN than previously reported as part of the LP Supplement evidence base.

3.15. Policy E3 outlines the details for Swordfish Business Park and states an employment space capacity of 12,100m^2 (in addition to the 22,000m^2 already consented). This is in excess of the 8,000m^2 proposed within the LP Supplement and may result in a more significant impact on the SRN than previously reported as part of the LP Supplement evidence base.

3.16. Sites E2 and E3 are located within the area of Solent Airport, at the southern edge of the Borough, adjacent to its boundary with Gosport, and therefore have a significant local catchment area from which workers can travel without interfacing with the SRN.

3.17. Policy E4 outlines the details for Solent 2 and states an employment space capacity of 23,500m^2 which is the same as proposed within the LP Supplement. This site is almost adjacent to M27 Junction 9.

Strategic Growth Areas

3.18. The LP Supplement proposed two Strategic Growth Areas (SGAs) within the Borough of Fareham, which were intended to play a role in meeting the total housing requirement, particularly in relation to unmet need, and were proposed as a result of the introduction of the current standard methodology which is higher than that included in the previous Local Plan. However, as the Government is consulting on a revised standard methodology which would see Fareham's need fall again, these SGAs have not been included within the PLP. The omission of these areas addresses some of the concerns previously raised by AECOM in TN02 in relation to significant amounts of development coming forward in close proximity to M27 Junction 11.

3.19. Table 4.2 of the PLP shows that there are sufficient sites to provide 8,389 net new homes across Fareham Borough from 2021 up to 2037, demonstrating that housing supply is in excess of the housing requirement allowing for a contingency should delivery on some sites not match expectations. Slightly under a half (4,020) of the 8,389 are located at Welborne, where there is a resolution to grant planning permission, together with a further 1,390 on sites which are either consented or have resolution to grant status. The PLP therefore proposes a net increase of 2,979 dwellings over the plan period over and above existing commitments.

4. Infrastructure Delivery Plan

4.1. The Interim Draft Infrastructure Delivery Plan (IDP) was reviewed as part of AECOMs TN02, and any outstanding concerns following the provision of additional technical material were raised in AECOMs BN03.

4.2. FBC have prepared the IDP in support of the PLP, dated September 2020. The IDP identifies current and planned infrastructure across Fareham required to support LP growth. AECOM's review refers to highways and transportation infrastructure only.

4.3. Infrastructure associated with the Welborne Garden Village has been identified in the Welborne Plan (LP3) and is not included in the IDP. The main concern raised in TN02 with the IDP was the reliance placed on improvements, at M27 Junction 10 and elsewhere, expected to come forward as mitigation for the development at Welborne. These improvements formed part of the background to the IDP (i.e. it was written on the basis that they were fully committed) and AECOM raised the issue of what would happen if these improvements did not come forward. This question was addressed with the submission of a set of 'without M27 J10' SRTM model runs, the results of which were reported on in AECOM BN03.

4.4. The current document states that the IDP has been formulated in consultation with the relevant bodies responsible for each type of infrastructure. It has been developed in two stages. Stage 1 assesses the current overall picture and identifies strategic capacity issues which might influence the development strategy. Infrastructure and service providers were asked to set out any strategic surplus/deficit capacity issues, along with planned projects already in the pipeline.

4.5. To undertake the stage 1 assessment, a proforma was circulated to all infrastructure and service providers on the Council's contact database, and respondents were asked to provide information on:

- current capacity or existing levels of use;
- future capacity (of infrastructure in its current form);
- planned provision;
- indicative sources of fund; and
- timescale for the improvements to be implemented.

4.6. Stage 2 of the IDP focuses around discussions based on local plan development and site allocations. The objective is to identify the detailed requirements of those potential sites or clusters of sites. Infrastructure and service providers were asked to contribute identifying the requirements arising from the sites as well as the cumulative impacts where possible.

4.7. As part of the Stage 2 consultation, Highways England completed a pro-forma which included a table where each LP development site was listed along with details of the infrastructure requirements for each site. The planned strategic highway infrastructure provision is detailed in the 'Highways and Transport Infrastructure' section of the IDP (page 71 relates to the SRN).

4.8. Under 'planned provision' the IDP refers to the following current strategic highway schemes in Fareham:

- Smart Motorway Programme for the M27 between Junction 4 (M3 Interchange) and Junction 11 (Fareham);
- M27 Junction 9 and Parkway South roundabout (an HCC scheme); and
- M27 Junction 10 improvements (as part of the Welborne development).

4.9. Under 'Additional Information of note' the IDP states the following on page 72:

'*When considering proposals for growth, any impacts on the SRN needs to be identified and mitigated as far as reasonably possible. Highways England will support proposals that consider sustainable measures which manage down demand and reduce the need to travel. Proposed new growth will need to be considered in the context of the cumulative impact from already proposed development on the SRN and infrastructure improvements on the SRN should only be considered as a last resort*.' This statement is consistent with the requirements of Circular 02/2013.

4.10. Page 116 of the IDP states '*in allocating land for new development, the Local Plan will need to maintain the function of the M27 and A27 for strategic connectivity in the Solent area and to maintain operational effectiveness of the key corridor. The Council will need to continue to work closely with its partners and stakeholders to develop strategies and facilitate the transport infrastructure that will be identified through the Transport Assessment and other relevant strategies*'.

4.11. Section 7 of the IDP identifies the key infrastructure required to specifically support the development set out in the Local Plan to ensure that future development is accompanied by the services and facilities needed to deliver sustainable communities.

4.12. Table 6 of the IDP sets out the specific infrastructure required to mitigate the impacts of the sites allocated in the development strategy as put forward by the service/infrastructure providers that were consulted on the overall strategy. Of interest to Highways England are those under the heading 'strategic borough-wide highways junctions'. The junctions needing mitigation as a result of borough-wide local plan growth are identified through the Local Plan Transport Assessment, which is reviewed in Section 5.

4.13. Table 7 of the IDP sets out requirements and projects that have been identified through evidence studies and from responses from service providers that apply to sites across the borough. Of interest to Highways England are those under the heading 'TA junctions / off-site highways', which was informed by the Local Plan Transport Assessment, reviewed in Section 5 of this TN.

4.14. It is of note that, out of the four junctions previously identified by AECOM as posing a risk to the safe and efficient operation of the SRN, the only junction listed in Table 7 of the IDP is the Delme roundabout, where a Hampshire County Council scheme costed at £9.35M is listed.

5. Strategic Transport Assessment and Sub-Regional Transport Model Report

5.1. A detailed review of the SRTM modelling was undertaken as part of AECOM's TN01 and subsequently TN02 and BN03. As such, this review focuses on whether the changes to the LP since the previous review identified in the sections above have been incorporated into the updated STRM modelling (undertaken as part of the STA), rather than a full review of the SRTM methodology adopted. In addition, any outstanding concerns raised as part of the previous reviews have been identified.

5.2. AECOM's TN01 documents a review of the July 2019 SRTM Modelling Report which supported the 'Issues and Options' LP consultation in the Summer of 2019. The SRTM assessment was then updated in the January 2020 SRTM Model Output Summary Report to account for the increased housing requirement for Fareham as covered by the LP Supplement, the review of which is documented in AECOM's TN02. BN03 was produced following discussions with representatives of Fareham Borough Council (FBC), HCC and their Consultants Atkins and Systra, and the provision of additional technical material. BN03 outlined two recommendations carried over from TN02 that were still considered outstanding (both regarded as important but not critical to the acceptability of the forthcoming Local Plan). These were as follows:

- Clarification should be provided on the way in which the proposed development 'North of Whiteley' has been incorporated in to the modelling and the nature of the junction improvements assumed to have taken place at M27 Junction 9 in the scenarios modelled (AECOM TN01 para 4.4).

- The volume / capacity (v/c) plots should be provided in the SRTM Report to gain an understanding of the difference between the 2036 Baseline and 2036 Do Minimum scenarios on the M27 main line (para 5.17).

5.3. This information was subsequently provided.

5.4. The conclusions reached within AECOM's BN03 were as follows:

'*AECOM's review of the results of the modelling undertaken has not identified any obvious showstoppers to the emerging Local Plan as currently proposed and this appears to be the case whether [or not] the major development at Welborne, and its associated improvement scheme at M27 Junction 10, goes ahead.*

However, there are a number of locations at which long queues are predicted, albeit the net increase in queueing attributable to the Local Plan itself appears to be relatively small. In these locations, the impact of Strategic Growth Areas and substantial individual development sites may identify a need for highway capacity-based mitigation measures as the sites concerned come forward through the Planning Application process, with Transport Assessments supported by detailed junction capacity models. In AECOM's view, these locations include the following:

- *The A27 (north) approach to the Segensworth roundabout from M27 Junction 9;*
- *The M27 westbound off-slip road at M27 Junction 11.*

AECOM therefore recommend that the Infrastructure Delivery Plan (IDP) associated with the Local Plan should state a potential requirement for developer-funded mitigation measures at the locations specified.'

It is disappointing that the IDP does not explicitly define such a requirement.

5.5. The key changes to the LP, as identified in the sections above are:

- The LP period will run until 2037, rather than 2036;
- The PLP identified the requirement for an additional 69 houses over the 16 year plan period (a total of 8,389), in comparison to the LP Supplement;
- The PLP no longer makes provision for two Strategic Growth Areas (SGAs) within the Borough;
- A number of smaller sites within Fareham Town Centre and elsewhere have been identified as being potential allocations: these are unlikely to be of concern to Highways England;
- The employment space capacity at Faraday Business Park has been increased to 65,100m^2 (40,000m^2 was proposed within the LP Supplement); and
- The employment space capacity at Swordfish Business Park has been increased to 12,100m^2 (8,000m^2 was proposed within the LP Supplement).

Assessment Scenarios

5.6. The SRTM has a base year of 2015, and forecast years of 2019, 2026, 2031, 2036 and 2041. For Fareham Local Plan assessment, scenarios were forecast to 2036 and scenarios have been developed as follows:

- **Scenario 1** – 2036 Baseline, no Fareham Local Plan development except committed sites. Welborne (4,260 residential units) and M27 Junction 10 included.
- **Scenario 1a** – 2036 Baseline, no Fareham Local Plan development except committed sites. Welborne capped at 1,160 residential units, no M27 10 scheme included.
- **Scenario 2** – 2036 Do-Minimum (Do Minimum), full Fareham Local Plan development without transport mitigation measures, Welborne (4,260 residential units) and M27 Junction 10 included.
- **Scenario 2a** – 2036 Do Minimum, full Fareham Local Plan development without transport mitigation. Welborne capped at 1,160 residential units, no M27 Junction 10 scheme.
- **Scenario 3** – 2036 Do Something (Do Something) full Fareham Local Plan development with potential mitigation measures.

5.7. The above scenarios allow the net impact of the PLP on the key junctions of interest to Highways England to be quantified, whether Welborne goes ahead in full (and brings with it the proposed improvement to M27 Junction 10) or whether it is capped at 1,160 dwellings and does not bring about the M27 J10 improvement.

5.8. The PLP will run to 2037; however, the SRTM modelling has used a future year of 2036. No explanation has been provided within the Strategic TA/ STRM modelling report as to why this is the case. AECOM accept the use of 2036, which is a common year for which runs of the SRTM have been made, as a proxy for the new end-date of the PLP.

5.9. For the purposes of this review, Scenarios 2 and 3 are of most interest, as these are the scenarios where the full local plan development has been included. Table 7-1 of the TA indicates that the modelling assumes an additional 6,051 dwellings over the period 2015 to 2036 with the PLP (Scenario 2) than over the same period in the baseline (Scenario 1). This is further substantiated by comparing Tables 7-3 and 7-4, where the difference between the dwelling totals in the two tables is also 6,051. Table 7-5 of the TA sets out the proposed growth in the PLP between 2021 and 2037 of 8,389 (the figure quoted in the PLP itself), which, once existing commitments (5,410) are deducted, gives a net increase due to the PLP of 2,979 dwellings. There is some difficulty in reconciling these figures because one is for the period 2015 to 2036, and the other, 2021 to 2037. Nevertheless, there does appear to be a significant discrepancy (of 3,072 dwellings) between the modelled figure and the figure in the PLP, given that they both purport to represent the net impact of the PLP over and above existing commitments. AECOM cannot find an explanation for this in the TA and are concerned that the figure used may be excessive and may result in the modelling reporting more excessive delays and queueing than are likely, and potentially presenting an unrealistic prediction of the future operation of the highway network. **AECOM therefore**

recommend that clarification is provided with regards to the housing figures used within the SRTM model (for both the 2036 baseline, and 2036 Do Minimum scenarios).

5.10. Paragraph 7.24 of the STA states that the modelling includes the two potential Strategic Growth Areas (SGAs) North of Downend and South of Fareham, and this is confirmed by reference to Figure 7-2, which shows 650 dwellings North of Downend and 1,975 South of Fareham. However, these SGAs are no longer allocated in the PLP. AECOM consider that the inclusion of these sites in the modelling may distort the modelling, potentially mean that the modelling outputs are reporting more excessive delays and queueing on the highway network than is likely, and potentially representing an unrealistic prediction of the future operation of the highway network. It is of note that the inclusion of the two SGAs does not fully explain the apparent discrepancy between the number of dwellings modelled and those now proposed in the PLP. **It is recommended that the SGAs are removed from the model and a re-run of the modelling undertaken as appropriate.**

5.11. Paragraph 7.7 of the TA states that the PLP will result in approximately 3,000 additional jobs in the Borough over the period 2015 to 2036. Paragraph 7.23 of the STA states that the employment site allocations shown in Table 7-6 of the STA have been included in the model, which shows the cumulative impact of these expansions. Table 7-6 reflects the same level of employment site growth as identified within the PLP and therefore, on this basis, AECOM agree that the STRM reflects the level of anticipated employment growth identified within the PLP.

Results

5.12. The previous AECOM review of the SRTM Report identified the following locations to be of interest to HE:

- Segensworth Roundabout – approach from M27 Junction 9;
- M27 Junction 9;
- M27 Junction 11 (including the Boarhunt Road M27 Junction 11 off-slip junction); and
- Delme Roundabout - approach from M27 Junction 11.

5.13. For the purpose of the TA, the following definitions are adopted:

- A ‘significant’ impact is one where a junction has an RFC of greater than 85% and there is an increase of more than 5% on any one approach arm;
- A ‘severe’ impact is one where a junction has an RFC of greater than 95% and there is an increase of more than 10%, or where a delay of greater than 120 second increases by more than 60 seconds per vehicle on any one approach arm

5.14. AECOM agree that these are suitable thresholds for identifying junctions likely to be of particular interest in terms of traffic capacity/ congestion effects.

5.15. The impact of growth to the 2036 Baseline is illustrated on Figure 8-1 of the TA, where ‘severe’ impacts are indicated at M27 Junctions 9 and 11 and at the Segensworth roundabout, and a ‘significant’ impact is predicted at the Delme roundabout.

5.16. The net impact of the PLP is illustrated on Figure 9-1 of the TA, where ‘significant’ impacts are indicated at the Segensworth and Delme junctions and that M27 Junctions 9 and 11 fall below the definition of ‘significant’. Whilst M27 Junction 10 is indicated as having a significant increase in traffic flows (TA para 9.5 refers), it does not meet the criteria for a ‘significant’ impact, presumably because the new layout proposed by the Welborne developer remains within capacity.

5.17. Chapter 10 of the TA reports on the results of a sensitivity test in which the impact of the PLP is tested in a scenario in which Welborne is capped at 1,160 dwellings and the improvements to M27 J10 do not take place. These indicate a ‘severe’ impact from the PLP at the Segensworth roundabout and a ‘significant’ impact at the Delme, but not at either M27 Junctions 9 or 11.

5.18. Chapter 11 of the TA sets out proposed mitigation schemes at a number of junctions within the Plan area. Whilst the Segensworth roundabout is indicated as having a 'significant' impact, the arm concerned (Little Park Farm Road) is stated as having a low delay per vehicles and manageable queue length. The problems presented at the Delme roundabout are described at paras 11.40 – 11.42. Mitigation in the form of further signalisation of this roundabout is proposed, with bus lane and bus priority signals, segregated cycle lanes and improved pedestrian crossing facilities. This proposal is said to be at an advanced stage of design and to provide adequate capacity in the AM peak, in the 2036 Do Minimum, with further work required to bring the junction within capacity in the PM peak. However, in the Scenario 3 (Do Something scenario), it returns to being within capacity, with a reduction in flow predicted on the approach from M27 Junction 11. The results tabulated in the Local Junction Modelling Report indicate that the approach from M27 Junction 11 remains within capacity in all scenarios.

5.19. In Scenario 3, a 'significant' impact is predicted at M27 Junction 9 on the westbound off-slip. However, this is said (at TA para 12.17) to be soluble by adjustment to traffic signal timings on the A27 junctions with Redlands Lane and Bishopsfield Road.

5.20. The SRTM modelling report sets out in more detail the results of the SRTM model runs for the Scenarios tested. Results in terms of predicted levels of queueing on M27 slip roads, and on the approaches to the Delme and Segensworth roundabouts from M27 Junctions 11 and 9, respectively, are exactly the same as previously reported, and summarised in section 3 of AECOM's BN03. This confirms that the modelling undertaken has not been adjusted to reflect the amended housing growth set out in the PLP relative to previous drafts of the emerging LP.

5.21. Therefore, no further review of the modelling outputs has been undertaken. The previous recommendations in BN03 still stand. For reference, these included:

- *AECOM's review of the results of the modelling undertaken has not identified any obvious showstoppers to the emerging Local Plan as currently proposed and this appears to be the case whether the major development at Welborne, and its associated improvement scheme at M27 Junction 10, goes ahead.*

- *However, there are a number of locations at which long queues are predicted, albeit the net increase in queueing attributable to the Local Plan itself appears to be relatively small. In these locations, the impact of Strategic Growth Areas and substantial individual development sites may identify a need for highway capacity-based mitigation measures as the sites concerned come forward through the Planning Application process, with Transport Assessments supported by detailed junction capacity models. In AECOM's view, these locations include the following:*

  - *The A27 (north) approach to the Segensworth roundabout from M27 Junction 9;*

  - *The M27 westbound off-slip road at M27 Junction 11.*

- *AECOM therefore recommend that the Infrastructure Delivery Plan (IDP) associated with the Local Plan should state a potential requirement for developer-funded mitigation measures at the locations specified.*

5.22. The IDP states on page 72, under 'additional information to note' that *'when considering proposals for growth, any impacts on the SRN needs to be identified and mitigated as far as reasonably possible. Highways England will support proposals that consider sustainable measures which manage down demand and reduce the need to travel. Proposed new growth will need to be considered in the context of the cumulative impact from already proposed development on the SRN and infrastructure improvements on the SRN should only be considered as a last resort.'*

5.23. In addition, Policy TIN2 of the PLP, 'Highway Safety and Road Network' states that:

'*Development will be permitted where:*

a) There is no unacceptable impact on highway safety, and the residual cumulative impact on the road networks is not severe; and

b) The impacts on the local and strategic highway network arising from the development itself or the cumulative effects of development on the network are mitigated through provision of improvements and enhancements to the local network or contributions towards necessary or relevant off-site transport improvement schemes.'

5.24. Therefore, it is considered that the text contained within both the IDP and the PLP adequately safeguard the SRN by clearly stating that any impacts will need to be identified and mitigated. It is therefore considered that the recommendation at Paragraph 4.6 of BN03 has been adequately addressed.

6. Conclusion

6.1. This TN documents a review, carried out by AECOM on behalf of Highways England, of the Regulation 19 Fareham Publication Local Plan (the PLP). The purpose of this review is to understand the impact of the proposed Local Plan site allocations within Fareham on the Strategic Road Network (SRN) and to determine whether sufficient highway infrastructure and mitigation is proposed to accommodate the planned growth.

6.2. AECOM have previously undertaken three tasks in relation to the Fareham Local Plan with the initial work being reported in AECOM TN01 and TN02. TN02 documents AECOMs review of the Fareham Local Plan 2036 Supplement document, which set out the plan for future development within Fareham and was an extension of the 2017 Draft LP which had already been consulted on. Within the LP Supplement, the development strategy and housing sections of the 2036 plan had been updated to reflect the increased housing requirements for Fareham. The most recent work reported in Briefing Note BN03 reported on the responses received from the Local Planning Authority and their Consultants to the issues raised in TN02.

6.3. The purpose of this review was therefore to determine what has changed within the most recent PLP since the last AECOM review (presented in TN02 and BN03), and to assess whether any of the amendments are likely to have a detrimental impact on the SRN .

6.4. This TA has identified some issues and concerns which should be addressed. These recommendations are listed in the Executive Summary and highlighted by the use of bold underlined text in the main body of this document. Recommendations regarded as critical to the acceptability of the forthcoming Local Plan are coloured **red.** Recommendations regarded as important but not critical to the acceptability of the forthcoming Local Plan are highlighted in **amber.**

6.5. **AECOM advise Highways England to formally raise the concerns highlighted in this note in the consultation response to the Regulation 19 Publication Local Plan 2037 and to continue to work with Fareham Borough Council and the other stakeholders to resolve the issues identified.**

FAREHAM Local Plan 2037

Introduction

The Council has published the Publication Version of the Local Plan. This consultation is the final stage before the Plan is submitted to a Government Planning Inspector for independent examination.

The Statement of Representations Procedure and Statement of Fact sets out how and when you can view the Local Plan and respond to the consultation.

You can make comments on the Plan, known as representations, up to 18 December 2020.

What can I make a representation on?

This consultation is different from previous ones as it no longer seeks views on alternative options. You will be asked whether you think the Plan is:

- **Legally Compliant**: Does the Plan meet the legal requirements for plan making as set out by planning laws?
- **Sound**: Has the Plan been positively prepared? Is it justified, effective, and consistent with national policy?
- **Complies with the Duty to Co-operate**: Has the Council engaged and worked effectively with neighbouring authorities and statutory bodies?

You can make a representation on any part of the plan, but only comments that address the three questions above can be taken into account.

You can find out more about each of the questions by reading Fareham Today and the Frequently Asked Questions.

What happens next?

A Planning Inspector will be appointed to consider the Plan and comments from the consultation on behalf of the Secretary of State. All representations will be forwarded, together with the Publication Plan, to the Planning Inspector for consideration.

PERSONAL DETAILS

Data Protection Privacy Statement – Consultation on the Local Plan in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012

In order to deliver services to the citizens and communities in Fareham Borough, it is necessary for the Council to collect, gather and process personal data.

In relation to the consultation on the Local Plan in accordance regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, Fareham Borough Council will collect and process personal data for the following processing purposes:

- Receiving representations to the consultation and submitting the Local Plan for examination in public.

The Council is processing this personal data by virtue of the following Lawful Basis:

- Compliance with a legal obligation
- Performance of a task carried out in the public interest.

Consultation responses will be entered onto the online consultation form. The company that host the online consultation form, Snap Surveys are ISO 27001 certified and will store the data on a secure UK server.

The Town and Country Planning (Local Planning) (England) Regulations 2012 requires that, when the Council submits the Local Plan and associated documents to the Secretary of State, for examination in public, the responses made to the consultation on the Local Plan must also be submitted. This includes the personal data collected, such as name, address and contact details.

In addition, any representations submitted will be made available on the Fareham Borough Council website. Addresses, email addresses and phone numbers will not be published.

Representations linked to plan making will be retained for no more than 5 years following adoption of the Local Plan. We will not keep this information for longer than is necessary.

You have certain rights under the General Data Protection Regulations (GDPR) in respect of your personal information. More information about your rights can be found on the Council's website or on request.

A1 Is an Agent Appointed?

☐ Yes ☒ No

A2 Please provide your details below:

Title:	Mr
First Name:	Jayson
Last Name:	Grygiel
Job Title: (where relevant)	Manager of Planning Policy
Organisation: (where relevant)	Gosport Borough Council
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

A3 Please provide the Agent's details (if applicable):

Title:	
First Name:	
Last Name:	
Job Title: (where relevant)	
Organisation: (where relevant)	
Address:	
Postcode:	
Telephone Number:	
Email Address:	

You can check which paragraph, policy etc you want to comment on by looking at the Publication Local Plan.

You can find out more about what you can comment on by reading Fareham Today and the Frequently Asked Questions.

B1 Which part of the Local Plan is this representation about?

- [ ] A paragraph — Go to B1a
- [x] A policy — Go to B1b
- [ ] The policies map — Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

TIN2: Highway Safety and Road Network

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	☐	☐
Sound	☒	☐
Complies with the duty to co-operate	☐	☐

B3 Please provide details you have to support your answers above

Policy TIN2 is supported as it aims to ensure development does not have an unacceptable impact on highway safety and the residual cumulative impact on the road network is not severe. The impacts on the local and strategic highway arising from development itself or the cumulative effects of development on the network are required to be mitigated through the provision of improvements to the local network or contributions towards off-site transport schemes.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

N/A

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

N/A

B4c Your suggested revised wording of any policy or text:

N/A

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

☐ Yes, I want to take part in a hearing session

☒ No, I don't want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

N/A

The Inspector will decide on who will appear at the hearing(s). You may be asked to take part when the Inspector has identified the matters and issues for examination.

Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

Technical Note 03

Project:	**Highways England Spatial Planning Arrangement 2016-2020**	Job No:	**60600479 / SF001.004**
Subject:	**Fareham Publication Draft Local Plan 2037 and Supporting Documents Review**		
Prepared by:	**Kimberley Pettingill**	Date:	**9th December 2020**
Checked by:	**Andrew Cuthbert**	Date:	**11th December 2020**
Verified by:	**Liz Judson**	Date:	**11th December 2020**
Approved by:	**Andrew Cuthbert**	Date:	**14th December 2020**

Executive Summary

Following a review of the Regulation 19 Fareham Publication Draft Local Plan 2037 and documents prepared in support of the 2037 Fareham Local Plan, AECOM make the following recommendations.

Recommendations regarded as critical to the acceptability of the forthcoming Local Plan

None

Recommendations regarded as important but not critical to the acceptability of the forthcoming Local Plan

1. Clarification should be sought with regards to the housing figures used within the SRTM model (for both the 2036 baseline, and 2036 Do Minimum scenarios). (para 5.9).
2. The SGAs should be removed from the model and a re-run of the modelling undertaken as appropriate. (para 5.10).

AECOM advise Highways England to formally raise the concerns highlighted in this note in the consultation response to the Fareham Publication Draft Local Plan 2037 Draft Transport Strategy and to continue to work with Fareham Borough Council and the other stakeholders to resolve the issues identified.

1. Introduction

1.1. This Technical Note (TN) documents a review, carried out by AECOM on behalf of Highways England, of the Regulation 19 Fareham Publication Local Plan (the PLP). The purpose of this review is to understand the impact of the proposed Local Plan site allocations within Fareham on the Strategic Road Network (SRN) and to determine whether sufficient highway infrastructure and mitigation is proposed to accommodate the planned growth.

1.2. AECOM have previously undertaken three tasks in relation to the Fareham Local Plan with the initial work being reported in AECOM TN01 and TN02. TN02 documents AECOMs review of the Fareham Local Plan 2036 Supplement document, which set out the plan for future development within Fareham and was an extension of the 2017 Draft LP which had already been consulted on. Within the LP Supplement, the development strategy and housing sections of the 2036 plan had been updated to reflect the increased housing requirements for Fareham. The most recent work reported in Briefing Note BN03 reported on the responses received from the Local Planning Authority and their Consultants to the issues raised in TN02.

1.3. The purpose of this review is therefore to determine what has changed within the most recent PLP since the last AECOM review (presented in TN02 and BN03), and to assess whether any of the amendments are likely to have a detrimental impact on the SRN .

1.4. The documents, issued by Fareham Borough Council (FBC) for consultation under Regulation 19 (Town and Country Planning Regulations 2012) and included in this review are as follows:

- Fareham Publication Local Plan 2037;
- Infrastructure Delivery Plan (IDP) September 2020;
- Strategic Transport Assessment (Atkins, September 2020) and supporting appendices; and
- Strategic Transport Assessment SRTM Modelling Report (Systra, August 2020).

1.5. The PLP contains strategic priorities, policies and allocations which aim to achieve sustainable development in the Borough whilst also identifying and protecting its valued assets. The PLP sets out what the Council considers are the opportunities for development and policies on what will or will not be permitted and where. The plan aims to ensure beneficial and high-quality development to meet the future needs of its residents, workers and visitors, whilst protecting its most valued natural and man-made assets such as landscapes, settlement character, heritage and community buildings.

1.6. The IDP is a supporting document to the PLP. It outlines the existing and planned infrastructure improvements required to accommodate LP growth.

1.7. The SRTM report forms part of the evidence base for the PLP, and informs the modelling section of the Strategic Transport Assessment (STA). AECOM have previously reviewed, on behalf of Highways England, both the initial version of the SRTM report (issued July 2019) and the updated version (issued in January 2020). These reviews are reported in our TN01, TN02 and BN03, dated October 2019, February 2020 and April 2020, respectively. Within these reports AECOM made a number of recommendations for additional assessment to be carried out to support the LP.

1.8. AECOM will undertake a general high level overview of the Publication Draft of the Local Plan (and relevant supporting documents) to determine whether it is broadly consistent with the Regulation 18 Draft and that nothing significant has been introduced that would be a threat to the SRN.

1.9. AECOM will review the latest LP consultation documents listed above against our previous recommendations from TN01, TN02 and BN01 to determine whether these have been addressed. This TN03 will highlight any potential points of concern to Highways England and advise whether it would be appropriate to make any representations to the consultation documents, with a view to protecting the safe and reliable operation of the SRN.

1.10. The PLP represents the 'Publication' stage of the Local Plan process. It is the result of updating and merging the Regulation 18 Draft Local Plan and Supplement taking into account the changes to national policy and guidance as well as comments received during the consultation exercises. This is the final stage before the Local Plan is submitted to the Secretary of State for independent examination. The Regulation 19 Local Plan consultation period is open until **Friday 18th December 2020**.

1.11. For ease of reference, AECOM's main comments and recommendations are presented in bold and underlined text throughout the note. Recommendations regarded as critical to the acceptability of the PLP are coloured **red.** Recommendations regarded as important but not critical to the acceptability of the PLP are highlighted in **amber.**

2. Background

2.1. Fareham Borough Council is the Local Planning Authority for a significant area within South Hampshire between the cities of Southampton and Portsmouth.

2.2. The development strategy proposed by the Local Plan includes:

- Provision for at least 8,389 new residential dwellings and 104,000m^2 of new employment floorspace;
- The strategic employment site at Daedalus (Solent Enterprise Zone) to deliver an additional 77,200m^2 of employment floorspace over and above that already planned for;
- Strategic opportunities in Fareham Town Centre that contribute to the delivery of at least 428 dwellings as part of a wider regeneration strategy;
- Development allocations on previously developed land where available, and on greenfield land around the edges of existing urban areas in order to meet remaining housing and employment needs, but otherwise managing appropriate levels of development outside of urban areas.

2.3. Fareham is served by the M27 Motorway, with M27 Junctions 9, 10 and 11 lying within the borough. Highways England are therefore concerned with the impact of planned growth on the safe and free-flow of traffic using the M27 and whether sufficient infrastructure and mitigation is proposed to accommodate this growth.

2.4. The Fareham PLP consultation documents (listed in para 1.2 of this TN) have been reviewed in the context of DfT Circular 02/2013[1] and Highways England's 'Planning for the Future' guidance[2], which provides an outline of matters that will be considered when Highways England are engaged in the local plan process. It states that Highways England will *"seek to provide a recommendation as to the soundness of proposed policies and proposals in relation to their interaction with the SRN".*

[1] The Strategic Road Network and the Delivery of Sustainable Development.

[2] The Strategic Road Network: Planning for the Future, A Guide to Working with Highways England on Planning Matters (September 2015).

3. Publication Local Plan 2037

3.1. FBC's current adopted local plan comprises three parts as follows:

- Local Plan Part 1 (LP1) Core Strategy (adopted in August 2011);
- Local Plan Part 2 (LP2) Development Sites & Policies (adopted in June 2015); and
- Local Plan Part 3 (LP3) The Welborne Plan (adopted in June 2015).

3.2. The Fareham Local Plan 2037 will formally replace the adopted LP1 and LP2. Local Plan Part 3: The Welborne Plan will not be replaced by the 2037 plan, but together with the new Local Plan and any Supplementary Planning Documents (SPDs), will make up the suite of planning policies upon which planning applications will be considered.

3.3. The Fareham Local Plan proposed plan period will cover sixteen years from the date of adoption, which is anticipated to take place in 2021, the period will therefore extend to 2037. This period differs from that stated in earlier drafts (2020 to 2036) and has been reflected in the plan name which has changed from Fareham Local Plan 2036 to Fareham Local Plan 2037.

3.4. Since the most recent AECOM review (reported within BN03), the Government published a new planning consultation (in August 2020) which proposes further changes to the way housing need is calculated. Local housing need should be determined by using the standard methodology set out in national Planning Practice Guidance (PPG). This methodology currently combines 2014-based household projections with affordability data released in March 2020 to calculate the annual need. Using this method, the housing need for Fareham currently stands at a minimum of 514 dwellings per annum (dpa). However, in August 2020, the Government released a consultation on a new standard methodology which affords councils the option of using either a percentage of the Borough's existing housing stock as the calculation's starting point or the most up-to-date household projections, whichever is the higher, before an affordability uplift is applied. FBC therefore considers it appropriate for this Publication Local Plan to plan for a scale of growth based on the proposed new methodology, and not one based on out-of-date household projections. This reduces the minimum housing need figure to 403dpa, based on a base date of 2021, resulting in a total of 6,448 dwellings over the 16 year plan period.

3.5. The PLP also makes provision for an additional 847 dwellings over the 16 year plan period, in order to contribute to neighbouring authority unmet housing needs (i.e. within Portsmouth City Council and Gosport Borough Council). Therefore, this results in the total minimum housing requirement as set out in the PLP of 7,295 over the 16 year period.

3.6. Policy H1 states that the Council will make provision for at least 8,389 new homes across the Borough during the Plan period of 2021-2037, which allows for a 15% contingency (over the minimum requirement) should delivery on some sites not match expectations.

3.7. The LP Supplement previously reviewed by AECOM and reported in TN02 and BN03, stated a requirement for 520 dwellings per annum to be delivered between 2020 and 2036 (totalling 8,320 dwellings). Therefore, the PLP identifies the requirement for an additional 69 houses over the 16 year plan period.

3.8. The general locations of the areas proposed for growth are illustrated on Figure 3.1 of the PLP. .

3.9. The proposed development sites and growth areas included within the PLP have been compared to those included within the LP Supplement, and AECOM note that there are a number of differences, as outlined in further detail below.

Housing Allocation policies

3.10. A number of additional small sites are included in the PLP that were not previously included within the LP Supplement (and therefore not considered in AECOMs previous review), these are listed below:

- HA27: Rookery Avenue (32 dwellings)
- HA28: 3-33 West Street, Porchester (16 dwellings)
- HA29: Land East of Church Road (20 dwellings)
- HA30: 33 Lodge Road (9 dwellings)
- HA31: Hammond Industrial Estate (36 dwellings)
- HA32: Egmont Nursery (8 dwellings)
- HA33: Land East of Bye Road (7 dwellings)
- HA34: Land South West of Sovereign Crescent (38 dwellings)
- HA35: Former Scout Hut, Coldeast Way (7 dwellings)
- HA37: Former Locks Heath Filling Station (30 dwellings)
- HA38: 68 Titchfield Park Road (9 dwellings)
- HA39: Land at 51 Greenaway Lane (5 dwellings)
- HA40: Land West of Northfield Park (22 dwellings)
- HA41: Stubbington Green (9 dwellings)
- HA43: Corner of Straight Road (16 dwellings)
- HA44: Assheton Court (60 dwellings, net yield 27)
- HA45: Rear of 77 Burridge Road (3 dwellings)

3.11. It is not considered that any of the above sites would be of particular interest to Highways England due to the proposed scale of the development at each site, and the relative remoteness of the sites to the SRN. Therefore, AECOM see no reason for Highways England to object to these additional proposed allocation sites in isolation.

3.12. However, Highways England's previous response to the 'Issues and Options' consultation which took place in the summer of 2019 should remain, that '*consideration will need to be given to assessing the cumulative impact of new sites that might be taken forward together with already planned growth in Fareham on the SRN*'.

Employment Land Provision

3.13. Three employment land sites have been allocated within the PLP, Faraday Business Park (Daedalus East), Swordfish Business Park (Daedalus West) and Solent 2, all previously identified in Local Plan Part 2 and within the LP Supplement.

3.14. Policy E2 outlines the details for Faraday Business Park and states an employment space capacity of 65,100m^2 (in addition to the 28,000m^2 already consented). This is in excess of the 40,000m^2 proposed within the LP Supplement and may result in a more significant impact on the SRN than previously reported as part of the LP Supplement evidence base.

3.15. Policy E3 outlines the details for Swordfish Business Park and states an employment space capacity of 12,100m^2 (in addition to the 22,000m^2 already consented). This is in excess of the 8,000m^2 proposed within the LP Supplement and may result in a more significant impact on the SRN than previously reported as part of the LP Supplement evidence base.

3.16. Sites E2 and E3 are located within the area of Solent Airport, at the southern edge of the Borough, adjacent to its boundary with Gosport, and therefore have a significant local catchment area from which workers can travel without interfacing with the SRN.

3.17. Policy E4 outlines the details for Solent 2 and states an employment space capacity of 23,500m^2 which is the same as proposed within the LP Supplement. This site is almost adjacent to M27 Junction 9.

Strategic Growth Areas

3.18. The LP Supplement proposed two Strategic Growth Areas (SGAs) within the Borough of Fareham, which were intended to play a role in meeting the total housing requirement, particularly in relation to unmet need, and were proposed as a result of the introduction of the current standard methodology which is higher than that included in the previous Local Plan. However, as the Government is consulting on a revised standard methodology which would see Fareham's need fall again, these SGAs have not been included within the PLP. The omission of these areas addresses some of the concerns previously raised by AECOM in TN02 in relation to significant amounts of development coming forward in close proximity to M27 Junction 11.

3.19. Table 4.2 of the PLP shows that there are sufficient sites to provide 8,389 net new homes across Fareham Borough from 2021 up to 2037, demonstrating that housing supply is in excess of the housing requirement allowing for a contingency should delivery on some sites not match expectations. Slightly under a half (4,020) of the 8,389 are located at Welborne, where there is a resolution to grant planning permission, together with a further 1,390 on sites which are either consented or have resolution to grant status. The PLP therefore proposes a net increase of 2,979 dwellings over the plan period over and above existing commitments.

4. Infrastructure Delivery Plan

4.1. The Interim Draft Infrastructure Delivery Plan (IDP) was reviewed as part of AECOMs TN02, and any outstanding concerns following the provision of additional technical material were raised in AECOMs BN03.

4.2. FBC have prepared the IDP in support of the PLP, dated September 2020. The IDP identifies current and planned infrastructure across Fareham required to support LP growth. AECOM's review refers to highways and transportation infrastructure only.

4.3. Infrastructure associated with the Welborne Garden Village has been identified in the Welborne Plan (LP3) and is not included in the IDP. The main concern raised in TN02 with the IDP was the reliance placed on improvements, at M27 Junction 10 and elsewhere, expected to come forward as mitigation for the development at Welborne. These improvements formed part of the background to the IDP (i.e. it was written on the basis that they were fully committed) and AECOM raised the issue of what would happen if these improvements did not come forward. This question was addressed with the submission of a set of 'without M27 J10' SRTM model runs, the results of which were reported on in AECOM BN03.

4.4. The current document states that the IDP has been formulated in consultation with the relevant bodies responsible for each type of infrastructure. It has been developed in two stages. Stage 1 assesses the current overall picture and identifies strategic capacity issues which might influence the development strategy. Infrastructure and service providers were asked to set out any strategic surplus/deficit capacity issues, along with planned projects already in the pipeline.

4.5. To undertake the stage 1 assessment, a proforma was circulated to all infrastructure and service providers on the Council's contact database, and respondents were asked to provide information on:

- current capacity or existing levels of use;
- future capacity (of infrastructure in its current form);
- planned provision;
- indicative sources of fund; and
- timescale for the improvements to be implemented.

4.6. Stage 2 of the IDP focuses around discussions based on local plan development and site allocations. The objective is to identify the detailed requirements of those potential sites or clusters of sites. Infrastructure and service providers were asked to contribute identifying the requirements arising from the sites as well as the cumulative impacts where possible.

4.7. As part of the Stage 2 consultation, Highways England completed a pro-forma which included a table where each LP development site was listed along with details of the infrastructure requirements for each site. The planned strategic highway infrastructure provision is detailed in the 'Highways and Transport Infrastructure' section of the IDP (page 71 relates to the SRN).

4.8. Under 'planned provision' the IDP refers to the following current strategic highway schemes in Fareham:

- Smart Motorway Programme for the M27 between Junction 4 (M3 Interchange) and Junction 11 (Fareham);
- M27 Junction 9 and Parkway South roundabout (an HCC scheme); and
- M27 Junction 10 improvements (as part of the Welborne development).

4.9. Under 'Additional Information of note' the IDP states the following on page 72:

'*When considering proposals for growth, any impacts on the SRN needs to be identified and mitigated as far as reasonably possible. Highways England will support proposals that consider sustainable measures which manage down demand and reduce the need to travel. Proposed new growth will need to be considered in the context of the cumulative impact from already proposed development on the SRN and infrastructure improvements on the SRN should only be considered as a last resort*.' This statement is consistent with the requirements of Circular 02/2013.

4.10. Page 116 of the IDP states '*in allocating land for new development, the Local Plan will need to maintain the function of the M27 and A27 for strategic connectivity in the Solent area and to maintain operational effectiveness of the key corridor. The Council will need to continue to work closely with its partners and stakeholders to develop strategies and facilitate the transport infrastructure that will be identified through the Transport Assessment and other relevant strategies*'.

4.11. Section 7 of the IDP identifies the key infrastructure required to specifically support the development set out in the Local Plan to ensure that future development is accompanied by the services and facilities needed to deliver sustainable communities.

4.12. Table 6 of the IDP sets out the specific infrastructure required to mitigate the impacts of the sites allocated in the development strategy as put forward by the service/infrastructure providers that were consulted on the overall strategy. Of interest to Highways England are those under the heading 'strategic borough-wide highways junctions'. The junctions needing mitigation as a result of borough-wide local plan growth are identified through the Local Plan Transport Assessment, which is reviewed in Section 5.

4.13. Table 7 of the IDP sets out requirements and projects that have been identified through evidence studies and from responses from service providers that apply to sites across the borough. Of interest to Highways England are those under the heading 'TA junctions / off-site highways', which was informed by the Local Plan Transport Assessment, reviewed in Section 5 of this TN.

4.14. It is of note that, out of the four junctions previously identified by AECOM as posing a risk to the safe and efficient operation of the SRN, the only junction listed in Table 7 of the IDP is the Delme roundabout, where a Hampshire County Council scheme costed at £9.35M is listed.

5. Strategic Transport Assessment and Sub-Regional Transport Model Report

5.1. A detailed review of the SRTM modelling was undertaken as part of AECOM's TN01 and subsequently TN02 and BN03. As such, this review focuses on whether the changes to the LP since the previous review identified in the sections above have been incorporated into the updated STRM modelling (undertaken as part of the STA), rather than a full review of the SRTM methodology adopted. In addition, any outstanding concerns raised as part of the previous reviews have been identified.

5.2. AECOM's TN01 documents a review of the July 2019 SRTM Modelling Report which supported the 'Issues and Options' LP consultation in the Summer of 2019. The SRTM assessment was then updated in the January 2020 SRTM Model Output Summary Report to account for the increased housing requirement for Fareham as covered by the LP Supplement, the review of which is documented in AECOM's TN02. BN03 was produced following discussions with representatives of Fareham Borough Council (FBC), HCC and their Consultants Atkins and Systra, and the provision of additional technical material. BN03 outlined two recommendations carried over from TN02 that were still considered outstanding (both regarded as important but not critical to the acceptability of the forthcoming Local Plan). These were as follows:

- Clarification should be provided on the way in which the proposed development 'North of Whiteley' has been incorporated in to the modelling and the nature of the junction improvements assumed to have taken place at M27 Junction 9 in the scenarios modelled (AECOM TN01 para 4.4).

- The volume / capacity (v/c) plots should be provided in the SRTM Report to gain an understanding of the difference between the 2036 Baseline and 2036 Do Minimum scenarios on the M27 main line (para 5.17).

5.3. This information was subsequently provided.

5.4. The conclusions reached within AECOM's BN03 were as follows:

'*AECOM's review of the results of the modelling undertaken has not identified any obvious showstoppers to the emerging Local Plan as currently proposed and this appears to be the case whether [or not] the major development at Welborne, and its associated improvement scheme at M27 Junction 10, goes ahead.*

However, there are a number of locations at which long queues are predicted, albeit the net increase in queueing attributable to the Local Plan itself appears to be relatively small. In these locations, the impact of Strategic Growth Areas and substantial individual development sites may identify a need for highway capacity-based mitigation measures as the sites concerned come forward through the Planning Application process, with Transport Assessments supported by detailed junction capacity models. In AECOM's view, these locations include the following:

- *The A27 (north) approach to the Segensworth roundabout from M27 Junction 9;*
- *The M27 westbound off-slip road at M27 Junction 11.*

AECOM therefore recommend that the Infrastructure Delivery Plan (IDP) associated with the Local Plan should state a potential requirement for developer-funded mitigation measures at the locations specified.'

It is disappointing that the IDP does not explicitly define such a requirement.

5.5. The key changes to the LP, as identified in the sections above are:

- The LP period will run until 2037, rather than 2036;
- The PLP identified the requirement for an additional 69 houses over the 16 year plan period (a total of 8,389), in comparison to the LP Supplement;
- The PLP no longer makes provision for two Strategic Growth Areas (SGAs) within the Borough;
- A number of smaller sites within Fareham Town Centre and elsewhere have been identified as being potential allocations: these are unlikely to be of concern to Highways England;
- The employment space capacity at Faraday Business Park has been increased to 65,100m^2 (40,000m^2 was proposed within the LP Supplement); and
- The employment space capacity at Swordfish Business Park has been increased to 12,100m^2 (8,000m^2 was proposed within the LP Supplement).

Assessment Scenarios

5.6. The SRTM has a base year of 2015, and forecast years of 2019, 2026, 2031, 2036 and 2041. For Fareham Local Plan assessment, scenarios were forecast to 2036 and scenarios have been developed as follows:

- **Scenario 1** – 2036 Baseline, no Fareham Local Plan development except committed sites. Welborne (4,260 residential units) and M27 Junction 10 included.
- **Scenario 1a** – 2036 Baseline, no Fareham Local Plan development except committed sites. Welborne capped at 1,160 residential units, no M27 10 scheme included.
- **Scenario 2** – 2036 Do-Minimum (Do Minimum), full Fareham Local Plan development without transport mitigation measures, Welborne (4,260 residential units) and M27 Junction 10 included.
- **Scenario 2a** – 2036 Do Minimum, full Fareham Local Plan development without transport mitigation. Welborne capped at 1,160 residential units, no M27 Junction 10 scheme.
- **Scenario 3** – 2036 Do Something (Do Something) full Fareham Local Plan development with potential mitigation measures.

5.7. The above scenarios allow the net impact of the PLP on the key junctions of interest to Highways England to be quantified, whether Welborne goes ahead in full (and brings with it the proposed improvement to M27 Junction 10) or whether it is capped at 1,160 dwellings and does not bring about the M27 J10 improvement.

5.8. The PLP will run to 2037; however, the SRTM modelling has used a future year of 2036. No explanation has been provided within the Strategic TA/ STRM modelling report as to why this is the case. AECOM accept the use of 2036, which is a common year for which runs of the SRTM have been made, as a proxy for the new end-date of the PLP.

5.9. For the purposes of this review, Scenarios 2 and 3 are of most interest, as these are the scenarios where the full local plan development has been included. Table 7-1 of the TA indicates that the modelling assumes an additional 6,051 dwellings over the period 2015 to 2036 with the PLP (Scenario 2) than over the same period in the baseline (Scenario 1). This is further substantiated by comparing Tables 7-3 and 7-4, where the difference between the dwelling totals in the two tables is also 6,051. Table 7-5 of the TA sets out the proposed growth in the PLP between 2021 and 2037 of 8,389 (the figure quoted in the PLP itself), which, once existing commitments (5,410) are deducted, gives a net increase due to the PLP of 2,979 dwellings. There is some difficulty in reconciling these figures because one is for the period 2015 to 2036, and the other, 2021 to 2037. Nevertheless, there does appear to be a significant discrepancy (of 3,072 dwellings) between the modelled figure and the figure in the PLP, given that they both purport to represent the net impact of the PLP over and above existing commitments. AECOM cannot find an explanation for this in the TA and are concerned that the figure used may be excessive and may result in the modelling reporting more excessive delays and queueing than are likely, and potentially presenting an unrealistic prediction of the future operation of the highway network. **AECOM therefore**

recommend that clarification is provided with regards to the housing figures used within the SRTM model (for both the 2036 baseline, and 2036 Do Minimum scenarios).

5.10. Paragraph 7.24 of the STA states that the modelling includes the two potential Strategic Growth Areas (SGAs) North of Downend and South of Fareham, and this is confirmed by reference to Figure 7-2, which shows 650 dwellings North of Downend and 1,975 South of Fareham. However, these SGAs are no longer allocated in the PLP. AECOM consider that the inclusion of these sites in the modelling may distort the modelling, potentially mean that the modelling outputs are reporting more excessive delays and queueing on the highway network than is likely, and potentially representing an unrealistic prediction of the future operation of the highway network. It is of note that the inclusion of the two SGAs does not fully explain the apparent discrepancy between the number of dwellings modelled and those now proposed in the PLP. **It is recommended that the SGAs are removed from the model and a re-run of the modelling undertaken as appropriate.**

5.11. Paragraph 7.7 of the TA states that the PLP will result in approximately 3,000 additional jobs in the Borough over the period 2015 to 2036. Paragraph 7.23 of the STA states that the employment site allocations shown in Table 7-6 of the STA have been included in the model, which shows the cumulative impact of these expansions. Table 7-6 reflects the same level of employment site growth as identified within the PLP and therefore, on this basis, AECOM agree that the STRM reflects the level of anticipated employment growth identified within the PLP.

Results

5.12. The previous AECOM review of the SRTM Report identified the following locations to be of interest to HE:

- Segensworth Roundabout – approach from M27 Junction 9;
- M27 Junction 9;
- M27 Junction 11 (including the Boarhunt Road M27 Junction 11 off-slip junction); and
- Delme Roundabout - approach from M27 Junction 11.

5.13. For the purpose of the TA, the following definitions are adopted:

- A 'significant' impact is one where a junction has an RFC of greater than 85% and there is an increase of more than 5% on any one approach arm;
- A 'severe' impact is one where a junction has an RFC of greater than 95% and there is an increase of more than 10%, or where a delay of greater than 120 second increases by more than 60 seconds per vehicle on any one approach arm

5.14. AECOM agree that these are suitable thresholds for identifying junctions likely to be of particular interest in terms of traffic capacity/ congestion effects.

5.15. The impact of growth to the 2036 Baseline is illustrated on Figure 8-1 of the TA, where 'severe' impacts are indicated at M27 Junctions 9 and 11 and at the Segensworth roundabout, and a 'significant' impact is predicted at the Delme roundabout.

5.16. The net impact of the PLP is illustrated on Figure 9-1 of the TA, where 'significant' impacts are indicated at the Segensworth and Delme junctions and that M27 Junctions 9 and 11 fall below the definition of 'significant'. Whilst M27 Junction 10 is indicated as having a significant increase in traffic flows (TA para 9.5 refers), it does not meet the criteria for a 'significant' impact, presumably because the new layout proposed by the Welborne developer remains within capacity.

5.17. Chapter 10 of the TA reports on the results of a sensitivity test in which the impact of the PLP is tested in a scenario in which Welborne is capped at 1,160 dwellings and the improvements to M27 J10 do not take place. These indicate a 'severe' impact from the PLP at the Segensworth roundabout and a 'significant' impact at the Delme, but not at either M27 Junctions 9 or 11.

5.18. Chapter 11 of the TA sets out proposed mitigation schemes at a number of junctions within the Plan area. Whilst the Segensworth roundabout is indicated as having a 'significant' impact, the arm concerned (Little Park Farm Road) is stated as having a low delay per vehicles and manageable queue length. The problems presented at the Delme roundabout are described at paras 11.40 – 11.42. Mitigation in the form of further signalisation of this roundabout is proposed, with bus lane and bus priority signals, segregated cycle lanes and improved pedestrian crossing facilities. This proposal is said to be at an advanced stage of design and to provide adequate capacity in the AM peak, in the 2036 Do Minimum, with further work required to bring the junction within capacity in the PM peak. However, in the Scenario 3 (Do Something scenario), it returns to being within capacity, with a reduction in flow predicted on the approach from M27 Junction 11. The results tabulated in the Local Junction Modelling Report indicate that the approach from M27 Junction 11 remains within capacity in all scenarios.

5.19. In Scenario 3, a 'significant' impact is predicted at M27 Junction 9 on the westbound off-slip. However, this is said (at TA para 12.17) to be soluble by adjustment to traffic signal timings on the A27 junctions with Redlands Lane and Bishopsfield Road.

5.20. The SRTM modelling report sets out in more detail the results of the SRTM model runs for the Scenarios tested. Results in terms of predicted levels of queueing on M27 slip roads, and on the approaches to the Delme and Segensworth roundabouts from M27 Junctions 11 and 9, respectively, are exactly the same as previously reported, and summarised in section 3 of AECOM's BN03. This confirms that the modelling undertaken has not been adjusted to reflect the amended housing growth set out in the PLP relative to previous drafts of the emerging LP.

5.21. Therefore, no further review of the modelling outputs has been undertaken. The previous recommendations in BN03 still stand. For reference, these included:

- *AECOM's review of the results of the modelling undertaken has not identified any obvious showstoppers to the emerging Local Plan as currently proposed and this appears to be the case whether the major development at Welborne, and its associated improvement scheme at M27 Junction 10, goes ahead.*

- *However, there are a number of locations at which long queues are predicted, albeit the net increase in queueing attributable to the Local Plan itself appears to be relatively small. In these locations, the impact of Strategic Growth Areas and substantial individual development sites may identify a need for highway capacity-based mitigation measures as the sites concerned come forward through the Planning Application process, with Transport Assessments supported by detailed junction capacity models. In AECOM's view, these locations include the following:*

    - *The A27 (north) approach to the Segensworth roundabout from M27 Junction 9;*

    - *The M27 westbound off-slip road at M27 Junction 11.*

- *AECOM therefore recommend that the Infrastructure Delivery Plan (IDP) associated with the Local Plan should state a potential requirement for developer-funded mitigation measures at the locations specified.*

5.22. The IDP states on page 72, under 'additional information to note' that *'when considering proposals for growth, any impacts on the SRN needs to be identified and mitigated as far as reasonably possible. Highways England will support proposals that consider sustainable measures which manage down demand and reduce the need to travel. Proposed new growth will need to be considered in the context of the cumulative impact from already proposed development on the SRN and infrastructure improvements on the SRN should only be considered as a last resort*.'

5.23. In addition, Policy TIN2 of the PLP, 'Highway Safety and Road Network' states that:

'Development will be permitted where:

a) There is no unacceptable impact on highway safety, and the residual cumulative impact on the road networks is not severe; and

b) The impacts on the local and strategic highway network arising from the development itself or the cumulative effects of development on the network are mitigated through provision of improvements and enhancements to the local network or contributions towards necessary or relevant off-site transport improvement schemes.'

5.24. Therefore, it is considered that the text contained within both the IDP and the PLP adequately safeguard the SRN by clearly stating that any impacts will need to be identified and mitigated. It is therefore considered that the recommendation at Paragraph 4.6 of BN03 has been adequately addressed.

6. Conclusion

6.1. This TN documents a review, carried out by AECOM on behalf of Highways England, of the Regulation 19 Fareham Publication Local Plan (the PLP). The purpose of this review is to understand the impact of the proposed Local Plan site allocations within Fareham on the Strategic Road Network (SRN) and to determine whether sufficient highway infrastructure and mitigation is proposed to accommodate the planned growth.

6.2. AECOM have previously undertaken three tasks in relation to the Fareham Local Plan with the initial work being reported in AECOM TN01 and TN02. TN02 documents AECOMs review of the Fareham Local Plan 2036 Supplement document, which set out the plan for future development within Fareham and was an extension of the 2017 Draft LP which had already been consulted on. Within the LP Supplement, the development strategy and housing sections of the 2036 plan had been updated to reflect the increased housing requirements for Fareham. The most recent work reported in Briefing Note BN03 reported on the responses received from the Local Planning Authority and their Consultants to the issues raised in TN02.

6.3. The purpose of this review was therefore to determine what has changed within the most recent PLP since the last AECOM review (presented in TN02 and BN03), and to assess whether any of the amendments are likely to have a detrimental impact on the SRN .

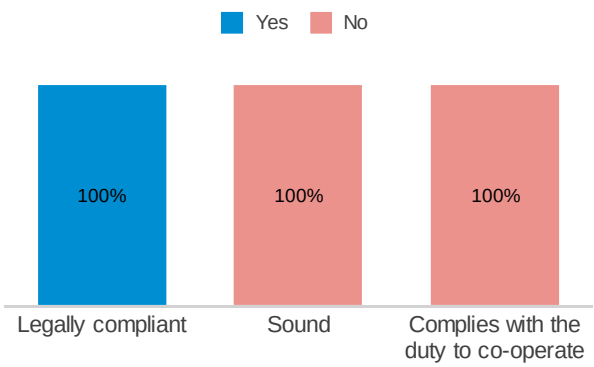
6.4. This TA has identified some issues and concerns which should be addressed. These recommendations are listed in the Executive Summary and highlighted by the use of bold underlined text in the main body of this document. Recommendations regarded as critical to the acceptability of the forthcoming Local Plan are coloured **red.** Recommendations regarded as important but not critical to the acceptability of the forthcoming Local Plan are highlighted in **amber.**

6.5. **AECOM advise Highways England to formally raise the concerns highlighted in this note in the consultation response to the Regulation 19 Publication Local Plan 2037 and to continue to work with Fareham Borough Council and the other stakeholders to resolve the issues identified.**

Policy | TIN2 - Highway Safety and Road Network

1 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	1	1	1
Yes	1 100%	0 0%	0 0%
No	0 0%	1 100%	1 100%



Respondent: Mrs Samantha Pope CEng BEng (Hons) (1712-1207)

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

10.15 Transport plan does not include an analysis of streets where the majority of the houses are proposed. Why hasn't more consideration been given to HA1 in the transport assessment? There are 830 dwellings proposed in HA1. With an average of 2 cars per dwelling, an additional 1660 vehicles will be on local roads! Because of the lack of consideration, there is no reference for the mitigation required to reduce congestion by 2036. The Plan fails the Test of Soundness by not being Positively Prepared in this respect. QUOTE 14.6 of Final transport Assessment "In conclusions, based on the work of this Strategic Transport Assessment, it is considered that the quantum and distribution of the development proposed in the Fareham Local Plan, and the resulting transport impacts, are capable of mitigation at the strategic level, and that the plan is therefore deliverable and sound from a transport perspective." This statement doesn't include the area of the local plan with 800 homes isn't assessed within the document Transport plan. 10.27 All developers will provide monies under section 106 to contribute to the Infrastructure Delivery Plan (IDP) . However there is nothing identified within the IDP table as a required contribution to transport and travel or highways in the western wards.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

There is no reference for the mitigation required to reduce congestion by 2036. The Plan fails the Test of Soundness by not being Positively Prepared in this respect. This statement doesn't include the area of the local plan with 800 homes isn't assessed within the document Transport plan. 10.27 All developers will provide monies under section 106 to contribute to the Infrastructure Delivery Plan (IDP) . However there is nothing identified within the IDP table as a required contribution to transport and travel or highways in the western wards.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Complete a transport assessment and include this along with mitigations required to the area of HA1. Include the mitigation within the IDP and itemize the contributions for travel and highways in the western wards

Your suggested revised wording of any policy or text:

The statements and supporting documentation must include the 800 homes proposed in HA1. I can not suggest wording for this as the professionals (transport, highways and infrastructure engineers) should complete the calculations required for HA1 and provide mitigation measures as a result.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Keely, Lauren

From: June Ward <[redacted]>
Sent: 10 December 2020 15:39
To: Consultation
Subject: Fwd: FBC Continued
Attachments: FBC Continued .docx

For the attention of Katherine Trott

Begin forwarded message:

[redacted]

Dear Katherine,
As discussed with you Friday 4 December I enclose the start of my comments on the consultation document which you said you would be able to put in the appropriate boxes as I am unable to as I found that I could not continue without logging on, each time which was not how the system should've worked.
When we spoke you said that you had not received the second paragraph that I submitted so I am hoping that I will start there, as you have already received my first submission.

As I am not able to view the pro forma I hope you will be able to put them into the correct boxes as obviously with only one iPad that I am using to work on and one for my notes which I have made, it would be too torturous.

So onto matters of legal compliance which I believe is paragraph 1.6

There is no mention of the 2017 unadopted draft plan although it has been confirmed that it was in the previous 2015 plan.
Although there was an overall reduction in the new housing it would appear that Warsash is actually going to take 20% more. HA1 has no joined up thinking. There should be an environmental impact on all of the sites proposed , so that each one is not seen in isolation.

Paragraph 4.19 states that many of the housing policies brackets HE256 811 1416 1820 2125 and no longer considered to be proposed allocations. I should like to know how objectively assessed housing need arrived at the fact that site HA1 was to take the bullet.

It would appear that the developers have taken advantage of the LPA's decision that proposing HA1 would mean that they have carte blanche to submit applications. I believe this is contrary to the publication plan.It would also appear that in order to fit in as many houses as possible into HA1 the boundaries have been adjusted to accommodate them. How does this not look as though the Developers have the upper hand and are actually driving this through.

So onto the Habitats directive which again comes under Matters of legal compliance.
Paragraph 9.10 is about nightrates neutrality strategic policy. I cannot see how the policy which requires designated sites to be protected and enhanced and improved is adhered too. I think the word I am looking for is there should be a net reduction the designated sites in unfavourable conditions. TheLPA's way of adjudging is the exact opposite. It would appear that this is in direct contravention of both the habitats directive and the publication plan policies. The developments contemplated would be negatively impacting theSAC and RAMSAR sites. I cannot see that under these circumstances it would be a valid option.

I am calling it a day at present and wonder if you can reply to acknowledge receipt of this and that I am actually doing the right thing and making comments that you can import into the documentation,

Many thanks,

June Ward

[redacted]

Dear Katherine,
This next part of my document relates to the Test of Soundness

I am not at all happy with the settlement definition.
Policy HA1, which is supposedly a greenfield site is proposed to be changed to an urban area – via the redefinition of settlement boundaries reference WW 17. Greenfield sites are not particularly favourable for development as it says in the forward to the publication plan.
Paragraph 2.10 says that Fareham Borough aims to retain the identity of the amazing valuable landscape and settlement definition, protecting it's natural, built and historic assets. As someone who has lived in Warsash 45 years and been conversant with this area for nearly 10 years before that, ie the late 1960's, is a complete contradiction. What was once a very gentle countryside location seems to have been redesignated giving it up and status. And the change of the settlement boundary to enable this to happen is in my view completely unethical and beyond belief. I take exception to the fact that policy HP1 calls for the efficient use of existing buildings to meet such need on a 1 for 1replacement dwelling basis. This is not applicable for HA1 and it would appear that FBC has managed to redraw the urban boundary.

My next comment on test of soundness is where infrastructure is concerned.

This concerns policy HP4 to be found paragraph 5.24; I think HA1 demonstrably fails to have any thing other than a detrimental effect on the environment, certainly the traffic(witness the two and a half hours to get off the motorway on Friday 4 th December, where all roads in and out of Warsash were snarled up, as we are a peninsula....or has this not occurred to anyone) and amenity has implications. Even now I feel that I cannot venture out too far from Warsash for fear of not getting back at a reasonable time due to the amount of traffic on the few roads in and out of Warsash. Warsash almost appears to be a prison! Don't go anywhere because you can't get back to your house!

This ties in with my next point policy HA1. Page 51 talks about traffic routes. As I have said earlier it almost feels that one is imprisoned in Warsash. I note that there was a recommendation that there should only be six dwellings and Greenaway Lane now I see that the plan proposes for 140 houses and that to enable this to be accessed the lane needs to be widened. I think the clue is in the word Lane. This is a delightful lane to walk through but with that amount of traffic proposed would be considerably dangerous. It is already "take your life in your hands to cross Warsash Road "let alone the impact of trying to walk within what was once considered countryside. As one gets older and appreciates the ability to be able to walk along country lanes. Page 54 suggests there should be seven new accesses onto an incredibly busy Brook lane and LockswoodRoad as well as an additional iaccess at Brook Lane via three entry points from Greenaway Lane. I have already had to change my surgery where I was a patient for 40 odd years as it was impossible to get to the surgery on time due to the amount of traffic. My surgery is now in locks Heath Centre. I note that there was an occasion some time in the last few few weeks that the Air ambulance was unable to land; and ambulance was unable to get there because of the gridlock. My point is very much that the proximity of these access points and the position of such will cause even more gridlock. We are a peninsular we are hemmed in. More traffic will make us feel that we are even more in a cage.

Continuing with my other comments about infrastructure
Paragraph 10.15 where has that been an analysis of roads where the new houses are proposed. If we are considering 830 new dwellings what about the transport assessment for HA1. Although there could be an average of two cars per dwelling I know from experience that at one point, with our daughters coming and going from University, we had five cars in the driveway, which we could accommodate.....many of the new homes will not have this advantage, and extra cars will be accommodated on the roads.. how therefore is there no reference for the mitigation required to reduce congestion by 2037. Plan as presented failed the test of soundness by not being positively prepared in this respect.In this very Rural area one has to have access to a car to get anywhere, unless being confined to one's home is the way forward for FBC. I cannot see that paragraph 10.14 helps any of us.

I have had the pleasure of one of my family is moving closer to live with me in Warsash and the boys are very involved in outdoor activities so it was a joy that I saw there was provision of two junior football pitches however these appear to be missed off of the master plan?

Document 3 for FBC

Dear Katherine,

This relates to Test of soundness-

Housing need methodology

I think there is a disparity CE paragraph 3.27 figure 3.2. The map shows that there are eight possible growth areas when there are actually more than this. Could you confirm which is the correct one.
Again paragraph 3.37 does not align with paragraph 4.13 regarding the definition of small-scale development. In other words, is it sites of less than 1Ha or development of not more than four dwellings.
Again under the same heading; paragraph 4.2 of the publication plan is dubious as it bases housing numbers on the proposed new methodology for calculating need and there is some concern that this may not be adopted by the government. Also page 37 paragraphs 4.12, 4.16 and policy HP13 illustration says that the contingency barrier of 1094 has been made. I think the plan is very dependent that 4858 houses at Welbourne will be delivered.

Occupancy rates
Paragraph 5.41 states that a four or five bed house would have an average occupancy rate of 2.4 with regard to nitrate budget calculations. However it also states that the range of occupancy for affordable homes will be between 4-6 persons. This does not marry up with the claims in the publication plan for what the council needs and requires.

Carbon reduction

Paragraph 8.60 section 8 does not state what the target should be for the requirement of meeting CO2 emission targets. It simply refers to individual developments power generation. I would contend that the plan is not positively prepared.

Paragraph 11.34 does not state what the meeting of CO2 emission reduction targets should be.The plan just refers to individual developments power generation so again I contend that plan is not positively prepared.
Paragraph 11.36 no standards have been set for the developers to design for natural ventilation and green infrastructure. I cannot see how just meeting building regs, allies with the Governments needs to meet the promised carbon reduction. The council should lead by example by setting standards to ensure that developers are designing for sustainability. We need to look to the future using the new standards SA10.

Retail facilities
Paragraph 7.13 if Warsash is to have more houses then there will be additional retail facilities needed and with that will be the need for more parking spaces as many who have lived in this area for decades need to use their own transport for shopping, hairdressers, and many other facilities that this village has provided. It is already a job to cross the road from one side to the other and more cars to the area will make this even more impossible.There would need to be a crossing area to allow children to cross safely to get to the bus stop or to Brookfield School as well as the many elderly people who need to cross from one side to the other.

Paragraph 7.18 although out-of-town shopping is discussed it is not however defined. As one gets older one prefers to take ones custom to the local shops as driving is not so pleasurable. If we are to be encouraged to shop elsewhere this will increase the amount of traffic on our heavily congested roads.

Education

Paragraph 10.26 infrastructure delivery plan section 5.5. I note that education is planned with Hampshire county council however the period of any proposed extensions only covers to 2021. The plan however goes up to 2037. My grandchildren are already in three different schools within the area, two of which need cars. Offering houses to be developed but then not having school places it's not a sound approach to help to realise the dreams of future generations.
Paragraph 10.27 Infrastructure delivery plan table item 83 calls for section 106 provisions of additional early years foundation provision within the western wards. However H a one does not say if there is going to be a nursery or preschool within the proposed development area. There should be a child placement contribution to be allocated as there are over 1000 new houses being proposed for the Warsash area alone. Again If parents need childcare provision they would have to travel out of this immediate area in order to access provision; not at all ideal, adding to traffic chaos, length of time travelling to and from child care setting and not allowing children to make friendships with those who they might be at school with when they reach statutory age.

Healthcare
As regards Paragraph 10.26 the infrastructure delivery plan calls for the expansion of healthcare provision through further GP practices in the western wards. The document however only provides an historic timeline through dating the local plan. This is not a sound approach considering that HA1 will bring in additional 830 houses. It is already impossible to get an appointment at the nearest GP practice within a week.

Complies with duty to cooperate
Housing need methodology

Paragraph 1.28 which agrees to take up the shortfall of homes from Portsmouth, numbering 847, would appear that FBC are taking a risk as the new methodology for calculating housing need has not been signed off by the Government. Also during this time of public consultation the housing delivery test will not be available

Paragraph 3.10 The rewilding of the Stubbington strategic gap was made without consultation with the council offices or elected members. It came via an announcement through a press release after the start of the full council meeting, which was in the process of debating this plan.

Representations | Samantha Pope CEng BEng (Hons)

1712-1207

Respondent details:

Title:	Mrs
First Name:	Samantha
Last Name:	Pope CEng BEng (Hons)
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policy: TIN2 - Highway Safety and Road Network

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

10.15 Transport plan does not include an analysis of streets where the majority of the houses are proposed. Why hasn't more consideration been given to HA1 in the transport assessment? There are 830 dwellings proposed in HA1. With an average of 2 cars per dwelling, an additional 1660 vehicles will be on local roads! Because of the lack of consideration, there is no reference for the mitigation required to reduce congestion by 2036. The Plan fails the Test of Soundness by not being Positively Prepared in this respect. QUOTE 14.6 of Final transport Assessment "In conclusions, based on the work of this Strategic Transport Assessment, it is considered that the quantum and distribution of the development proposed in the Fareham Local Plan, and the resulting transport impacts, are capable of mitigation at the strategic level, and that the plan is therefore deliverable and sound from a transport perspective." This statement doesn't include the area of the local plan with 800 homes isn't assessed within the document Transport plan. 10.27 All developers will provide monies under section 106 to contribute to the Infrastructure Delivery Plan (IDP) . However there is nothing identified within the IDP table as a required contribution to transport and travel or highways in the western wards.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

There is no reference for the mitigation required to reduce congestion by 2036. The Plan fails the Test of Soundness by not being Positively Prepared in this respect. This statement doesn't include the area of the local plan with 800 homes isn't assessed within the document Transport plan. 10.27 All developers will provide monies under section 106 to contribute to the Infrastructure Delivery Plan (IDP) . However there is nothing identified within the IDP table as a required contribution to transport and travel or highways in the western wards.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Complete a transport assessment and include this along with mitigations required to the area of HA1. Include the mitigation within the IDP and itemize the contributions for travel and highways in the western wards

Your suggested revised wording of any policy or text:

The statements and supporting documentation must include the 800 homes proposed in HA1. I can not suggest wording for this as the professionals (transport, highways and infrastructure engineers) should complete the calculations required for HA1 and provide mitigation measures as a result.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

2) Policy: TIN4 - Infrastructure Delivery

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

From the Infrastructure Delivery Plan Section 5.4 Education is planned by Hampshire County Council. However the period of the child placements to extent the local schools only covers up to 2021. Has the council fully engaged with HCC over the houses planned for Warsash and the Western Wards as they will be built over the next five years and the local plan extends up to 2036. Is this a sound approach for the borough and our children's education? The IDP table item 83 Calls for section 106 provisions of additional Early Years Foundation Provision (EYP) within the Western Wards, however HA1 does not show the placement of a nursery or pre-school within the developments area. Where is this contribution of child placement to be allocated as the IDP calls for the addition of 83No placements when there are over 1000 dwellings added to the area. The IDP calls for the expansion for health care in the Western Wards with additional of GP locations in the Western Wards, however within the table provided within the document the timeline of this project and its review is in the past (prior to adoption of the local plan). How is this a sound approach for the borough when addition of 830 dwellings in HA1 alone.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

From the IDP Section 5.4 Education is planned by Hampshire County Council. However the period of the child placements to extent the local schools only covers up to 2021. Has the council fully engaged with HCC over the houses planned for Warsash and the Western Wards as they will be built over the next five years and the local plan extends up to 2036. Is this a sound approach for the borough and our children's education? Extend the schools study to include the duration of the draft plan, or the next five years identified with the majority of growth in the area, especially HA1 The IDP table item 83 Calls for section 106 provisions of additional Early Years Foundation Provision (EYP) within the Western Wards, however HA1 does not show the placement of a nursery or pre-school within the developments area. Where is this contribution of child placement to be allocated as the IDP calls for the addition of 83No placements when there are over 1000 dwellings added to the area. Assign EYP within the area of HA1 with contributions made by each of the developers to ensure the IDP is met for the western wards. The IDP calls for the expansion for health care in the Western Wards with additional of GP locations in the Western Wards, however within the table provided within the document the timeline of this project and its review is in the past (prior to adoption of the local plan). How is this a sound approach for the borough when addition of 830 dwellings in HA1 alone. Complete the review inline with the timeframe set out in this local plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Complete the studies identified in the supporting documentation to ensure the local plan is sound for the provision of education, early years foundation provision and GP surgeries.

Your suggested revised wording of any policy or text:

I can not make a suggestion for wording changes as i am not a professional in these fields. Once the studies have completed the mitigation should be included within the local plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

3) Paragraph: 7.13

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

7.13 Local retail/commercial facilities figures do not cater for the additional houses in Warsash. For example, No convenience goods floor space has been allocated to Warsash

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include convenience goods floor space in Warsash to account for the number of proposed houses in HA1.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Include a retail figure for the western wards.

Your suggested revised wording of any policy or text:

I can not calculate the retail figure for the western wards as i am not a professional in this field. Have the supporting documentation updated and add the figures to the local plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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4) Policy: D1 - High Quality Design and Placemaking

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

11.34 The council will support applications where development exceeds Building Regulations however no target has been set, is this 1% better or 10 % . The local plan is therefore is not sound and effective approach to carbon emissions as a borough. 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the carbon reductions promised by the government. The council therefore should set standards much like the London boroughs to ensure developers are designing for sustainable homes. These boroughs are also using new standards of design calculations (SAP10) which are not yet within building regulations which must be adhered too. The Fareham Design guidance do not give any guidance on sustainability.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

11.35 The council will support applications where development exceeds Building Regulations however no target has been set, is this 1% better or 10 % . The local plan is therefore is not sound and effective approach to carbon emissions as a borough. 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the carbon reductions promised by the government. The council therefore should set standards much like the London boroughs to ensure developers are designing for sustainable homes. These boroughs are also using new standards of design calculations (SAP10) which are not yet within building regulations which must be adhered too. The Fareham Design guidance do not give any guidance on sustainability, this should be updated to include potential green technologies that the council would accept as part of a planning proposal.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

The energy strategy provided as supporting documentation only accounts for the Borough. The councils design guidance standard should include an ideal energy strategy that the developers can adopt and modify as part of their planning submission.

Your suggested revised wording of any policy or text:

11.35 The council require the developer to submit plans to see each dwelling be designed to achieve an energy efficiency 20% better then building regulations Part L1A 2013. Update the Fareham design guidance to include sustainable housing design.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

As a professional engineer in this field I will be able to provide further insight and evidence on this subject.

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5) Policy: CC4 - Renewable and Low Carbon Energy

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Section 8 mentions the requirement of meeting CO2 emission reduction targets, but instead of stating what the targets should be, the Plan simply refers to power generation within the borough and not what each of the development sites should deliver over and above Building Regulations requirements, on this basis it is believed that the plan is not positively prepared

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include targets for the next five, ten and fifteen year periods to ensure the developers have each follow the same targets and guidelines

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Include targets for the next five, ten and fifteen year periods to ensure the developers have each follow the same targets and guidelines. Targets should follow national standards to meet the climate change protocols

Your suggested revised wording of any policy or text:

i can not suggest wording on this.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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6) Policy: H1 - Housing Provision

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

The government have had a strategic rethink on how housing numbers are allocated to each area of the UK and issued within the timeframe of these comments. The Fareham local plan has used a now defuncted algorithm used to calculate the number of houses proposed within the area. The 800 plus homes allocated to the western wards should be recalculated using the new formula to ensure the western wards isn't saturated with new homes where it isn't required to meet government targets.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

To ensure the plan is sound and compliant with government requirements. the number of homes required within Fareham should be recalculated. Particular attention should be made to the western wards to ensure it is not saturated with houses and that Fareham as a whole borough is developed according to the latest formula.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

New housing figures mapped on to HA1 in particular.

Your suggested revised wording of any policy or text:

i can not comment without completing the new calculations

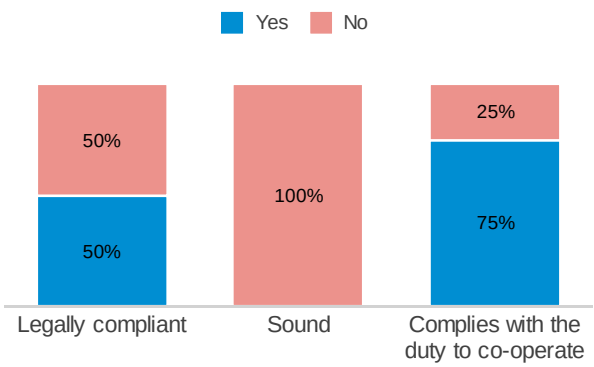
If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Paragraph | 10.15

4 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	4	4	4
Yes	2 50%	0 0%	3 75%
No	2 50%	4 100%	1 25%



Respondent: Unknown1 Unknown1 (Unknown1)

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Para 10.15 Transport plan does not include an analysis of streets where the majority of the houses are proposed. Why, when there are 830 new dwellings proposed, hasn't more consideration been given to HA1 in the transport assessment. With an average of 2 cars per dwelling, an additional 1660 vehicles will be on local roads and there is no reference for the mitigation required to reduce congestion by 2037. The Plan fails the Test of Soundness by not being Positively Prepared in this respect.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

A full local Transport Assessment will be conducted for the routes serving HA1

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would ensure it was Positively prepared by taking into account the challenges of increased vehicular movements caused by HA1

Your suggested revised wording of any policy or text:

The LPA will conduct a full and thorough Local Transport Assessment to determine any traffic and safety issues created by HA1 and will ensure that the appropriate mitigation has been agreed before any allocation is approved.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Respondent: Mrs Valerie Wyatt (1512-11057)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

The Atkins Transport Assessment used to inform this paragraph does not take into account the volume of traffic now likely from the increased number of dwellings proposed in the plan. It is out of date and therefore the plan is unsound to rely on it and if it is unsound I would think it is not legally compliant.6.10 in the report refers to Greenaway Lane only being used for access to properties that front it whereas the plan now shows many more using it. A large proportion of the increased traffic will need to use the junction of Brook Lane and Lockswood Road. The report rightly forecasts a severe impact on this junction but unlike other junctions there is no suggestion that there is a mitigation option. This is possibly because the physical constraints of the land do not allow for it. This is just one junction that is currently under severe stress. Others are already over capacity and none of the proposed Warsash houses is occupied.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Re-do the transport assessments properly.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Up to date and realistic evaluations might make a difference to the quantum of development proposed for this area.

Your suggested revised wording of any policy or text:

None

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Respondent: Mr Stuart Young (212-45138)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

The roads around the area are already far too busy. The A27 heading to the area from junction 8 of the M27 is already at gridlock because of the vast numbers of houses already built in the last few years. This will get worse with the proposal to build so many houses. The same goes for the gridlock at Junction 9 of the M27. Why do they not build houses on areas where there is room for expansion both in terms of land but also expansion of overall infrastructure.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Build houses in an area where there is space to deal with lots more people and cars.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would need to be legally compliant in another area.

Your suggested revised wording of any policy or text:

Leave that to the lawyers.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Respondent: Mrs Jane Wright (412-451119)

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Para 10.15 Transport plan does not include an analysis of streets where the majority of the houses are proposed. Why, when there are 830 new dwellings proposed, hasn't more consideration been given to HA1 in the transport assessment. With an average of 2 cars per dwelling, an additional 1660 vehicles will be on local roads and there is no reference for the mitigation required to reduce congestion by 2037. The Plan fails the Test of Soundness by not being Positively Prepared in this respect.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Reduce the numbers of dwellings. Ensure there are adequate parking facilities within the site. It is already very hard to park in the center of Warsash and the additional cars will exacerbate the problem.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

?

Your suggested revised wording of any policy or text:

Not sure

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Representations | Trevor Ling

1412-261621

Respondent details:

Title:	Mr
First Name:	Trevor
Last Name:	Ling
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policy: TIN4 - Infrastructure Delivery

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

The Delme roundabout study assumes a change of traffic lights will resolve current problems assuming that the PM traffic congestion is not considered. With the major increase in planned infill at DOWNEND ROAD there is little hope that the increased traffic during this rush hour will be any better. The infrastructure plans are inadequate for future planned development off the A27.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Re-think Delme roundabout plans or stop future development until a viable so;union is found and tested

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Prevent further degradation of air quality at Cams school and unacceptable traffic queues on A27

Your suggested revised wording of any policy or text:

Remove future development plans off A27 until satisfactory infrastructure is implemented and proven to work

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Representations | Unknown1 Unknown1

Unknown1

Respondent details:

Title:	
First Name:	Unknown1
Last Name:	Unknown1
Job Title: (where relevant)	
Organisation: (where relevant)	
Address:	
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: 1.5

Legally compliant	No
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Para 1.5 Introduction: Statement of Community Involvement and further Paragraph 2.1 says a “variety of methods” should be used to solicit comments from the public. Because paper-based documents failed to be employed across the borough, a large proportion of residents were deprived of sharing their opinion. This was exacerbated by Covid restrictions, limiting the access to libraries and the council office. The Publication Plan Introduction Page 1 specifies that representations should focus solely on “Tests of Soundness” but is contradictory to FBC’s guidance in Fareham Today which includes the additional areas of ”Legal Compliance” and “Duty to Cooperate” This is misleading and confusing to members of the public wishing to provide commentary. Since 2017 residents’ concerns have not been considered regardless of protest marches, deputations and objections raised. For example, despite a petition exceeding the prerequisite number of signatures needed to trigger a Full Council meeting debate, such debate was refused, even after a challenge was raised to the Council’s scrutiny Board. It is discriminatory that community-generated evidence carries less weight than that provided by Developers consultants. E.g. regarding previous use of land in Nitrate budget calculations similarly with traffic survey results captured by residents and Community Speedwatch teams.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

The LPA should make another attempt to achieve a reasonable level of Community Involvement

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Allow for public opinion to be expressed through the appropriate channels and provide a mechanism for evidence collected by residents groups to be equally considered as that from Developer's consultants and associates

Your suggested revised wording of any policy or text:

The LPA will hold another Public Consultation on the Plan during the Summer of 2021 where their views and concerns can be properly considered

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

2) Policy: HA1 - North and South of Greenaway Lane

Legally compliant	No
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Policy HA1: The total new homes proposed for specific sites across the Borough (not including Welborne) is 1342. It is an unfair distribution for HA1 (proposed at 830 dwellings) to contribute 62% of this quantum. Moreover, whilst FBC recently enjoyed an overall reduction in new houses of 22.5% they are now proposing Warsash should endure a 20% increase in their local number! There is no joined up “Masterplan” for HA1 (with developers working in complete isolation of one another). Therefore, another environmental impact assessment must be conducted showing the cumulative effect of HA1 in its entirety. Para 4.19 Housing policies HA(2,5,6,8,11,14,16,18,20,21,25) are no longer proposed allocations. So, why was HA1 singled out as an allocation and how was the Objectively Assessed Housing Need arrived at for this site? Developers have taken advantage of the LPA’s decision to propose HA1 within (the now defunct) 2017 Plan and have submitted Applications that the LPA have resolved to grant permission on (many ahead of and likely contrary to) the Publication Plan. Others claiming their sites fit well with HA1 has now resulted in the boundaries of HA1 being adjusted to accommodate them. This seems to mark an inappropriate powershift toward the Developers.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

HA1 needs to be re-evaluated from the point of view of reducing overall number of dwellings (by conducting an OAN on the Warsash area alone). The Plan must also ensure a "joined up" approach is taken to the many Developers sites and the CUMULATIVE effects caused rather than the current piecemeal "Salami-Slicing" approach

How would the modification(s) you propose make the Local Plan legally compliant or sound?

HA1 would be properly re-assessed (starting from the point of the Extant 2015 Plan numbers and not the unadopted abandoned draft plan of 2017)

Your suggested revised wording of any policy or text:

HA1 will be re-assessed in the light of confirming the Objectively Assessed Housing Need in Warsash and the Western Wards and any Allocation sites will be considered both individually and as a whole to ensure the Cumulative effects on the infrastructure and environment are properly taken into account

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

3) Paragraph: 9.1

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 9.10 Whereas the LPA is aspiring to Nitrate Neutrality, Strategic Policy NE1 requires designated sites be protected and ENHANCED Likewise Para 9.50 (Policy NE4) confirms permissions will be granted when the integrity of designated sites be maintained or IMPROVED. Finally, Page 199 Para 9.54 indicates that proposals for development should provide a net REDUCTION in eutrophication for designated sites in an unfavourable condition. The LPA's approach therefore contravenes both the Habitats Directive and the Publication Plan in respect of these policies. Furthermore, a leading QC's opinion is it is unclear how any development could be contemplated in the Western Wards without negatively impacting the SAC and RAMSAR sites and therefore based on proximity alone, this would invalidate the deliverability of these developments. As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves beyond scientific doubt, that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been mitigated (rather than compensated). There is doubt that the LPA is applying the Natural England advice correctly and lawfully in this respect.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

The LPA must ensure that mitigation of eutrophication complies with the directive to REDUCE overall Nitrate Levels and that inline with Natural England Advice that protected sites (SAC, SPA, RAMSAR) are not compromised because simple broader-region off-setting has been used as opposed to Local Mitigation of effects on those sites

How would the modification(s) you propose make the Local Plan legally compliant or sound?

The Plan would become consistent with Advice From Natural England and the Habitats Directive

Your suggested revised wording of any policy or text:

Sites will be allowed where Nitrate Reduction mitigation can be proven at a local area level

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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4) Policy: HA1 - North and South of Greenaway Lane

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Policy HA1 (currently a Greenfield site), is proposed to be re-designated as an urban area (via the re-definition of Settlement Boundaries ref. WW17). In the Foreword to Publication Plan: Greenfield sites are less favoured locations for development. Para 2.10 states Fareham Borough will retain its identity, valued landscapes and settlement definition and will protect its natural, built and historic assets. The proposed allocation of Policy HA1 contradicts these aspirations and those of Para 2.12 "Strategic Priorities" which strive to maximise development within the urban area and away from the wider countryside and to create places which encourage healthier lifestyles. The re-designation of the Policy HA1 to urban status and the movement of the Settlement Boundary to encompass it, is a blatant and possibly, unethical, manœuvre by stealth of the council, to suit its own objectives.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Greenfield Sites will be assessed in their own right and Settlement Boundaries shall not be altered to include large proposed Housing Allocations until the Objectively Assessed Housing Need for the immediate vicinity have been considered. Similarly no redesignation of Greenfield sites to Urban status shall be allowed until OAHN can be proven to justify this.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Remove changes to Settlement Boundary as indicated in WW17 and apply Greenfield Site aspirations to HA1

Your suggested revised wording of any policy or text:

HA1 is in the Countryside and as such any consideration of Housing Allocation should conform with the Policies for Development in the Countryside and the Aspirations of the LPA to maintain such areas as a last resort for Development

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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5) Policy: DS1 - Development in the Countryside

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Strategic Policy DS1 (Paras 5.6 and 3.36) deals with the need (in exceptional circumstances and where necessary and justified) for residential development in the countryside on previously developed land. Additionally, Policy HP1 calls for the efficient use of existing buildings to meet such need on a one-for one replacement dwelling basis. These conditions do not apply to HA1 and therefore it seems the “convenient” alternative was for FBC to redraw the urban boundary!

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Do not redraw the Settlement Boundary in WW17 and exclude HA1 as it does not meet requirements of DS1

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Would then comply with DS1 and HP1

Your suggested revised wording of any policy or text:

HA1 is in the Countryside and outside Settlement Boundary. It does not meet the requirements of existing dwelling replacement in HP1 and therefore should not be considered for allocation without meeting the further requirements for development in the Countryside

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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6) Policy: HP4 - Five-year Housing Land Supply

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Policy HP4 (Para 5.24) HA1 fails to meet criteria e) as the proposal would demonstrably have unacceptable environmental, amenity and traffic implications.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Re-Assess HA1 in respect of being outside the Urban settlement and in terms of OAHN and Local Sustainability from an amenities and infrastructure perspective

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would ensure that Development in the Countryside is only considered with the requirements set forth in the relevant Policies and that any allocation proposed is locally sustainable through the addition of amenities and infrastructure to support the number of new dwellings proposed.

Your suggested revised wording of any policy or text:

HA1 Allocation needs to be re-evaluated to ensure the appropriate amount of infrastructure and amenities are delivered before any Development begins

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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7) Policy: HA1 - North and South of Greenaway Lane

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Policy HA1: Page 51 refers to traffic routes and despite recommendation to limit access to 6 dwellings on Greenaway Lane, the plan proposes for up to 140 dwellings to use this as access through a widening of the Lane. This will result in a considerable negative impact on the character of the lane and to the safety of its non-vehicular users. In general, Page 54 suggests 7 new accesses onto the already very busy Brook Lane and Lockswood Road, as well as one additional access at Brook Lane, via 3 entry points from Greenaway Lane. The position and proximity of these access points will be a recipe for serious gridlock and accident blackspots

What modification(s) is necessary to make the Local Plan legally compliant or sound?

A full Local Transport Assessment needs to be conducted for the routes serving HA1

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would ensure that traffic and safety implications of an additional 830 dwellings in a relatively compact area have been properly considered

Your suggested revised wording of any policy or text:

The LPA will carry out a Full Local Transport Assessment for HA1 to determine the flow of traffic and congestion cause through the additional 1600 vehicular movements each day. In particular the safety of Brook Lane will be reviewed in the light of the "Pinch point" just beyond the School, which is on a blind corner and likely to result in injury or fatality, either from a head on collision or a vehicle striking a pedestrian from having to mount the kerb.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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8) Paragraph: 10.15

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Para 10.15 Transport plan does not include an analysis of streets where the majority of the houses are proposed. Why, when there are 830 new dwellings proposed, hasn't more consideration been given to HA1 in the transport assessment. With an average of 2 cars per dwelling, an additional 1660 vehicles will be on local roads and there is no reference for the mitigation required to reduce congestion by 2037. The Plan fails the Test of Soundness by not being Positively Prepared in this respect.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

A full local Transport Assessment will be conducted for the routes serving HA1

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would ensure it was Positively prepared by taking into account the challenges of increased vehicular movements caused by HA1

Your suggested revised wording of any policy or text:

The LPA will conduct a full and thorough Local Transport Assessment to determine any traffic and safety issues created by HA1 and will ensure that the appropriate mitigation has been agreed before any allocation is approved.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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9) Policy: HA1 - North and South of Greenaway Lane

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 14.6 of Final Transport Assessment reads; "In conclusion, based on the work of this Strategic Transport Assessment, it is considered that the quantum and distribution of the development proposed in the Fareham Local Plan, and the resulting transport impacts, are capable of mitigation at the strategic level, and that the plan is therefore deliverable and sound from a transport perspective." This statement doesn't include the area HA1, of the local plan with 830 homes and isn't assessed within the Transport Plan document.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

The Transport Assessment has only been done at the Macro level (Strategic) and not local level - Need a detailed Transport Assessment for HA1

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would ensure that the appropriate mitigation is in place for the additional traffic created by an extra 830 dwellings in the local area

Your suggested revised wording of any policy or text:

The LPA shall conduct a detailed Local Transport Assessment for HA1 before an allocation is approved

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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10) Policy: HA1 - North and South of Greenaway Lane

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Policy HA1: Page 52 indicates the need for the provision of “2 junior football pitches” Why are these not shown in the Masterplan?

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include on the Masterplan where the two junior football pitches are proposed

How would the modification(s) you propose make the Local Plan legally compliant or sound?

The Masterplan would be made consistent with Policy HA1

Your suggested revised wording of any policy or text:

Two Junior football pitches to be shown on the masterplan

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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11) Paragraph: 3.27

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Para 3.27 fig 3.2 There are actually more than the indicated 8 potential growth areas shown on the map (assuming that these are construed as being the proposed allocations). This needs correction.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Either change the number of potential growth areas or modify the Map to be consistent with the figure of 8

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be consistent

Your suggested revised wording of any policy or text:

Update the Map or change the number (8) mentioned in Para 3.27

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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12) Paragraph: 3.37

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Para 3.37 is in conflict with Para 4.13 over the definition of small-scale development – is it sites of less than 1 Ha or development of not more than 4 dwellings?

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Ensure the numbers are the same in both Paras

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be consistent

Your suggested revised wording of any policy or text:

Change either Para 3.37 or 4.13 to make them consistent

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Representations | Valerie Wyatt

1512-11057

Respondent details:

Title:	Mrs
First Name:	Valerie
Last Name:	Wyatt
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: 5.15

Legally compliant	No
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

New Small -Scale Development Outside Urban Areas. Points 1-4 include phrases such as 'high frequency' ' well related' ' space between buildings' etc. which are very subjective and open to interpretation which make this policy unsound; developers will use it to manipulate the council into granting permission when it is not appropriate. This is likely to conflict with the following Strategic Priorities listed in para 2.12 and would therefore not be legally compliant: 2. In the first instance maximise development within the urban area and away from the wider countryside, valued landscapes and spaces that contribute to settlement definition. 9. Protect and enhance the Borough's landscape features, valued landscapes, biodiversity, green infrastructure networks and the local, national and international sites designated for nature conservation. The council has shown itself to be unwilling to stick to DSP40 criteria in the extant plan as witnessed by the Egmont Nurseries example - a site in the countryside 200 metres from the River Hamble and adjacent to the Local Nature Reserve 34m from ancient woodland.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

The criteria should be better defined as per point 5 which defines the number 4 as the maximum that will be considered.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would give the council a firmer basis on which to defend the policies it sets store by and which local residents agree are important as demonstrated in the consultation process. Protecting the remaining green spaces and valued landscapes are a priority for the community. Biodiversity legislation is in place and the council risks contravening this by caving in to the developers who threaten to go to appeal.

Your suggested revised wording of any policy or text:

I am not qualified to suggest wording.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

2) Paragraph: 3.9

Legally compliant	No
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

I have copied the text of this paragraph below. It is contains a false statement and therefore I consider it to be not legally compliant and unsound. A small block has been cut out of the Area of Special Landscape Quality in Figure 3.3 to the north of Warsash and the west of Locks Heath. This is in the area of the Hamble Valley referred to in the paragraph and is Housing Allocation Policy:HA32 Egmont Nursery. The detail is on page 98 of the Publication Plan. There is another falsehood on that page; its planning status as at 1 July 2020 says 'Outline planning permission granted (P/18/0592/OA). This is not true. The planning committee resolved to grant permission on 19th August 2020. The decision notice is dated 1st October 2020. It is now the subject of a Judicial Review as local residents believe that it was unlawful to grant permission for a number of reasons including a failure to follow policies in the extant plan. Recent planning appeal decisions in the Borough have highlighted the need to consider the designation of valued landscapes as part of the Local Plan. Previous Local Plans have included the demarcation of 'Areas of Special Landscape Quality' in the Borough which were used to help shape planning strategy and decisions on planning applications. These areas were the Meon, Hamble and Hook valleys, Portsdown Hill and the Forest of Bere. Both the Landscape Assessment (2017), and the more recent 'Technical Review of Areas of Special Landscape Quality and the Strategic Gaps' (2020) still recognise the intrinsic character and distinctiveness of these relatively undeveloped areas of the Borough and so their locations have been used to shape the development strategy. There is a presumption against major development in these areas, unless it can be demonstrated through a landscape assessment that the quality and distinctiveness of the landscape character can be conserved. For these reasons there remain no development allocations in these areas.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

They should either correct the information in the paragraph or, better still, remove this allocation from the plan completely.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be factually correct. I would think that a plan should be factually correct to be legally compliant and sound.

Your suggested revised wording of any policy or text:

If HA32 remains in the plan then the wording should be For these reasons there remain no development allocations in these areas except for HA32 in the Hamble Valley.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

3) Paragraph: 3.14

Legally compliant	No
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

The paragraph gives a green light to any developer wishing to build in the countryside areas of the borough using this as an excuse. They can divide up sites to fit the 1 ha pattern described here. I understand that this is known as salami slicing and is not sound. The terms used in the paragraph (copied below) are sufficiently vague, e.g. in keeping, to allow developers to lean on officers to recommend permission. 3.14 The National Planning Policy Framework (NPPF) recognises the need to ensure that there is diversity within the housing market and acknowledges the role that small to medium sites (of less than one hectare) can bring to any development strategy both in terms of ensuring a supply of deliverable sites that can be relied upon within the first few years of a Local Plan and the fact that small sites help to diversify the housing product, such as by encouraging people who wish to build their own homes. For this reason, the proposed Development Strategy provides a new policy tool to allow small-scale development in the countryside where it can be demonstrated that the location is sustainable in terms of access to local facilities and services, and that the development would be in keeping with the character and pattern of the existing settlement. While the policy applies to the whole Borough, its specific wording means that it can only be applied in certain areas where particular criteria are met. The new policy can be viewed in full in the housing chapter (Chapter 5) and will be subject to regular monitoring to ensure that it is achieving the desired effect.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

This should be looked at again to close loopholes for salami slicing.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Tighter wording

Your suggested revised wording of any policy or text:

I am not qualified to do this.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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4) Policy: HA32 - Egmont Nursery

Legally compliant	No
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

This Housing Allocation should be removed from the plan pending the outcome of the Judicial Review that is underway. The planning status given on page 98 is untrue. As at 1 July 2020 the status was 'still under consideration' To publish the Housing Allocation in this way could be seen as the council being 'pre-determined' on the matter as it had yet not followed the legal process to that point where it was legally granted. The council ignored the policies in the extant plan to recommend and then resolve to grant permission on 19th August 2020. The site is not adjacent to the urban boundary and is in a sensitive location less than 200m from Natura 2000 sites. It is adjacent to Holly Hill Nature Reserve. Ancient woodland is located only 34 metres from the boundary of the site. The Areas of Special Landscape Quality shown in Figure 3.3 has this allocation shown to the north of Warsash and the west of Locks Heath as a small cut out. This is the only such cut out and makes absolutely no sense at all and is therefore unsound. It is also counter to the Strategic Priorities points 2 and 9 in 2.12 of this plan and therefore inconsistent which must also make it unsound.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Take out HA32 as a Housing Allocation

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Take out HA32 as a Housing Allocation

Your suggested revised wording of any policy or text:

Take out HA32 as a Housing Allocation

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

5) Policy: DS3 – Landscape

Legally compliant	No
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

This entire policy contradicts other parts of the plan as it allows even major development throughout the Areas of Special Landscape Quality. It says "Major development proposals must include a comprehensive landscaping mitigation and enhancement scheme to ensure that the development is able to successfully integrate with the landscape and surroundings." All a developer will need to do is get a consultant to put together a report that says that it integrates successfully and the proposal will get through. Mitigation as an option is an even greater certainty as they can just buy some credits with a scheme. This totally contradicts the green and environmental aspirations that have been much heralded in all the material put out by the council in issues of Fareham Today as well as the Strategic Priorities 2 and 9 (Paragraph 2.12).

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Remove this or re-write it to give real protection to these landscapes.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Remove this or re-write it to give real protection to these landscapes.

Your suggested revised wording of any policy or text:

Not for me to do as I am not a planning expert.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

6) Policy: HP4 - Five-year Housing Land Supply

Legally compliant	No
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

This policy replaces a similarly worded one in the extant plan (DSP40). That has clearly failed to be effective and this one is just as lacking as Housing Allocations HA1 and HA32 are included in the plan but do not meet the criteria for development in this policy. A plan with these contradictions built into it is clearly unsound and therefore not legally compliant as the plan must be sound.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Remove HA1 and HA32 and tighten up HP4

How would the modification(s) you propose make the Local Plan legally compliant or sound?

HP4 should be written in such a way that there is absolutely no doubt. The words 'meet all of the following criteria' are obviously open to interpretation by officers although I fail to see why they have trouble with it.

Your suggested revised wording of any policy or text:

Perhaps 'For the avoidance of doubt - that is every single one of the criteria not just some of the criteria.' should be added before the criteria to make the message less easy to misinterpret.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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7) Paragraph: 10.15

Legally compliant	No
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

The Atkins Transport Assessment used to inform this paragraph does not take into account the volume of traffic now likely from the increased number of dwellings proposed in the plan. It is out of date and therefore the plan is unsound to rely on it and if it is unsound I would think it is not legally compliant.6.10 in the report refers to Greenaway Lane only being used for access to properties that front it whereas the plan now shows many more using it. A large proportion of the increased traffic will need to use the junction of Brook Lane and Lockswood Road. The report rightly forecasts a severe impact on this junction but unlike other junctions there is no suggestion that there is a mitigation option. This is possibly because the physical constraints of the land do not allow for it. This is just one junction that is currently under severe stress. Others are already over capacity and none of the proposed Warsash houses is occupied.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Re-do the transport assessments properly.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Up to date and realistic evaluations might make a difference to the quantum of development proposed for this area.

Your suggested revised wording of any policy or text:

None

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Portsmouth CITY COUNCIL

Planning Policy,
Planning and Economic Development

Portsmouth City Council
Civic Offices
Guildhall Square

[redacted]

Ref:

Gayle Wotton,
Planning Strategy Manager
Civic Offices,
Civic Way,
Fareham,
PO16 7AZ

17 December 2020

Dear Gayle,

Re: Fareham Borough Council - Local Plan 2037: Portsmouth City Council response

Thank you for consulting Portsmouth City Council on the emerging Fareham Local Plan. The City Council would like to make the following comments:

Approach to Housing Need

1. While the Fareham Borough Council's (FBC) 'Regulation 19' Publication Plan has been out to consultation the Government has announced a revised standard methodology for assessing local housing need, following the *Changes to the current planning system* consultation published in August 2020. For both Fareham and Portsmouth this results in the previous standard method numbers being retained (514 and 855 per annum respectively[1]) rather than the proposed lower figures put forward for consultation by Government in August (estimated to be 403 and 730 per annum respectively). The development strategy proposed by the Reg 19 verison of the Fareham Borough Council Local Plan 2037 is based on the 420 per annum figure.

2. Portsmouth has a finite capacity to accommodate new development due to its geographical constraints; changes to Portsmouth's housing target are therefore directly reflected in the cities unmet housing need. Paragraph 4.5 of the FBC's Publication Plan references the City Council's formal request for Fareham to accommodate 1,000 dwellings of Portsmouth's unmet need; Fareham's contribution in its housing supply for the plan period of 847 dwellings to the unmet need of all neighbouring authorities' is noted and welcomed. However, under the December 2020 methodology, the City Council has a total unmet need of over 3,000 dwellings. The City Council would therefore wish to maintain the request to FBC to potentially accommodate up to 1000 dwellings as a portion of Portsmouth's unmet need. The City Council is also conducting other Duty to Cooperate discussions on the matter

[1] MHCLG *Indicative local housing need* (December 2020 revised methodology) available from: https://www.gov.uk/government/consultations/changes-to-the-current-planning-system

with neighbouring authorities in the Portsmouth Housing Market Area. Gosport and Havant Borough Councils have both indicated capacity limitations. However, the City Council recognise that the distribution of housing need is broader than the PCC and FBC authority areas, and will require consideration and co-operation at the sub regional scale.

3. In response to FBC's previous Local Plan consultation (Local Plan Supplement, March 2020), the City Council welcomed the proposal for two Strategic Growth areas (North of Downend, and South of Fareham) in Fareham Borough's Local Plan, which were indicated at that time as having the potential to meet unmet development needs from the Borough's neighbouring authorities. The City Council indicated that North of Downend would be particularly suitable for accommodating unmet need from Portsmouth given its closer geographical proximity to the city and transport links via the M27/ A27, Portchester railway station and the proposed Bus Rapid Transit (BRT) line.

4. The Publication Plan has not taken the two Strategic Growth Areas forward, due to the anticipated reduction in FBC's housing target from Government. Given the potential revision in housing need targets (published 16.12.20), this would justify FBC's reconsideration of the inclusion of such sites to help meet FBC's housing need and well as unmet need from other neighbouring authorities in the Portsmouth Housing Market Area, including PCC.

5. PCC and FBC will continue to work collaboratively to address strategic planning matters, both through the Partnership for South Hampshire (PfSH) and, where necessary, on a bilateral basis. The PfSH authorities' are currently undertaking a piece of work (as part of the review of the 2016 Spatial Strategy) to identify sufficient suitable sites to accommodate unmet housing need across the sub region, with specific focus on Housing Market Areas. This will include ensuring there are sufficient sites in the Portsmouth Housing Market Area (which contains both Portsmouth and a large part of Fareham). The City Council welcome the inclusion of land at Down End and development in part of the Stubbington Gap in the PfSH Strategic Development Opportunity Area work as part of the range of strategic site options being considered. The City Council supports the specific reference to the on-going joint work with the PfSH authorities in paragraph 1.3 of the Plan.

Employment

6. In regard to employment, Portsmouth and Fareham's authority areas' form part of a wider market area, with commuters moving between the city and the surrounding towns including Fareham and the M27 corridor. PCC supports the allocations for employment land in Policy E1: Employment Land Provision, particularly the sites at Daedalus which of sub-regional importance to the local market.

7. The City Council would encourage HBC to consider how the Local Plan could help to resist the loss of employment space (e.g. a future Article 4 Direction), as well as the loss of other allocated uses that fall under Use Class E where necessary. If allocated employment land is lost to residential uses this could lead to an increase in unsustainable travel patterns and greater pressure on the wider area. We would welcome further discussion with FBC, and other Councils in Portsmouth Housing Market area and/ or PfSH area, on this matter to establish a common approach.

DRAFT

Portsdown Hill

8. Portsdown Hill is an important part of the landscape in South East Hampshire, for its open space, landscape and heritage value as well as the views of and from the hill. The City Council supports the identification of Portsdown Hill as an Area of Special Landscape Quality under the FBC Publication Plan Policy DS3, and notes the evidence produced to support the allocation in the *Technical Review of Areas of Special Landscape Quality and Strategic Gaps* (Sept 2020).

9. The City council would welcome any further opportunities for joint working on the strategic approach to Portsdown Hill, together with Winchester District Council and Havant Borough Council, including as a consultee on development proposals.

Environment

10. The City Council welcomes the inclusion of NE1 - Protection of Nature Conservation, Biodiversity and the Local Ecological Network, Policy NE6: Trees, Woodland and Hedgerows, Policy NE9: Green Infrastructure which together help protect key species and habitats and promote green space coverage within south Hampshire.

11. Portsmouth are currently developing a green infrastructure network for the city, including the identification of a number of existing and proposed 'green corridors' to link up open spaces across Portsmouth, encourage active travel, enhance biodiversity and support resilience to climate change. A first draft of the proposed network was published in PCC's Green Infrastructure Background paper in February 2019; it includes the identification of several potential 'green corridors' that would meet the boundary with Fareham's authority area: Portsdown Hill Road and Southampton Road (A27). The City Council would welcome any discussion on how these proposed corridors could be extended beyond the City Council area, and/ or support for these linkages in the FBC Local Plan if possible. The identified ecological network opportunities (shown the map in Appendix C of the Publication Plan) along Portsdown Hill Road and the A27 within the FBC authority area are noted.

12. The City Council is committed to continuing to work with FBC and the other members of the PfSH Water Quality Working Group as necessary on short, medium and long term 'nutrient neutral' mitigation solutions for housing development within the Solent catchment. Current discussions indicate that mitigation solutions are likely include the identification and securing of suitable off-setting land in the Solent catchment, predominately outside the Portsmouth urban area.

13. The City Council is also mindful of the likely forthcoming requirement to provide at least 10% biodiversity net gain on development sites, as part of the anticipated Environment Act. While the City Council is currently undertaking further work to explore how such requirements could be effectively applied within an urban environment and to identify off-site opportunities for biodiversity creation and/ or enhancement within the city, there is the potential for a shortfall in net gain provisions (subject to the final provisions of the Environment Act) within the plan period. Securing land for nitrate mitigation presents one such opportunity to seek multiple environment benefits for the sub region (biodiversity net gains, carbon off-setting, Suitable Alternative Greenspaces (SANGs) for recreational disturbance,

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habitat compensation of coastal defence schemes etc). The City Council are committed to furthering these discussions with Fareham BC and the other PfSH authorities on this matter, and to consider the potential for environmental off-setting on both a sub-regional and a site by site basis as appropriate.

Education

14. The City Council continues to maintain close links with Hampshire County Council as Education Authority due to cross border pupil movement. Development in close proximity to the FBC and PCC authority borders can impact the availability of school places across authorities. The timing and size of development should therefore be closely monitored to ensure the continued availability of school places during the life of both Local Plans.

Transport

15. The City Council welcomes the reference in paragraph 10.3 of support for proposals that promote sustainable transport links through Fareham Borough to Portsmouth and Southampton. The city also supports the reference to the development of the rapid transit networks between the two authorities and linking to others in the sub region in paragraph 10.20.

If you wish to discuss any of the matters raised in our response, please do not hesitate to contact me.

Kind regards,

Rachel Cutler

Acting Planning Policy Manager

[redacted]

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FAREHAM Local Plan 2037

Introduction

The Council has published the Publication Version of the Local Plan. This consultation is the final stage before the Plan is submitted to a Government Planning Inspector for independent examination.

The Statement of Representations Procedure and Statement of Fact sets out how and when you can view the Local Plan and respond to the consultation.

You can make comments on the Plan, known as representations, up to 18 December 2020.

What can I make a representation on?

This consultation is different from previous ones as it no longer seeks views on alternative options. You will be asked whether you think the Plan is:

- **Legally Compliant**: Does the Plan meet the legal requirements for plan making as set out by planning laws?
- **Sound**: Has the Plan been positively prepared? Is it justified, effective, and consistent with national policy?
- **Complies with the Duty to Co-operate**: Has the Council engaged and worked effectively with neighbouring authorities and statutory bodies?

You can make a representation on any part of the plan, but only comments that address the three questions above can be taken into account.

You can find out more about each of the questions by reading Fareham Today and the Frequently Asked Questions.

What happens next?

A Planning Inspector will be appointed to consider the Plan and comments from the consultation on behalf of the Secretary of State. All representations will be forwarded, together with the Publication Plan, to the Planning Inspector for consideration.

PERSONAL DETAILS

Data Protection Privacy Statement – Consultation on the Local Plan in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012

In order to deliver services to the citizens and communities in Fareham Borough, it is necessary for the Council to collect, gather and process personal data.

In relation to the consultation on the Local Plan in accordance regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, Fareham Borough Council will collect and process personal data for the following processing purposes:

- Receiving representations to the consultation and submitting the Local Plan for examination in public.

The Council is processing this personal data by virtue of the following Lawful Basis:

- Compliance with a legal obligation
- Performance of a task carried out in the public interest.

Consultation responses will be entered onto the online consultation form. The company that host the online consultation form, Snap Surveys are ISO 27001 certified and will store the data on a secure UK server.

The Town and Country Planning (Local Planning) (England) Regulations 2012 requires that, when the Council submits the Local Plan and associated documents to the Secretary of State, for examination in public, the responses made to the consultation on the Local Plan must also be submitted. This includes the personal data collected, such as name, address and contact details.

In addition, any representations submitted will be made available on the Fareham Borough Council website. Addresses, email addresses and phone numbers will not be published.

Representations linked to plan making will be retained for no more than 5 years following adoption of the Local Plan. We will not keep this information for longer than is necessary.

You have certain rights under the General Data Protection Regulations (GDPR) in respect of your personal information. More information about your rights can be found on the Council's website or on request.

A1 Is an Agent Appointed?

☐ Yes ☒ No

A2 Please provide your details below:

Title:	Mr
First Name:	Jayson
Last Name:	Grygiel
Job Title: (where relevant)	Manager of Planning Policy
Organisation: (where relevant)	Gosport Borough Council
Address:	[redacted]
Postcode:	[redacted]
Telephone Number:	[redacted]
Email Address:	[redacted]

A3 Please provide the Agent's details (if applicable):

Title:	
First Name:	
Last Name:	
Job Title: (where relevant)	
Organisation: (where relevant)	
Address:	
Postcode:	
Telephone Number:	
Email Address:	

You can check which paragraph, policy etc you want to comment on by looking at the Publication Local Plan.

You can find out more about what you can comment on by reading Fareham Today and the Frequently Asked Questions.

B1 Which part of the Local Plan is this representation about?

- [ ] A paragraph — Go to B1a
- [x] A policy — Go to B1b
- [ ] The policies map — Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy TIN3- Safeguarded Routes

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	☐	☐
Sound	☒	☐
Complies with the duty to co-operate	☐	☐

B3 Please provide details you have to support your answers above

Policy TIN3 safeguards land between Delme Roundabout and the Portsmouth Boundary and the Quay Street Roundabout to support the delivery of the South East Hampshire Rapid Transit scheme. The extension will help improve public transport access to Gosport Borough and the Council is a partner organisation to improve the network and consequently the scheme and Policy TIN3 is supported.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

/A

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

N/A

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

N/A

B4c Your suggested revised wording of any policy or text:

N/A

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

☐ Yes, I want to take part in a hearing session

☒ No, I don't want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

N/A

The Inspector will decide on who will appear at the hearing(s). You may be asked to take part when the Inspector has identified the matters and issues for examination.

Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

Fareham Borough Council Local Plan (Reg.19) Proposed Submission Version Consultation

Hampshire County Council Response – 18 December 2020

Hampshire County Council does consider the local plan to be sound and legally compliant. The County Council welcomes the opportunity to respond on this consultation and sets out its comments firstly on the Transport Assessment and then on specific local plan policies in its capacity as the local highways authority, local education authority and in its role as an adult services provider with a focus on specialist care.

The County Council then sets out its comments on specific site allocations in its capacity as the local highway authority, local minerals and waste planning authority and also as the local education authority with responsibility for school place planning.

Policy HA2: Newgate Lane South (removal as a housing allocation)

Hampshire County Council is the Local Highway Authority (LHA) for all roads in Hampshire except for motorways and trunk roads and the LHA response is concerned with the potential highway and transportation impacts of the land use proposals set out by the borough council on the local road network. HCC's primary concern as highway authority is the efficient use, management and maintenance of the local highway network. Ensuring that all new development mitigates its impact on the Hampshire network is the function of the highway authority.

The LHA submitted comments in December 2017 and February 2020 in response to the draft local plan regulation 18 consultations. As part of both responses the LHA submitted an objection to policy HA2 (Newgate Lane South). This objection is not resubmitted due to the removal of policy HA2 as an allocated housing site from the revised development strategy in the Publication Plan.

Transport Assessment

At the time of the previous draft local plan consultation in January 2020 the evidence base did not include a completed Transport Assessment (TA) to replace the interim TA published in support of the 2017 draft local plan consultation therefore the local highway authority submitted a holding objection. The TA has now been finalised and forms part of the Publication Plan evidence base.

The LHA supports the methodology used by FBC in preparing a borough-wide TA and the use of the strategic model known as the Sub Regional Transport Model (SRTM) to assess the wider transport impacts of the strategic disposition of proposed development across the Borough.

The Fareham Local Plan - SRTM modelling report (2020) sets out the Baseline, the Do minimum (with local plan development) scenario and the Do Something (with mitigation) model runs and forms part of the transport evidence base. As part of the strategic transport modelling the LHA understands that a total of 2,150 dwellings was attributed to the proposed Strategic Growth Areas (SGAs) and included in the Do minimum scenario. This means that the strategic modelling was carried out using a higher housing number than is currently proposed in the Publication Plan. The LHA recognises that the strategic modelling with the higher housing number represents a worst-case scenario and that the limitations of the SRTM do not allow for localised impacts at junctions to be attributed to specific development sites. Consequently, it is not possible for the SRTM to isolate the transport impacts of the SGAs on the highway network. Therefore, the LHA accepts the outputs from the strategic modelling report and has not requested an additional model run of the SRTM to reflect the removal of the two SGAs and subsequent lower housing number.

The SRTM modelling report indicates that the incremental impact of all the site allocations including the SGAs is forecast to affect links and junctions across the highway network and particularly along the A27 corridor through Fareham borough. The future resilience of the A27 corridor is a concern for the LHA which is why the LHA is undertaking a transport study for the A27 corridor which the County Council will seek to adopt as future strategy. The strategy will seek to incorporate a multi modal approach that facilitates a modal shift away from private car use. Future transport assessments of development sites along the A27 corridor should take this into account and have regard to the emerging transport strategy.

A key aspect of the A27 corridor strategy will be the application of the 'Link and Place' approach to street planning and design. This approach recognises a street functions as both a link (that is movement by all modes of transport including pedestrians) and a place (destination in itself) and will help determine policy priorities between competing users with a greater emphasis on the function of places. This 'link and place' approach is being developed as a Hampshire County Council policy which will be fully imbedded in the next Local Transport Plan for Hampshire (Local Transport Plan 4).

The TA assessed the cumulative impacts of the site allocations and demonstrates that the significant transport impacts of the local plan development on the highway network can be mitigated through proposed highway interventions. The TA specifically highlights the junction at Parkway/Leafy lane which is north of the M27 junction 9 and serves the Whiteley business estate in the adjoining district of Winchester City Council. The Parkway/Leafy Lane junction is predicted to be significantly impacted by local plan development traffic (with long queues along Leafy Lane) and meets the criteria for requiring mitigation.

However, this junction does not warrant a Do Something mitigation scheme for increased junction capacity. This is because the Leafy Lane arm of the junction leads to a residential area with a 20mph zone reinforced by vertical speed reduction measures. The policy approach by the LHA is to reduce rat-running along Leafy Lane between

Fareham and Whiteley. Therefore, an alternative highway scheme which strengthens the current situation of suppressing flows along Leafy Lane should be the mitigation scheme to be taken forward. The LHA will need further discussions with both Fareham Borough Council and Winchester City Council to establish the form of any mitigation scheme if it is required.

The Do Something modelling for the TA proposed five mitigation schemes for increased junction capacity and modelled only the highway impacts of increased motorised vehicle traffic. There are other solutions for mitigating the transport impacts from local plan development which are more in line with the emerging policy agenda on decarbonising transport from Government and Hampshire County Council. These mitigation options would generally follow a sequential approach to assess their impact on the local road network and the role they can play in traffic reduction and reducing transport emissions starting with measures to avoid the need to travel, active travel measures, public transport (SE Hampshire rapid transit) and finally localised junction improvements. This wider and sequential approach to mitigation will need to be applied to all site-specific transport assessments.

Development Strategy

The LHA acknowledges that the Publication Plan proposes a lower housing number than in the previous draft local plans. This lower housing number is in response to a lower level of housing growth proposed by Government in its consultation in August 2020 on a new standard methodology for calculating the annual housing need. The LHA recognises that FBC need to await the outcome of the Government's consultation before the Publication Plan with the lower housing number can proceed to adoption in line with the FBC's revised Local Development Scheme (September 2020).

The consequence of a reduced housing number is a change to the development strategy and the removal of several housing sites. The LHA supports the removal of housing site HA2 Newgate Lane South. The LHA submitted an objection to policy HA2 in the previous draft local plan consultations.

The LHA also supports the removal of the Strategic Growth Area policy from the Publication Plan. The South of Fareham and North of Fareham Strategic Growth Areas were included in the draft local plan consultations and the LHA submitted a holding objection.

Climate Change

Fareham Borough Council as Local Planning Authority has a legal duty to help meet the requirements of the Climate Change Act 2008. The LHA wishes to be reassured that the borough Council has satisfied itself that the Publication Plan goes far enough in supporting the Government and Hampshire County Council policies on climate change that have emerged during the local plan preparation process. This is in view of the Hampshire County Council's recently adopted climate change strategy and targets to be

carbon neutral by 2050 and resilient to a two degree rise in temperature. For Hampshire to meet these targets, which are in line with Government legal requirements, land-use planning and transport policies at the local district level need to play a strong role and are likely to be most effective at the plan making stage.

The LHA acknowledges the transport evidence submitted in the Strategic Transport Assessment which shows how the traffic impact of the local plan development can be mitigated in traffic and transport terms. The LHA wishes to see demonstrated how the local plan proposals, in relation to transport and how we travel, will contribute to the longer-term goal of achieving carbon neutrality and building resilient networks and systems.

Strategic Policy CC1: Climate Change

The LHA supports the amended climate change chapter and strategic policy CC1 however the supporting text needs more detail with reference to the County Council's adopted Climate Change Strategy (2020) and targets including the resilience of the highway network.

Policy NE8: Air Quality

The local plan correctly identifies road transport emissions as the main source of air pollution which is relevant to the County Council's responsibilities as both highway and public health authority. The LHA supports the local plan commitments to reduce, minimise and mitigate road transport emissions and their impact. However, the Air Quality Policy NE8 needs to be more specific and should be amended to include the policy text '<u>development should deliver sustainable transport (public transport, walking and cycling) as part of improving air quality</u>'.

Policy TIN1 Sustainable Transport

Given the connection between transport, local plan allocations, air quality and health, there is a lack of commentary or cross reference on air quality management within the Transport Chapter. For example, the supportive text needs to make clear how the transport polices (such as Sustainable Transport TIN1) contribute to both the climate change objectives of reducing CO2 emissions and to the air quality objectives of reducing air pollution.

The LHA recommend amending policy TIN1 on Sustainable Transport to make direct reference to the role of sustainable transport in improving air quality. The supporting policy text also needs to refer to the Air Quality Management Areas / Clean Air Zone designation (on sections of the A27 and A32) and the Air Quality Action Plans in place due to concerns over nitrogen dioxide levels caused by road traffic. Likewise, the Air Quality section needs to refer to the transport chapter and policies and the role they play in mitigating the transport impacts on air quality.

The Transport chapter needs to refer to the Strategic Transport Assessment and the impacts of the local plan traffic on air quality in particular air pollution from the M27, the A32 and A27. This should be cross-referenced with the air quality work carried out as part of the AQMAs and the local plan Sustainability Appraisal. The LHA supports transport mitigation measures of sustainable and active travel modes as an alternative to making private vehicle trips which help overall to reduce emissions harmful to human health and the environment. The LHA would not support any transport mitigation measures which threatened to undermine the success of the current Air Quality Management Areas.

The Transport chapter needs to strengthen the commitment to deliver high quality walking and cycling facilities with reference to the Government's new cycle infrastructure design guidance in Local Transport Note 1/20. Reference to cycle infrastructure design should also be included in the Design chapter.

To contribute to reducing car use, opportunities for enhancing and encouraging active travel to and from school should be encouraged and implemented working closely with Hampshire County Council Children's Services and Highways Departments. The County Council will require the provision of safe walking and cycle routes to schools and existing routes to be enhanced where necessary to improve walking and cycling numbers. Contributions from developers will be sought where necessary including for the production and monitoring of school travel plans (STP's).

PolicyTIN3: Safeguarded Routes

The LHA supports the new policy TIN3 Safeguarded routes in relation to delivering bus rapid transit in Fareham and Portchester. However, the supporting text should refer to the future extensions of the SEHRT network to the west of Fareham towards Segensworth, Swanwick Station, Whiteley and the North Whiteley major development area and to serve the Solent Enterprise Zone at Daedalus and adjacent coastal settlements.

Strategic Policy R4 Community and Leisure Facilities

Hampshire County Council Children's Services consider that it is important that the impact of additional housing is assessed and where necessary developer contributions are provided to provide additional childcare places either through on-site facilities or the expansion of nearby provision. The impact will be assessed on a case-by-case basis.

The County Council also provides an Early Years guidance note on this issue for the Borough Council to consider in their plan making in relation to the future need and housing allocations.

Strategic Priority 8

Hampshire County Council Adult Services welcome the reference to affordable housing and the need to address the specific needs of different groups in the community, including the elderly and people with disabilities. However, it is recommended that reference is made to the need to meet a range of housing needs, including those in need of affordable housing and those in need of specialist housing including the elderly and people with disabilities in Strategic Policy H1: Housing Provision**.**
Consideration should also be given to whether opportunities are available to encourage specialist housing provision in specific site allocations.

Policy HP 5: Affordable Housing

The County Council recommend that Policy HP5 or the supporting text should encourage the provision of housing to meet a range of needs, including specialist housing to meet older persons' needs (such as extra care housing) and those with disabilities.

Policy HP7: Adaptable and Accessible Dwellings

The County Council notes that the Specialist Housing Topic Paper includes reference to the low cost of providing homes to above base accessibility standards. Although there is a correlation between age and mobility, people of all ages may have some mobility impairment, either permanently or temporarily.

The proposed percentages of housing the policy requires to be built to higher accessibility standards is modest and given the rate at which the stock is added to each year it will be a very long time before a significant supply of accessible housing is available in the Borough. With such modest levels of provision, the likelihood of a person who develops mobility impairment will find themselves in a home that can meet their needs is low. Adopting a requirement for a larger proportion of the stock to be built to Cat2 standards in particular would better meet individuals' changing needs and support the creation of sustainable communities by reducing the need to move to find suitable accommodation.

Policy HP 8: Older Persons and Specialist Housing Provision

The inclusion of an enabling policy is welcomed by the County Council; however it is recommended there is specific mention of specialist provision of affordable housing, including extra care housing and housing for those with disabilities. It is noted that specific housing allocations are made only in respect of sheltered accommodation (Policies HA42 / 43 /44). The County Council consider that these sites may also be suitable for other forms of specialist housing, including extra care housing and housing for those with disabilities. It is recommended those policies are amended to reflect this.

The County Council supports the opportunity for exception type development in specific circumstances in this policy and Policy HP6.

Housing Site Allocations

The County Council has considered the housing allocations in its capacity as the local highways authority, local education authority and local minerals and waste planning authority and provides the following commentary.

An initial assessment of the impact on school place planning has been considered based on the level of housing identified, and details are highlighted below for specific sites where there will be an impact on the supply of local school places at primary, secondary and education for pupils with Special Educational Needs and Disabilities (SEND).

The County Council as the local minerals and waste planning authority is pleased to see that some of the comments regarding mineral and waste safeguarding, from the Regulation 18 consultation, have been considered and included within the Regulation 19 proposed submission document. Within the County Council's Regulation 18 response a list of sites that were deemed to require a Mineral Resource Assessment as part of any potential application was provided. It is noted that all the allocated housing sites that the County Council made such comments on have been removed from the Proposed Submission Document as being no longer available or no longer suitable.

Housing Allocation Policy HA1 – North and south of Greenaway Lane – 824 dwellings

The development of 824 dwellings will create additional pressure for school places locally at primary, secondary and special schools. It is welcomed that the need for developer contributions has been identified and they will be sought to provide additional educational infrastructure where required. Pedestrian and cycle paths should be provided to local schools and existing routes enhanced where necessary to promote active travel to and from schools.

Whilst the County Council welcome the inclusion of site-specific requirements for Minerals Assessments across the Proposed Submission Document, based upon the County Council's data, this site does not sit within the Minerals and Waste Consultation Area (MWCA). As such, the County Council do not require that an application for the site be accompanied by a Minerals Assessment, as outlined in site-specific requirement j.

Housing Allocation Policy HA3 – Southampton Road – 384 dwellings

The identification of the need for developer contributions for education and ensuring safe walking/cycling routes to local schools are provided, is welcomed.

Whilst the County Council welcome the inclusion of site-specific requirements for Minerals Assessments across the Proposed Submission Document, based upon the County Council's data, this site does not sit within the Minerals and Waste Consultation Area (MWCA). As such, the County Council do not require that an application for the site be accompanied by a Minerals Assessment, as outlined in site-specific requirement k.

Housing Allocation Policy HA4 – Downend Road East, Portchester – 350 dwellings

It is welcomed that the need for developer contributions has been identified and they will be sought to provide additional educational infrastructure where required. Pedestrian and cycle paths should be provided to local schools and existing routes enhanced where necessary to promote active travel to and from schools.

Whilst the County Council welcome the inclusion of site-specific requirement j, that the site will require a Minerals Assessment prior to any development. The County Council would also like to bring to the Borough Council's attention that this allocated housing site sits within the safeguarded buffer zone of Warren Farm and Down End Quarry, a safeguarded waste site operated by Veolia Environmental Services (UK) Plc.

The safeguarded buffer zone is informed by the safeguarded sites list as defined through 'Policy 26: Safeguarding - waste infrastructure' of the adopted Hampshire Minerals and Waste Plan (2013) (HMWP). The purpose of this policy is to protect current and potential waste sites from pressures to be replaced by other forms of development, including through 'encroachment' where nearby land-uses impact their ability to continue operating.

It is often the case that appropriate buffers and mitigation measures can make potential nearby development compatible. Any mitigation measures would need to be undertaken by the proposed non-minerals or waste development (i.e. the allocated housing development) and reduce potential impacts to and from the safeguarded site to levels that would ensure the safeguarded site could continue its intended waste use.

Usually, the mitigation measures would need to focus on impacts such as noise, dust, visual impact, odour and traffic movements. They can take a variety of forms, including landscape design, tree planting, barriers, building design and orientation and use of different building materials.

The appropriate mitigation measures are best informed through direct discussions with the operator of the safeguarded site as they will be most be aware of operational requirements. However, the County Council is also available for further discussions, as well as facilitation, if required.

With regard to the above site, the County Council would therefore request further wording be added to the site-specific requirements of allocated housing site HA4 as set out below:

"the provision of evidence that the safeguarded site has been considered within any forthcoming planning application, how operator comments have been taken into account and what impacts these comments have had on the proposed development design. Details of any mitigation measures chosen as a result of the analysis should also be included with an application for the site".

In the unlikely event that it is not possible to agree appropriate mitigation measures, the County Council would seek evidence that the waste management capacity can be relocated or provided elsewhere and delivered.

Housing Allocation Policy HA9 - Heath Road

Whilst the County Council welcome the inclusion of site-specific requirements for Minerals Assessments across the Proposed Submission Document, based upon the County Council's data, this site does not sit within the Minerals and Waste Consultation Area (MWCA). As such, the County Council do not require that an application for the site be accompanied by a Minerals Assessment, as outlined in site-specific requirement g.

Policy HA2: Newgate Lane South

The County Council as local highway authority supports the removal of policy HA2 Newgate Lane South.

Strategic Growth Area

The County Council as local highway authority supports the removal of the Strategic Growth Area policy.

Employment Allocations

The County Council has considered the employment site allocations in its capacity as local minerals and waste planning authority and provides the following commentary.

Policy E2 - Faraday Business Park

Whilst a number of the allocated housing sites have had site-specific requirements added to them for Minerals Assessments, allocated employment site E2 - Faraday Business Park has not had any added. In line with the County Council's Regulation 18 response to the local plan consultation, the County Council again request that a site-specific requirement be added to this allocated site policy so that any forthcoming planning application would need to be accompanied by a Minerals Resource

Assessment. The County Council recommend adding the following site-specific wording: The site is within a Minerals Consultation Area. Minerals extraction may be appropriate, where environmentally suitable, subject to confirmation of the scale and quality of the resource.

The County Council would like to take this opportunity to reiterate that any development or significant redevelopments of land may impact mineral resources. As minerals can only be worked where they are found, it is important that viable mineral resources are 'safeguarded' (protected) from needless sterilisation by other development to help to secure a long-term future supply of minerals. Mineral resources are necessary for a vast array of construction activities and their availability is a prerequisite for any housing development. As such, the NPPF requires planning authorities to define Minerals Safeguarding Areas and adopt policies so that, 1) known locations of mineral resources of local and national importance are not needlessly sterilised by non-mineral development, 2) if it is necessary for non-mineral development to take place, the prior extraction of minerals, where practicable and environmentally feasible, is encouraged.

Portsmouth CITY COUNCIL

Planning Policy,
Planning and Economic Development

Portsmouth City Council
Civic Offices
Guildhall Square

[redacted]

Ref:

Gayle Wotton,
Planning Strategy Manager
Civic Offices,
Civic Way,
Fareham,
PO16 7AZ

17 December 2020

Dear Gayle,

Re: Fareham Borough Council - Local Plan 2037: Portsmouth City Council response

Thank you for consulting Portsmouth City Council on the emerging Fareham Local Plan. The City Council would like to make the following comments:

Approach to Housing Need

1. While the Fareham Borough Council's (FBC) 'Regulation 19' Publication Plan has been out to consultation the Government has announced a revised standard methodology for assessing local housing need, following the *Changes to the current planning system* consultation published in August 2020. For both Fareham and Portsmouth this results in the previous standard method numbers being retained (514 and 855 per annum respectively[1]) rather than the proposed lower figures put forward for consultation by Government in August (estimated to be 403 and 730 per annum respectively). The development strategy proposed by the Reg 19 verison of the Fareham Borough Council Local Plan 2037 is based on the 420 per annum figure.

2. Portsmouth has a finite capacity to accommodate new development due to its geographical constraints; changes to Portsmouth's housing target are therefore directly reflected in the cities unmet housing need. Paragraph 4.5 of the FBC's Publication Plan references the City Council's formal request for Fareham to accommodate 1,000 dwellings of Portsmouth's unmet need; Fareham's contribution in its housing supply for the plan period of 847 dwellings to the unmet need of all neighbouring authorities' is noted and welcomed. However, under the December 2020 methodology, the City Council has a total unmet need of over 3,000 dwellings. The City Council would therefore wish to maintain the request to FBC to potentially accommodate up to 1000 dwellings as a portion of Portsmouth's unmet need. The City Council is also conducting other Duty to Cooperate discussions on the matter

[1] MHCLG *Indicative local housing need* (December 2020 revised methodology) available from: https://www.gov.uk/government/consultations/changes-to-the-current-planning-system

with neighbouring authorities in the Portsmouth Housing Market Area. Gosport and Havant Borough Councils have both indicated capacity limitations. However, the City Council recognise that the distribution of housing need is broader than the PCC and FBC authority areas, and will require consideration and co-operation at the sub regional scale.

3. In response to FBC's previous Local Plan consultation (Local Plan Supplement, March 2020), the City Council welcomed the proposal for two Strategic Growth areas (North of Downend, and South of Fareham) in Fareham Borough's Local Plan, which were indicated at that time as having the potential to meet unmet development needs from the Borough's neighbouring authorities. The City Council indicated that North of Downend would be particularly suitable for accommodating unmet need from Portsmouth given its closer geographical proximity to the city and transport links via the M27/ A27, Portchester railway station and the proposed Bus Rapid Transit (BRT) line.

4. The Publication Plan has not taken the two Strategic Growth Areas forward, due to the anticipated reduction in FBC's housing target from Government. Given the potential revision in housing need targets (published 16.12.20), this would justify FBC's reconsideration of the inclusion of such sites to help meet FBC's housing need and well as unmet need from other neighbouring authorities in the Portsmouth Housing Market Area, including PCC.

5. PCC and FBC will continue to work collaboratively to address strategic planning matters, both through the Partnership for South Hampshire (PfSH) and, where necessary, on a bilateral basis. The PfSH authorities' are currently undertaking a piece of work (as part of the review of the 2016 Spatial Strategy) to identify sufficient suitable sites to accommodate unmet housing need across the sub region, with specific focus on Housing Market Areas. This will include ensuring there are sufficient sites in the Portsmouth Housing Market Area (which contains both Portsmouth and a large part of Fareham). The City Council welcome the inclusion of land at Down End and development in part of the Stubbington Gap in the PfSH Strategic Development Opportunity Area work as part of the range of strategic site options being considered. The City Council supports the specific reference to the on-going joint work with the PfSH authorities in paragraph 1.3 of the Plan.

Employment

6. In regard to employment, Portsmouth and Fareham's authority areas' form part of a wider market area, with commuters moving between the city and the surrounding towns including Fareham and the M27 corridor. PCC supports the allocations for employment land in Policy E1: Employment Land Provision, particularly the sites at Daedalus which of sub-regional importance to the local market.

7. The City Council would encourage HBC to consider how the Local Plan could help to resist the loss of employment space (e.g. a future Article 4 Direction), as well as the loss of other allocated uses that fall under Use Class E where necessary. If allocated employment land is lost to residential uses this could lead to an increase in unsustainable travel patterns and greater pressure on the wider area. We would welcome further discussion with FBC, and other Councils in Portsmouth Housing Market area and/ or PfSH area, on this matter to establish a common approach.

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Portsdown Hill

8. Portsdown Hill is an important part of the landscape in South East Hampshire, for its open space, landscape and heritage value as well as the views of and from the hill. The City Council supports the identification of Portsdown Hill as an Area of Special Landscape Quality under the FBC Publication Plan Policy DS3, and notes the evidence produced to support the allocation in the *Technical Review of Areas of Special Landscape Quality and Strategic Gaps* (Sept 2020).

9. The City council would welcome any further opportunities for joint working on the strategic approach to Portsdown Hill, together with Winchester District Council and Havant Borough Council, including as a consultee on development proposals.

Environment

10. The City Council welcomes the inclusion of NE1 - Protection of Nature Conservation, Biodiversity and the Local Ecological Network, Policy NE6: Trees, Woodland and Hedgerows, Policy NE9: Green Infrastructure which together help protect key species and habitats and promote green space coverage within south Hampshire.

11. Portsmouth are currently developing a green infrastructure network for the city, including the identification of a number of existing and proposed 'green corridors' to link up open spaces across Portsmouth, encourage active travel, enhance biodiversity and support resilience to climate change. A first draft of the proposed network was published in PCC's Green Infrastructure Background paper in February 2019; it includes the identification of several potential 'green corridors' that would meet the boundary with Fareham's authority area: Portsdown Hill Road and Southampton Road (A27). The City Council would welcome any discussion on how these proposed corridors could be extended beyond the City Council area, and/ or support for these linkages in the FBC Local Plan if possible. The identified ecological network opportunities (shown the map in Appendix C of the Publication Plan) along Portsdown Hill Road and the A27 within the FBC authority area are noted.

12. The City Council is committed to continuing to work with FBC and the other members of the PfSH Water Quality Working Group as necessary on short, medium and long term 'nutrient neutral' mitigation solutions for housing development within the Solent catchment. Current discussions indicate that mitigation solutions are likely include the identification and securing of suitable off-setting land in the Solent catchment, predominately outside the Portsmouth urban area.

13. The City Council is also mindful of the likely forthcoming requirement to provide at least 10% biodiversity net gain on development sites, as part of the anticipated Environment Act. While the City Council is currently undertaking further work to explore how such requirements could be effectively applied within an urban environment and to identify off-site opportunities for biodiversity creation and/ or enhancement within the city, there is the potential for a shortfall in net gain provisions (subject to the final provisions of the Environment Act) within the plan period. Securing land for nitrate mitigation presents one such opportunity to seek multiple environment benefits for the sub region (biodiversity net gains, carbon off-setting, Suitable Alternative Greenspaces (SANGs) for recreational disturbance,

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habitat compensation of coastal defence schemes etc). The City Council are committed to furthering these discussions with Fareham BC and the other PfSH authorities on this matter, and to consider the potential for environmental off-setting on both a sub-regional and a site by site basis as appropriate.

Education

14. The City Council continues to maintain close links with Hampshire County Council as Education Authority due to cross border pupil movement. Development in close proximity to the FBC and PCC authority borders can impact the availability of school places across authorities. The timing and size of development should therefore be closely monitored to ensure the continued availability of school places during the life of both Local Plans.

Transport

15. The City Council welcomes the reference in paragraph 10.3 of support for proposals that promote sustainable transport links through Fareham Borough to Portsmouth and Southampton. The city also supports the reference to the development of the rapid transit networks between the two authorities and linking to others in the sub region in paragraph 10.20.

If you wish to discuss any of the matters raised in our response, please do not hesitate to contact me.

Kind regards,

Rachel Cutler

Acting Planning Policy Manager

[redacted]

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Technical Note 03

Project:	**Highways England Spatial Planning Arrangement 2016-2020**	Job No:	**60600479 / SF001.004**
Subject:	**Fareham Publication Draft Local Plan 2037 and Supporting Documents Review**		
Prepared by:	**Kimberley Pettingill**	Date:	**9th December 2020**
Checked by:	**Andrew Cuthbert**	Date:	**11th December 2020**
Verified by:	**Liz Judson**	Date:	**11th December 2020**
Approved by:	**Andrew Cuthbert**	Date:	**14th December 2020**

Executive Summary

Following a review of the Regulation 19 Fareham Publication Draft Local Plan 2037 and documents prepared in support of the 2037 Fareham Local Plan, AECOM make the following recommendations.

Recommendations regarded as critical to the acceptability of the forthcoming Local Plan

None

Recommendations regarded as important but not critical to the acceptability of the forthcoming Local Plan

1. Clarification should be sought with regards to the housing figures used within the SRTM model (for both the 2036 baseline, and 2036 Do Minimum scenarios). (para 5.9).
2. The SGAs should be removed from the model and a re-run of the modelling undertaken as appropriate. (para 5.10).

AECOM advise Highways England to formally raise the concerns highlighted in this note in the consultation response to the Fareham Publication Draft Local Plan 2037 Draft Transport Strategy and to continue to work with Fareham Borough Council and the other stakeholders to resolve the issues identified.

1. Introduction

1.1. This Technical Note (TN) documents a review, carried out by AECOM on behalf of Highways England, of the Regulation 19 Fareham Publication Local Plan (the PLP). The purpose of this review is to understand the impact of the proposed Local Plan site allocations within Fareham on the Strategic Road Network (SRN) and to determine whether sufficient highway infrastructure and mitigation is proposed to accommodate the planned growth.

1.2. AECOM have previously undertaken three tasks in relation to the Fareham Local Plan with the initial work being reported in AECOM TN01 and TN02. TN02 documents AECOMs review of the Fareham Local Plan 2036 Supplement document, which set out the plan for future development within Fareham and was an extension of the 2017 Draft LP which had already been consulted on. Within the LP Supplement, the development strategy and housing sections of the 2036 plan had been updated to reflect the increased housing requirements for Fareham. The most recent work reported in Briefing Note BN03 reported on the responses received from the Local Planning Authority and their Consultants to the issues raised in TN02.

1.3. The purpose of this review is therefore to determine what has changed within the most recent PLP since the last AECOM review (presented in TN02 and BN03), and to assess whether any of the amendments are likely to have a detrimental impact on the SRN .

1.4. The documents, issued by Fareham Borough Council (FBC) for consultation under Regulation 19 (Town and Country Planning Regulations 2012) and included in this review are as follows:

- Fareham Publication Local Plan 2037;
- Infrastructure Delivery Plan (IDP) September 2020;
- Strategic Transport Assessment (Atkins, September 2020) and supporting appendices; and
- Strategic Transport Assessment SRTM Modelling Report (Systra, August 2020).

1.5. The PLP contains strategic priorities, policies and allocations which aim to achieve sustainable development in the Borough whilst also identifying and protecting its valued assets. The PLP sets out what the Council considers are the opportunities for development and policies on what will or will not be permitted and where. The plan aims to ensure beneficial and high-quality development to meet the future needs of its residents, workers and visitors, whilst protecting its most valued natural and man-made assets such as landscapes, settlement character, heritage and community buildings.

1.6. The IDP is a supporting document to the PLP. It outlines the existing and planned infrastructure improvements required to accommodate LP growth.

1.7. The SRTM report forms part of the evidence base for the PLP, and informs the modelling section of the Strategic Transport Assessment (STA). AECOM have previously reviewed, on behalf of Highways England, both the initial version of the SRTM report (issued July 2019) and the updated version (issued in January 2020). These reviews are reported in our TN01, TN02 and BN03, dated October 2019, February 2020 and April 2020, respectively. Within these reports AECOM made a number of recommendations for additional assessment to be carried out to support the LP.

1.8. AECOM will undertake a general high level overview of the Publication Draft of the Local Plan (and relevant supporting documents) to determine whether it is broadly consistent with the Regulation 18 Draft and that nothing significant has been introduced that would be a threat to the SRN.

1.9. AECOM will review the latest LP consultation documents listed above against our previous recommendations from TN01, TN02 and BN01 to determine whether these have been addressed. This TN03 will highlight any potential points of concern to Highways England and advise whether it would be appropriate to make any representations to the consultation documents, with a view to protecting the safe and reliable operation of the SRN.

1.10. The PLP represents the 'Publication' stage of the Local Plan process. It is the result of updating and merging the Regulation 18 Draft Local Plan and Supplement taking into account the changes to national policy and guidance as well as comments received during the consultation exercises. This is the final stage before the Local Plan is submitted to the Secretary of State for independent examination. The Regulation 19 Local Plan consultation period is open until **Friday 18th December 2020**.

1.11. For ease of reference, AECOM's main comments and recommendations are presented in bold and underlined text throughout the note. Recommendations regarded as critical to the acceptability of the PLP are coloured **red.** Recommendations regarded as important but not critical to the acceptability of the PLP are highlighted in **amber.**

2. Background

2.1. Fareham Borough Council is the Local Planning Authority for a significant area within South Hampshire between the cities of Southampton and Portsmouth.

2.2. The development strategy proposed by the Local Plan includes:

- Provision for at least 8,389 new residential dwellings and 104,000m^2 of new employment floorspace;
- The strategic employment site at Daedalus (Solent Enterprise Zone) to deliver an additional 77,200m^2 of employment floorspace over and above that already planned for;
- Strategic opportunities in Fareham Town Centre that contribute to the delivery of at least 428 dwellings as part of a wider regeneration strategy;
- Development allocations on previously developed land where available, and on greenfield land around the edges of existing urban areas in order to meet remaining housing and employment needs, but otherwise managing appropriate levels of development outside of urban areas.

2.3. Fareham is served by the M27 Motorway, with M27 Junctions 9, 10 and 11 lying within the borough. Highways England are therefore concerned with the impact of planned growth on the safe and free-flow of traffic using the M27 and whether sufficient infrastructure and mitigation is proposed to accommodate this growth.

2.4. The Fareham PLP consultation documents (listed in para 1.2 of this TN) have been reviewed in the context of DfT Circular 02/2013[1] and Highways England's 'Planning for the Future' guidance[2], which provides an outline of matters that will be considered when Highways England are engaged in the local plan process. It states that Highways England will *"seek to provide a recommendation as to the soundness of proposed policies and proposals in relation to their interaction with the SRN".*

[1] The Strategic Road Network and the Delivery of Sustainable Development.

[2] The Strategic Road Network: Planning for the Future, A Guide to Working with Highways England on Planning Matters (September 2015).

3. Publication Local Plan 2037

3.1. FBC's current adopted local plan comprises three parts as follows:

- Local Plan Part 1 (LP1) Core Strategy (adopted in August 2011);
- Local Plan Part 2 (LP2) Development Sites & Policies (adopted in June 2015); and
- Local Plan Part 3 (LP3) The Welborne Plan (adopted in June 2015).

3.2. The Fareham Local Plan 2037 will formally replace the adopted LP1 and LP2. Local Plan Part 3: The Welborne Plan will not be replaced by the 2037 plan, but together with the new Local Plan and any Supplementary Planning Documents (SPDs), will make up the suite of planning policies upon which planning applications will be considered.

3.3. The Fareham Local Plan proposed plan period will cover sixteen years from the date of adoption, which is anticipated to take place in 2021, the period will therefore extend to 2037. This period differs from that stated in earlier drafts (2020 to 2036) and has been reflected in the plan name which has changed from Fareham Local Plan 2036 to Fareham Local Plan 2037.

3.4. Since the most recent AECOM review (reported within BN03), the Government published a new planning consultation (in August 2020) which proposes further changes to the way housing need is calculated. Local housing need should be determined by using the standard methodology set out in national Planning Practice Guidance (PPG). This methodology currently combines 2014-based household projections with affordability data released in March 2020 to calculate the annual need. Using this method, the housing need for Fareham currently stands at a minimum of 514 dwellings per annum (dpa). However, in August 2020, the Government released a consultation on a new standard methodology which affords councils the option of using either a percentage of the Borough's existing housing stock as the calculation's starting point or the most up-to-date household projections, whichever is the higher, before an affordability uplift is applied. FBC therefore considers it appropriate for this Publication Local Plan to plan for a scale of growth based on the proposed new methodology, and not one based on out-of-date household projections. This reduces the minimum housing need figure to 403dpa, based on a base date of 2021, resulting in a total of 6,448 dwellings over the 16 year plan period.

3.5. The PLP also makes provision for an additional 847 dwellings over the 16 year plan period, in order to contribute to neighbouring authority unmet housing needs (i.e. within Portsmouth City Council and Gosport Borough Council). Therefore, this results in the total minimum housing requirement as set out in the PLP of 7,295 over the 16 year period.

3.6. Policy H1 states that the Council will make provision for at least 8,389 new homes across the Borough during the Plan period of 2021-2037, which allows for a 15% contingency (over the minimum requirement) should delivery on some sites not match expectations.

3.7. The LP Supplement previously reviewed by AECOM and reported in TN02 and BN03, stated a requirement for 520 dwellings per annum to be delivered between 2020 and 2036 (totalling 8,320 dwellings). Therefore, the PLP identifies the requirement for an additional 69 houses over the 16 year plan period.

3.8. The general locations of the areas proposed for growth are illustrated on Figure 3.1 of the PLP. .

3.9. The proposed development sites and growth areas included within the PLP have been compared to those included within the LP Supplement, and AECOM note that there are a number of differences, as outlined in further detail below.

Housing Allocation policies

3.10. A number of additional small sites are included in the PLP that were not previously included within the LP Supplement (and therefore not considered in AECOMs previous review), these are listed below:

- HA27: Rookery Avenue (32 dwellings)
- HA28: 3-33 West Street, Porchester (16 dwellings)
- HA29: Land East of Church Road (20 dwellings)
- HA30: 33 Lodge Road (9 dwellings)
- HA31: Hammond Industrial Estate (36 dwellings)
- HA32: Egmont Nursery (8 dwellings)
- HA33: Land East of Bye Road (7 dwellings)
- HA34: Land South West of Sovereign Crescent (38 dwellings)
- HA35: Former Scout Hut, Coldeast Way (7 dwellings)
- HA37: Former Locks Heath Filling Station (30 dwellings)
- HA38: 68 Titchfield Park Road (9 dwellings)
- HA39: Land at 51 Greenaway Lane (5 dwellings)
- HA40: Land West of Northfield Park (22 dwellings)
- HA41: Stubbington Green (9 dwellings)
- HA43: Corner of Straight Road (16 dwellings)
- HA44: Assheton Court (60 dwellings, net yield 27)
- HA45: Rear of 77 Burridge Road (3 dwellings)

3.11. It is not considered that any of the above sites would be of particular interest to Highways England due to the proposed scale of the development at each site, and the relative remoteness of the sites to the SRN. Therefore, AECOM see no reason for Highways England to object to these additional proposed allocation sites in isolation.

3.12. However, Highways England's previous response to the 'Issues and Options' consultation which took place in the summer of 2019 should remain, that '*consideration will need to be given to assessing the cumulative impact of new sites that might be taken forward together with already planned growth in Fareham on the SRN*'.

Employment Land Provision

3.13. Three employment land sites have been allocated within the PLP, Faraday Business Park (Daedalus East), Swordfish Business Park (Daedalus West) and Solent 2, all previously identified in Local Plan Part 2 and within the LP Supplement.

3.14. Policy E2 outlines the details for Faraday Business Park and states an employment space capacity of 65,100m^2 (in addition to the 28,000m^2 already consented). This is in excess of the 40,000m^2 proposed within the LP Supplement and may result in a more significant impact on the SRN than previously reported as part of the LP Supplement evidence base.

3.15. Policy E3 outlines the details for Swordfish Business Park and states an employment space capacity of 12,100m^2 (in addition to the 22,000m^2 already consented). This is in excess of the 8,000m^2 proposed within the LP Supplement and may result in a more significant impact on the SRN than previously reported as part of the LP Supplement evidence base.

3.16. Sites E2 and E3 are located within the area of Solent Airport, at the southern edge of the Borough, adjacent to its boundary with Gosport, and therefore have a significant local catchment area from which workers can travel without interfacing with the SRN.

3.17. Policy E4 outlines the details for Solent 2 and states an employment space capacity of 23,500m^2 which is the same as proposed within the LP Supplement. This site is almost adjacent to M27 Junction 9.

Strategic Growth Areas

3.18. The LP Supplement proposed two Strategic Growth Areas (SGAs) within the Borough of Fareham, which were intended to play a role in meeting the total housing requirement, particularly in relation to unmet need, and were proposed as a result of the introduction of the current standard methodology which is higher than that included in the previous Local Plan. However, as the Government is consulting on a revised standard methodology which would see Fareham's need fall again, these SGAs have not been included within the PLP. The omission of these areas addresses some of the concerns previously raised by AECOM in TN02 in relation to significant amounts of development coming forward in close proximity to M27 Junction 11.

3.19. Table 4.2 of the PLP shows that there are sufficient sites to provide 8,389 net new homes across Fareham Borough from 2021 up to 2037, demonstrating that housing supply is in excess of the housing requirement allowing for a contingency should delivery on some sites not match expectations. Slightly under a half (4,020) of the 8,389 are located at Welborne, where there is a resolution to grant planning permission, together with a further 1,390 on sites which are either consented or have resolution to grant status. The PLP therefore proposes a net increase of 2,979 dwellings over the plan period over and above existing commitments.

4. Infrastructure Delivery Plan

4.1. The Interim Draft Infrastructure Delivery Plan (IDP) was reviewed as part of AECOMs TN02, and any outstanding concerns following the provision of additional technical material were raised in AECOMs BN03.

4.2. FBC have prepared the IDP in support of the PLP, dated September 2020. The IDP identifies current and planned infrastructure across Fareham required to support LP growth. AECOM's review refers to highways and transportation infrastructure only.

4.3. Infrastructure associated with the Welborne Garden Village has been identified in the Welborne Plan (LP3) and is not included in the IDP. The main concern raised in TN02 with the IDP was the reliance placed on improvements, at M27 Junction 10 and elsewhere, expected to come forward as mitigation for the development at Welborne. These improvements formed part of the background to the IDP (i.e. it was written on the basis that they were fully committed) and AECOM raised the issue of what would happen if these improvements did not come forward. This question was addressed with the submission of a set of 'without M27 J10' SRTM model runs, the results of which were reported on in AECOM BN03.

4.4. The current document states that the IDP has been formulated in consultation with the relevant bodies responsible for each type of infrastructure. It has been developed in two stages. Stage 1 assesses the current overall picture and identifies strategic capacity issues which might influence the development strategy. Infrastructure and service providers were asked to set out any strategic surplus/deficit capacity issues, along with planned projects already in the pipeline.

4.5. To undertake the stage 1 assessment, a proforma was circulated to all infrastructure and service providers on the Council's contact database, and respondents were asked to provide information on:

- current capacity or existing levels of use;
- future capacity (of infrastructure in its current form);
- planned provision;
- indicative sources of fund; and
- timescale for the improvements to be implemented.

4.6. Stage 2 of the IDP focuses around discussions based on local plan development and site allocations. The objective is to identify the detailed requirements of those potential sites or clusters of sites. Infrastructure and service providers were asked to contribute identifying the requirements arising from the sites as well as the cumulative impacts where possible.

4.7. As part of the Stage 2 consultation, Highways England completed a pro-forma which included a table where each LP development site was listed along with details of the infrastructure requirements for each site. The planned strategic highway infrastructure provision is detailed in the 'Highways and Transport Infrastructure' section of the IDP (page 71 relates to the SRN).

4.8. Under 'planned provision' the IDP refers to the following current strategic highway schemes in Fareham:

- Smart Motorway Programme for the M27 between Junction 4 (M3 Interchange) and Junction 11 (Fareham);
- M27 Junction 9 and Parkway South roundabout (an HCC scheme); and
- M27 Junction 10 improvements (as part of the Welborne development).

4.9. Under 'Additional Information of note' the IDP states the following on page 72:

'*When considering proposals for growth, any impacts on the SRN needs to be identified and mitigated as far as reasonably possible. Highways England will support proposals that consider sustainable measures which manage down demand and reduce the need to travel. Proposed new growth will need to be considered in the context of the cumulative impact from already proposed development on the SRN and infrastructure improvements on the SRN should only be considered as a last resort*.' This statement is consistent with the requirements of Circular 02/2013.

4.10. Page 116 of the IDP states '*in allocating land for new development, the Local Plan will need to maintain the function of the M27 and A27 for strategic connectivity in the Solent area and to maintain operational effectiveness of the key corridor. The Council will need to continue to work closely with its partners and stakeholders to develop strategies and facilitate the transport infrastructure that will be identified through the Transport Assessment and other relevant strategies*'.

4.11. Section 7 of the IDP identifies the key infrastructure required to specifically support the development set out in the Local Plan to ensure that future development is accompanied by the services and facilities needed to deliver sustainable communities.

4.12. Table 6 of the IDP sets out the specific infrastructure required to mitigate the impacts of the sites allocated in the development strategy as put forward by the service/infrastructure providers that were consulted on the overall strategy. Of interest to Highways England are those under the heading 'strategic borough-wide highways junctions'. The junctions needing mitigation as a result of borough-wide local plan growth are identified through the Local Plan Transport Assessment, which is reviewed in Section 5.

4.13. Table 7 of the IDP sets out requirements and projects that have been identified through evidence studies and from responses from service providers that apply to sites across the borough. Of interest to Highways England are those under the heading 'TA junctions / off-site highways', which was informed by the Local Plan Transport Assessment, reviewed in Section 5 of this TN.

4.14. It is of note that, out of the four junctions previously identified by AECOM as posing a risk to the safe and efficient operation of the SRN, the only junction listed in Table 7 of the IDP is the Delme roundabout, where a Hampshire County Council scheme costed at £9.35M is listed.

5. Strategic Transport Assessment and Sub-Regional Transport Model Report

5.1. A detailed review of the SRTM modelling was undertaken as part of AECOM's TN01 and subsequently TN02 and BN03. As such, this review focuses on whether the changes to the LP since the previous review identified in the sections above have been incorporated into the updated STRM modelling (undertaken as part of the STA), rather than a full review of the SRTM methodology adopted. In addition, any outstanding concerns raised as part of the previous reviews have been identified.

5.2. AECOM's TN01 documents a review of the July 2019 SRTM Modelling Report which supported the 'Issues and Options' LP consultation in the Summer of 2019. The SRTM assessment was then updated in the January 2020 SRTM Model Output Summary Report to account for the increased housing requirement for Fareham as covered by the LP Supplement, the review of which is documented in AECOM's TN02. BN03 was produced following discussions with representatives of Fareham Borough Council (FBC), HCC and their Consultants Atkins and Systra, and the provision of additional technical material. BN03 outlined two recommendations carried over from TN02 that were still considered outstanding (both regarded as important but not critical to the acceptability of the forthcoming Local Plan). These were as follows:

- Clarification should be provided on the way in which the proposed development 'North of Whiteley' has been incorporated in to the modelling and the nature of the junction improvements assumed to have taken place at M27 Junction 9 in the scenarios modelled (AECOM TN01 para 4.4).

- The volume / capacity (v/c) plots should be provided in the SRTM Report to gain an understanding of the difference between the 2036 Baseline and 2036 Do Minimum scenarios on the M27 main line (para 5.17).

5.3. This information was subsequently provided.

5.4. The conclusions reached within AECOM's BN03 were as follows:

'*AECOM's review of the results of the modelling undertaken has not identified any obvious showstoppers to the emerging Local Plan as currently proposed and this appears to be the case whether [or not] the major development at Welborne, and its associated improvement scheme at M27 Junction 10, goes ahead.*

However, there are a number of locations at which long queues are predicted, albeit the net increase in queueing attributable to the Local Plan itself appears to be relatively small. In these locations, the impact of Strategic Growth Areas and substantial individual development sites may identify a need for highway capacity-based mitigation measures as the sites concerned come forward through the Planning Application process, with Transport Assessments supported by detailed junction capacity models. In AECOM's view, these locations include the following:

- *The A27 (north) approach to the Segensworth roundabout from M27 Junction 9;*
- *The M27 westbound off-slip road at M27 Junction 11.*

AECOM therefore recommend that the Infrastructure Delivery Plan (IDP) associated with the Local Plan should state a potential requirement for developer-funded mitigation measures at the locations specified.'

It is disappointing that the IDP does not explicitly define such a requirement.

5.5. The key changes to the LP, as identified in the sections above are:

- The LP period will run until 2037, rather than 2036;
- The PLP identified the requirement for an additional 69 houses over the 16 year plan period (a total of 8,389), in comparison to the LP Supplement;
- The PLP no longer makes provision for two Strategic Growth Areas (SGAs) within the Borough;
- A number of smaller sites within Fareham Town Centre and elsewhere have been identified as being potential allocations: these are unlikely to be of concern to Highways England;
- The employment space capacity at Faraday Business Park has been increased to 65,100m^2 (40,000m^2 was proposed within the LP Supplement); and
- The employment space capacity at Swordfish Business Park has been increased to 12,100m^2 (8,000m^2 was proposed within the LP Supplement).

Assessment Scenarios

5.6. The SRTM has a base year of 2015, and forecast years of 2019, 2026, 2031, 2036 and 2041. For Fareham Local Plan assessment, scenarios were forecast to 2036 and scenarios have been developed as follows:

- **Scenario 1** – 2036 Baseline, no Fareham Local Plan development except committed sites. Welborne (4,260 residential units) and M27 Junction 10 included.
- **Scenario 1a** – 2036 Baseline, no Fareham Local Plan development except committed sites. Welborne capped at 1,160 residential units, no M27 10 scheme included.
- **Scenario 2** – 2036 Do-Minimum (Do Minimum), full Fareham Local Plan development without transport mitigation measures, Welborne (4,260 residential units) and M27 Junction 10 included.
- **Scenario 2a** – 2036 Do Minimum, full Fareham Local Plan development without transport mitigation. Welborne capped at 1,160 residential units, no M27 Junction 10 scheme.
- **Scenario 3** – 2036 Do Something (Do Something) full Fareham Local Plan development with potential mitigation measures.

5.7. The above scenarios allow the net impact of the PLP on the key junctions of interest to Highways England to be quantified, whether Welborne goes ahead in full (and brings with it the proposed improvement to M27 Junction 10) or whether it is capped at 1,160 dwellings and does not bring about the M27 J10 improvement.

5.8. The PLP will run to 2037; however, the SRTM modelling has used a future year of 2036. No explanation has been provided within the Strategic TA/ STRM modelling report as to why this is the case. AECOM accept the use of 2036, which is a common year for which runs of the SRTM have been made, as a proxy for the new end-date of the PLP.

5.9. For the purposes of this review, Scenarios 2 and 3 are of most interest, as these are the scenarios where the full local plan development has been included. Table 7-1 of the TA indicates that the modelling assumes an additional 6,051 dwellings over the period 2015 to 2036 with the PLP (Scenario 2) than over the same period in the baseline (Scenario 1). This is further substantiated by comparing Tables 7-3 and 7-4, where the difference between the dwelling totals in the two tables is also 6,051. Table 7-5 of the TA sets out the proposed growth in the PLP between 2021 and 2037 of 8,389 (the figure quoted in the PLP itself), which, once existing commitments (5,410) are deducted, gives a net increase due to the PLP of 2,979 dwellings. There is some difficulty in reconciling these figures because one is for the period 2015 to 2036, and the other, 2021 to 2037. Nevertheless, there does appear to be a significant discrepancy (of 3,072 dwellings) between the modelled figure and the figure in the PLP, given that they both purport to represent the net impact of the PLP over and above existing commitments. AECOM cannot find an explanation for this in the TA and are concerned that the figure used may be excessive and may result in the modelling reporting more excessive delays and queueing than are likely, and potentially presenting an unrealistic prediction of the future operation of the highway network. **AECOM therefore**

recommend that clarification is provided with regards to the housing figures used within the SRTM model (for both the 2036 baseline, and 2036 Do Minimum scenarios).

5.10. Paragraph 7.24 of the STA states that the modelling includes the two potential Strategic Growth Areas (SGAs) North of Downend and South of Fareham, and this is confirmed by reference to Figure 7-2, which shows 650 dwellings North of Downend and 1,975 South of Fareham. However, these SGAs are no longer allocated in the PLP. AECOM consider that the inclusion of these sites in the modelling may distort the modelling, potentially mean that the modelling outputs are reporting more excessive delays and queueing on the highway network than is likely, and potentially representing an unrealistic prediction of the future operation of the highway network. It is of note that the inclusion of the two SGAs does not fully explain the apparent discrepancy between the number of dwellings modelled and those now proposed in the PLP. **It is recommended that the SGAs are removed from the model and a re-run of the modelling undertaken as appropriate.**

5.11. Paragraph 7.7 of the TA states that the PLP will result in approximately 3,000 additional jobs in the Borough over the period 2015 to 2036. Paragraph 7.23 of the STA states that the employment site allocations shown in Table 7-6 of the STA have been included in the model, which shows the cumulative impact of these expansions. Table 7-6 reflects the same level of employment site growth as identified within the PLP and therefore, on this basis, AECOM agree that the STRM reflects the level of anticipated employment growth identified within the PLP.

Results

5.12. The previous AECOM review of the SRTM Report identified the following locations to be of interest to HE:

- Segensworth Roundabout – approach from M27 Junction 9;
- M27 Junction 9;
- M27 Junction 11 (including the Boarhunt Road M27 Junction 11 off-slip junction); and
- Delme Roundabout - approach from M27 Junction 11.

5.13. For the purpose of the TA, the following definitions are adopted:

- A 'significant' impact is one where a junction has an RFC of greater than 85% and there is an increase of more than 5% on any one approach arm;
- A 'severe' impact is one where a junction has an RFC of greater than 95% and there is an increase of more than 10%, or where a delay of greater than 120 second increases by more than 60 seconds per vehicle on any one approach arm

5.14. AECOM agree that these are suitable thresholds for identifying junctions likely to be of particular interest in terms of traffic capacity/ congestion effects.

5.15. The impact of growth to the 2036 Baseline is illustrated on Figure 8-1 of the TA, where 'severe' impacts are indicated at M27 Junctions 9 and 11 and at the Segensworth roundabout, and a 'significant' impact is predicted at the Delme roundabout.

5.16. The net impact of the PLP is illustrated on Figure 9-1 of the TA, where 'significant' impacts are indicated at the Segensworth and Delme junctions and that M27 Junctions 9 and 11 fall below the definition of 'significant'. Whilst M27 Junction 10 is indicated as having a significant increase in traffic flows (TA para 9.5 refers), it does not meet the criteria for a 'significant' impact, presumably because the new layout proposed by the Welborne developer remains within capacity.

5.17. Chapter 10 of the TA reports on the results of a sensitivity test in which the impact of the PLP is tested in a scenario in which Welborne is capped at 1,160 dwellings and the improvements to M27 J10 do not take place. These indicate a 'severe' impact from the PLP at the Segensworth roundabout and a 'significant' impact at the Delme, but not at either M27 Junctions 9 or 11.

5.18. Chapter 11 of the TA sets out proposed mitigation schemes at a number of junctions within the Plan area. Whilst the Segensworth roundabout is indicated as having a 'significant' impact, the arm concerned (Little Park Farm Road) is stated as having a low delay per vehicles and manageable queue length. The problems presented at the Delme roundabout are described at paras 11.40 – 11.42. Mitigation in the form of further signalisation of this roundabout is proposed, with bus lane and bus priority signals, segregated cycle lanes and improved pedestrian crossing facilities. This proposal is said to be at an advanced stage of design and to provide adequate capacity in the AM peak, in the 2036 Do Minimum, with further work required to bring the junction within capacity in the PM peak. However, in the Scenario 3 (Do Something scenario), it returns to being within capacity, with a reduction in flow predicted on the approach from M27 Junction 11. The results tabulated in the Local Junction Modelling Report indicate that the approach from M27 Junction 11 remains within capacity in all scenarios.

5.19. In Scenario 3, a 'significant' impact is predicted at M27 Junction 9 on the westbound off-slip. However, this is said (at TA para 12.17) to be soluble by adjustment to traffic signal timings on the A27 junctions with Redlands Lane and Bishopsfield Road.

5.20. The SRTM modelling report sets out in more detail the results of the SRTM model runs for the Scenarios tested. Results in terms of predicted levels of queueing on M27 slip roads, and on the approaches to the Delme and Segensworth roundabouts from M27 Junctions 11 and 9, respectively, are exactly the same as previously reported, and summarised in section 3 of AECOM's BN03. This confirms that the modelling undertaken has not been adjusted to reflect the amended housing growth set out in the PLP relative to previous drafts of the emerging LP.

5.21. Therefore, no further review of the modelling outputs has been undertaken. The previous recommendations in BN03 still stand. For reference, these included:

- *AECOM's review of the results of the modelling undertaken has not identified any obvious showstoppers to the emerging Local Plan as currently proposed and this appears to be the case whether the major development at Welborne, and its associated improvement scheme at M27 Junction 10, goes ahead.*

- *However, there are a number of locations at which long queues are predicted, albeit the net increase in queueing attributable to the Local Plan itself appears to be relatively small. In these locations, the impact of Strategic Growth Areas and substantial individual development sites may identify a need for highway capacity-based mitigation measures as the sites concerned come forward through the Planning Application process, with Transport Assessments supported by detailed junction capacity models. In AECOM's view, these locations include the following:*

    - *The A27 (north) approach to the Segensworth roundabout from M27 Junction 9;*

    - *The M27 westbound off-slip road at M27 Junction 11.*

- *AECOM therefore recommend that the Infrastructure Delivery Plan (IDP) associated with the Local Plan should state a potential requirement for developer-funded mitigation measures at the locations specified.*

5.22. The IDP states on page 72, under 'additional information to note' that *'when considering proposals for growth, any impacts on the SRN needs to be identified and mitigated as far as reasonably possible. Highways England will support proposals that consider sustainable measures which manage down demand and reduce the need to travel. Proposed new growth will need to be considered in the context of the cumulative impact from already proposed development on the SRN and infrastructure improvements on the SRN should only be considered as a last resort*.'

5.23. In addition, Policy TIN2 of the PLP, 'Highway Safety and Road Network' states that:

'*Development will be permitted where:*

a) There is no unacceptable impact on highway safety, and the residual cumulative impact on the road networks is not severe; and

b) The impacts on the local and strategic highway network arising from the development itself or the cumulative effects of development on the network are mitigated through provision of improvements and enhancements to the local network or contributions towards necessary or relevant off-site transport improvement schemes.'

5.24. Therefore, it is considered that the text contained within both the IDP and the PLP adequately safeguard the SRN by clearly stating that any impacts will need to be identified and mitigated. It is therefore considered that the recommendation at Paragraph 4.6 of BN03 has been adequately addressed.

6. Conclusion

6.1. This TN documents a review, carried out by AECOM on behalf of Highways England, of the Regulation 19 Fareham Publication Local Plan (the PLP). The purpose of this review is to understand the impact of the proposed Local Plan site allocations within Fareham on the Strategic Road Network (SRN) and to determine whether sufficient highway infrastructure and mitigation is proposed to accommodate the planned growth.

6.2. AECOM have previously undertaken three tasks in relation to the Fareham Local Plan with the initial work being reported in AECOM TN01 and TN02. TN02 documents AECOMs review of the Fareham Local Plan 2036 Supplement document, which set out the plan for future development within Fareham and was an extension of the 2017 Draft LP which had already been consulted on. Within the LP Supplement, the development strategy and housing sections of the 2036 plan had been updated to reflect the increased housing requirements for Fareham. The most recent work reported in Briefing Note BN03 reported on the responses received from the Local Planning Authority and their Consultants to the issues raised in TN02.

6.3. The purpose of this review was therefore to determine what has changed within the most recent PLP since the last AECOM review (presented in TN02 and BN03), and to assess whether any of the amendments are likely to have a detrimental impact on the SRN .

6.4. This TA has identified some issues and concerns which should be addressed. These recommendations are listed in the Executive Summary and highlighted by the use of bold underlined text in the main body of this document. Recommendations regarded as critical to the acceptability of the forthcoming Local Plan are coloured **red.** Recommendations regarded as important but not critical to the acceptability of the forthcoming Local Plan are highlighted in **amber.**

6.5. **AECOM advise Highways England to formally raise the concerns highlighted in this note in the consultation response to the Regulation 19 Publication Local Plan 2037 and to continue to work with Fareham Borough Council and the other stakeholders to resolve the issues identified.**

Representations | Rosemary Hutton

112-271753

Respondent details:

Title:	Mrs
First Name:	Rosemary
Last Name:	Hutton
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policies map: BOROUGHWIDE POLICIES (HP4, HP10, H1, E1, R1-4, CC1-4, NE1, NE3-6, NE8-10, TIN1-2, D1-3, D5, HE1, HE3-6)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

As far as I can see the provision of emergency services will decline, as their current sites in Fareham will be built on, with no mention of relocation. The roads in and around Warsash, Locksheath and Titchfield were not built to support the obvious increase in use, and as for the provision of medical support, in particular Doctors and Dental surgeries, current residents struggle to get an appointment in the foreseeable future, what hope is there for the influx these plans intend us to put up with. It seems to me a great deal of attention is being paid to squeezing in as much accommodation as possible, with very little thought being given to the people who do and will live within the western wards. This may appear to be the wrong forum to voice my concerns, but it will be too late further down the line, once these communities start expanding no one will want to know. Thank you for giving me the opportunity to voice my very real concerns.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Clear provision of all the aforementioned points

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Self explanatory

Your suggested revised wording of any policy or text:

Reassuring text that local essential services, as previously stated will incorporate not just improvement to the present woefully inadequate services, but provision for the influx of residents the plans are for.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Keely, Lauren

From: June Ward <[redacted]
Sent: 10 December 2020 15:39
To: Consultation
Subject: Fwd: FBC Continued
Attachments: FBC Continued .docx

For the attention of Katherine Trott

Begin forwarded message:

[redacted]

Subject: FBC Continued

Dear Katherine,
As discussed with you Friday 4 December I enclose the start of my comments on the consultation document which you said you would be able to put in the appropriate boxes as I am unable to as I found that I could not continue without logging on, each time which was not how the system should've worked.
When we spoke you said that you had not received the second paragraph that I submitted so I am hoping that I will start there, as you have already received my first submission.

As I am not able to view the pro forma I hope you will be able to put them into the correct boxes as obviously with only one iPad that I am using to work on and one for my notes which I have made, it would be too torturous.

So onto matters of legal compliance which I believe is paragraph 1.6

There is no mention of the 2017 unadopted draft plan although it has been confirmed that it was in the previous 2015 plan.
Although there was an overall reduction in the new housing it would appear that Warsash is actually going to take 20% more. HA1 has no joined up thinking. There should be an environmental impact on all of the sites proposed , so that each one is not seen in isolation.

Paragraph 4.19 states that many of the housing policies brackets HE256 811 1416 1820 2125 and no longer considered to be proposed allocations. I should like to know how objectively assessed housing need arrived at the fact that site HA1 was to take the bullet.

It would appear that the developers have taken advantage of the LPA's decision that proposing HA1 would mean that they have carte blanche to submit applications. I believe this is contrary to the publication plan.It would also appear that in order to fit in as many houses as possible into HA1 the boundaries have been adjusted to accommodate them. How does this not look as though the Developers have the upper hand and are actually driving this through.

So onto the Habitats directive which again comes under Matters of legal compliance.
Paragraph 9.10 is about nightrates neutrality strategic policy. I cannot see how the policy which requires designated sites to be protected and enhanced and improved is adhered too. I think the word I am looking for is there should be a net reduction the designated sites in unfavourable conditions. TheLPA's way of adjudging is the exact opposite. It would appear that this is in direct contravention of both the habitats directive and the publication plan policies. The developments contemplated would be negatively impacting theSAC and RAMSAR sites. I cannot see that under these circumstances it would be a valid option.

I am calling it a day at present and wonder if you can reply to acknowledge receipt of this and that I am actually doing the right thing and making comments that you can import into the documentation,

Many thanks,

June Ward

[redacted]

Dear Katherine,
This next part of my document relates to the Test of Soundness

I am not at all happy with the settlement definition.
Policy HA1, which is supposedly a greenfield site is proposed to be changed to an urban area – via the redefinition of settlement boundaries reference WW 17. Greenfield sites are not particularly favourable for development as it says in the forward to the publication plan.
Paragraph 2.10 says that Fareham Borough aims to retain the identity of the amazing valuable landscape and settlement definition, protecting it's natural, built and historic assets. As someone who has lived in Warsash 45 years and been conversant with this area for nearly 10 years before that, ie the late 1960's, is a complete contradiction. What was once a very gentle countryside location seems to have been redesignated giving it up and status. And the change of the settlement boundary to enable this to happen is in my view completely unethical and beyond belief. I take exception to the fact that policy HP1 calls for the efficient use of existing buildings to meet such need on a 1 for 1replacement dwelling basis. This is not applicable for HA1 and it would appear that FBC has managed to redraw the urban boundary.

My next comment on test of soundness is where infrastructure is concerned.

This concerns policy HP4 to be found paragraph 5.24; I think HA1 demonstrably fails to have any thing other than a detrimental effect on the environment, certainly the traffic(witness the two and a half hours to get off the motorway on Friday 4 th December, where all roads in and out of Warsash were snarled up, as we are a peninsula....or has this not occurred to anyone) and amenity has implications. Even now I feel that I cannot venture out too far from Warsash for fear of not getting back at a reasonable time due to the amount of traffic on the few roads in and out of Warsash. Warsash almost appears to be a prison! Don't go anywhere because you can't get back to your house!

This ties in with my next point policy HA1. Page 51 talks about traffic routes. As I have said earlier it almost feels that one is imprisoned in Warsash. I note that there was a recommendation that there should only be six dwellings and Greenaway Lane now I see that the plan proposes for 140 houses and that to enable this to be accessed the lane needs to be widened. I think the clue is in the word Lane. This is a delightful lane to walk through but with that amount of traffic proposed would be considerably dangerous. It is already "take your life in your hands to cross Warsash Road "let alone the impact of trying to walk within what was once considered countryside. As one gets older and appreciates the ability to be able to walk along country lanes. Page 54 suggests there should be seven new accesses onto an incredibly busy Brook lane and LockswoodRoad as well as an additional iaccess at Brook Lane via three entry points from Greenaway Lane. I have already had to change my surgery where I was a patient for 40 odd years as it was impossible to get to the surgery on time due to the amount of traffic. My surgery is now in locks Heath Centre. I note that there was an occasion some time in the last few few weeks that the Air ambulance was unable to land; and ambulance was unable to get there because of the gridlock. My point is very much that the proximity of these access points and the position of such will cause even more gridlock. We are a peninsular we are hemmed in. More traffic will make us feel that we are even more in a cage.

Continuing with my other comments about infrastructure
Paragraph 10.15 where has that been an analysis of roads where the new houses are proposed. If we are considering 830 new dwellings what about the transport assessment for HA1. Although there could be an average of two cars per dwelling I know from experience that at one point, with our daughters coming and going from University, we had five cars in the driveway, which we could accommodate.....many of the new homes will not have this advantage, and extra cars will be accommodated on the roads.. how therefore is there no reference for the mitigation required to reduce congestion by 2037. Plan as presented failed the test of soundness by not being positively prepared in this respect.In this very Rural area one has to have access to a car to get anywhere, unless being confined to one's home is the way forward for FBC. I cannot see that paragraph 10.14 helps any of us.

I have had the pleasure of one of my family is moving closer to live with me in Warsash and the boys are very involved in outdoor activities so it was a joy that I saw there was provision of two junior football pitches however these appear to be missed off of the master plan?

Document 3 for FBC

Dear Katherine,

This relates to Test of soundness-

Housing need methodology

I think there is a disparity CE paragraph 3.27 figure 3.2. The map shows that there are eight possible growth areas when there are actually more than this. Could you confirm which is the correct one.
Again paragraph 3.37 does not align with paragraph 4.13 regarding the definition of small-scale development. In other words, is it sites of less than 1Ha or development of not more than four dwellings.
Again under the same heading; paragraph 4.2 of the publication plan is dubious as it bases housing numbers on the proposed new methodology for calculating need and there is some concern that this may not be adopted by the government. Also page 37 paragraphs 4.12, 4.16 and policy HP13 illustration says that the contingency barrier of 1094 has been made. I think the plan is very dependent that 4858 houses at Welbourne will be delivered.

Occupancy rates
Paragraph 5.41 states that a four or five bed house would have an average occupancy rate of 2.4 with regard to nitrate budget calculations. However it also states that the range of occupancy for affordable homes will be between 4-6 persons. This does not marry up with the claims in the publication plan for what the council needs and requires.

Carbon reduction

Paragraph 8.60 section 8 does not state what the target should be for the requirement of meeting CO2 emission targets. It simply refers to individual developments power generation. I would contend that the plan is not positively prepared.

Paragraph 11.34 does not state what the meeting of CO2 emission reduction targets should be.The plan just refers to individual developments power generation so again I contend that plan is not positively prepared.
Paragraph 11.36 no standards have been set for the developers to design for natural ventilation and green infrastructure. I cannot see how just meeting building regs, allies with the Governments needs to meet the promised carbon reduction. The council should lead by example by setting standards to ensure that developers are designing for sustainability. We need to look to the future using the new standards SA10.

Retail facilities
Paragraph 7.13 if Warsash is to have more houses then there will be additional retail facilities needed and with that will be the need for more parking spaces as many who have lived in this area for decades need to use their own transport for shopping, hairdressers, and many other facilities that this village has provided. It is already a job to cross the road from one side to the other and more cars to the area will make this even more impossible.There would need to be a crossing area to allow children to cross safely to get to the bus stop or to Brookfield School as well as the many elderly people who need to cross from one side to the other.

Paragraph 7.18 although out-of-town shopping is discussed it is not however defined. As one gets older one prefers to take ones custom to the local shops as driving is not so pleasurable. If we are to be encouraged to shop elsewhere this will increase the amount of traffic on our heavily congested roads.

Education

Paragraph 10.26 infrastructure delivery plan section 5.5. I note that education is planned with Hampshire county council however the period of any proposed extensions only covers to 2021. The plan however goes up to 2037. My grandchildren are already in three different schools within the area, two of which need cars. Offering houses to be developed but then not having school places it's not a sound approach to help to realise the dreams of future generations.
Paragraph 10.27 Infrastructure delivery plan table item 83 calls for section 106 provisions of additional early years foundation provision within the western wards. However H a one does not say if there is going to be a nursery or preschool within the proposed development area. There should be a child placement contribution to be allocated as there are over 1000 new houses being proposed for the Warsash area alone. Again If parents need childcare provision they would have to travel out of this immediate area in order to access provision; not at all ideal, adding to traffic chaos, length of time travelling to and from child care setting and not allowing children to make friendships with those who they might be at school with when they reach statutory age.

Healthcare
As regards Paragraph 10.26 the infrastructure delivery plan calls for the expansion of healthcare provision through further GP practices in the western wards. The document however only provides an historic timeline through dating the local plan. This is not a sound approach considering that HA1 will bring in additional 830 houses. It is already impossible to get an appointment at the nearest GP practice within a week.

Complies with duty to cooperate
Housing need methodology

Paragraph 1.28 which agrees to take up the shortfall of homes from Portsmouth, numbering 847, would appear that FBC are taking a risk as the new methodology for calculating housing need has not been signed off by the Government. Also during this time of public consultation the housing delivery test will not be available

Paragraph 3.10 The rewilding of the Stubbington strategic gap was made without consultation with the council offices or elected members. It came via an announcement through a press release after the start of the full council meeting, which was in the process of debating this plan.

Representations | Roy Roberts

412-402041

Respondent details:

Title:	Mr
First Name:	Roy
Last Name:	Roberts
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policies map: HOUSING ALLOCATIONS (HA1, HA3-4, HA7, HA9-10, HA12-13, HA15, HA17, HA19, HA22-24, HA26-44)

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

The plan does not take into account accumulative impacts on infrastructural elements impacted by surrounding authorities such as Winchester council with 3000 houses fronting up the existing non motorway local road system to the proposed warsash development of 900 houses which is land locked served only by the warsash road and Brook lane/barnes lane feeding up to the A27 to confront traffic from winchesters whiteley area.. Today this is an area of frequent congestion and any further traffic density will bring an unacceptable condition for quality of life. Warsash road is also currently heavily used for access to warsash areas. other proposed areas including sovereign crescent and hunts pond road will exacerbate the situation. The plan under estimates peoples desire to move about freely with available methods of transport almost 100% car. Alternative methods of transport for day to day living quoted such as cycling and walking are fanciful and remain largely recreational only in suitable weather. Available Public transport capability comes way down the list for the means to transport large numbers of people around. some years ago there was proposed tramway system to serve this area. It never materialised. This area comprising of lock heath warsash titchfield titchfieled common and park gate is already as can be confirmed by todays current situation evidence is descending into a city type housing density without the necessary transport infrastructure. with corresponding deterioration in quality of life. As an example due to the incessant drone of traffic from the A27 I cannot sleep with my bedroom window open. That is what I mean by 1 aspect of degradation in quality of life . The current situation with other infrastructural elements medical schooling etc are already having to modify to try and accommodate increasing population. for example my surgery has had to combine with others to try and spread the load with consequential increase in times to finally reach doctor appointment stage. I see no measure in the plan of what proposed housing developments will do to our quality of life. For this reason I find the plan flawed.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

raise extensive communications with surrounding authorities to establish the real cumulative effect on infrastructual elements of the area. Pressure those authorities to stop large scale development until infrastructal degradation can be halted. Therefor housing development in the areas should be confined to much lower numbers.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It addresses the case of insufficient study on the effects of cumulative development and of insufficient consideration to peoples quality of life .

Your suggested revised wording of any policy or text:

none specific

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

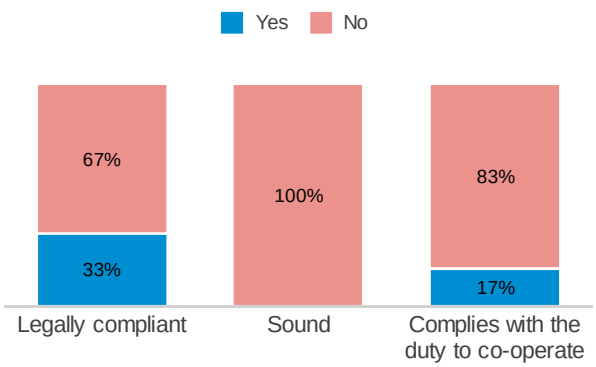
Please outline in the box below why you consider it necessary to take part in the hearing session(s):

It is not clear from this question if a member of the public will be allowed to speak at such hearings. if So this is why i consider it necessary to present my case with further examples

Paragraph | 10.26

6 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	6	6	6
Yes	2 33%	0 0%	1 17%
No	4 67%	6 100%	5 83%



Respondent: Mr Richard Jarman (1712-211841)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Infrastructure Delivery Plan calls for the expansion of health care provision through the addition of further GP locations in the Western Wards, However the table provided within the document only provides an historic timeline pre-dating the Local Plan. This is not a Sound approach taking into consideration that HA1 alone will bring an additional 830 dwellings.

Infrastructure Delivery Plan Section 5.4 Education is planned with HCC but the period of any proposed extensions for child placements is only up to 2021 whereas the Plan covers up to 2037. This is not a sound approach for the education of our children.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Legally enforce the provision of further healthcare provision

There is already a lot of pressure on the local schools - adding more housing will in most likelihood, force children to travel some distance for schooling. the plan needs to legally enforce the provision of further schooling through the lifetime of the plan

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would provide sufficient healthcare resources to meet the demand of the additional housing

It would provide for child placements up to the lifetime fo the plan

Your suggested revised wording of any policy or text:

No comment

no comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

No, I don't want to take part in a hearing session

Respondent: Mrs Pat Rook (1812-261942)

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 10.26 Infrastructure Delivery Plan calls for the expansion of health care provision through the addition of further GP locations in the Western Wards, However the table provided within the document only provides an historic timeline pre-dating the Local Plan

What modification(s) is necessary to make the Local Plan legally compliant or sound?

n/a

How would the modification(s) you propose make the Local Plan legally compliant or sound?

n/a

Your suggested revised wording of any policy or text:

n/a

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Respondent: Mrs Jane Wright (412-451119)

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Para 10.26 Infrastructure Delivery Plan calls for the expansion of health care provision through the addition of further GP locations in the Western Wards, However the table provided within the document only provides an historic timeline pre-dating the Local Plan. This is not a Sound approach taking into consideration that HA1 alone will bring an additional 830 dwellings..

What modification(s) is necessary to make the Local Plan legally compliant or sound?

The large number of additional houses planned for Warsash will place a burden on the already stretched doctors surgeries and Dentists in the area.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

A current analysis of health care requirements needs to be undertaken.

Your suggested revised wording of any policy or text:

?

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Respondent: Mrs Charlotte Varney (2011-171355)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

ara 10.26 Infrastructure Delivery Plan Section 5.4 Education is planned with HCC but the period of any proposed extensions for child placements is only up to 2021 whereas the Plan covers up to 2037. This is not a sound approach for the education of our children. Education Para 10.27 Infrastructure Delivery Plan Table item 83 calls for section 106 provisions of additional Early Years Foundation Provision (EYP) within the Western Wards however HA1 does not indicate the placement of a nursery or pre-school within the development area. Where is the child placement contribution to be allocated as the IDP calls for the addition of 83 placements whereas there are over 1000 new dwellings being proposed for the Warsash area alone.

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What modification(s) is necessary to make the Local Plan legally compliant or sound?

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How would the modification(s) you propose make the Local Plan legally compliant or sound?

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Your suggested revised wording of any policy or text:

ara 10.26 Infrastructure Delivery Plan Section 5.4 Education is planned with HCC but the period of any proposed extensions for child placements is only up to 2021 whereas the Plan covers up to 2037. This is not a sound approach for the education of our children. Education Para 10.27 Infrastructure Delivery Plan Table item 83 calls for section 106 provisions of additional Early Years Foundation Provision (EYP) within the Western Wards however HA1 does not indicate the placement of a nursery or pre-school within the development area. Where is the child placement contribution to be allocated as the IDP calls for the addition of 83 placements whereas there are over 1000 new dwellings being proposed for the Warsash area alone.

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If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

No, I don't want to take part in a hearing session

Representations | Fiona Gray
1812-131047

Respondent details:

Title:	Ms
First Name:	Fiona
Last Name:	Gray
Organisation: (where relevant)	Buckland Development Ltd

Agent details:

Title:	Mr
First Name:	Joseph
Last Name:	Carr
Job Title: (where relevant)	Associate
Organisation: (where relevant)	DAVID LOCK ASSOCIATES
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policy: H1 - Housing Provision

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Welborne, as the single largest site in the Borough, is of strategic importance to Fareham and the wider area as a whole. Buckland are committed to delivering Welborne and the aspirations of the Welborne Plan, as set out in the outline planning application. However, as you will be aware, the draft planning conditions associated with the proposed planning permission include a condition which restricts development at Welborne until funding for the M27 J10 has been secured. The Welborne Outline Planning Application commits £20m of developer funding to the junction improvements. Since the planning committee in October 2019, the funding situation has worsened, with c. £30m of government funding now being reallocated to other schemes in the region. This leaves an estimated funding gap of c.£50m. Therefore, despite planning permission being imminent, development at Welborne cannot occur until this significant hurdle is overcome. Whilst Buckland generally support the Council's position to not revisit the detailed policies of the Welborne Plan, and consider it sound, consideration must be given to methods to unlock delivery at Welborne, especially given Welborne's role in the development plan, and its importance in ensuring the development plan is sound. Given the need to deliver substantial infrastructure to support the community, opportunity to reduce the costs of this infrastructure is low. Reviewing the policies and requirements of the Welborne Plan, the only opportunity which gives flexibility to reinvest further development receipts into M27 J10 is to provide 10% affordable housing in the initial phases of development. However, even at lower affordable housing levels within the parameters of Welborne Plan policy (with a minimum requirement of 10% affordable housing and a viability review process to increase affordable housing later in the development programme), Welborne cannot viably support funding an increased M27 J10 contribution. This is evidenced in the viability work undertaken as part of the outline planning application, as presented to planning committee in October 2019, which states that Welborne can only support 10% affordable housing in the initial phases with £20m of developer funding. Should the developer funding increase, the amount of affordable housing which Welborne could viably support will reduce accordingly. Whilst discussions are ongoing with FBC on methods to overcome these obstacles to Welborne's delivery, consideration must be given to methods to increase flexibility to enable Welborne to be able to deliver homes. This could be through edits to the Welborne Plan requirements, or through the removal of the condition which restricts development at Welborne until funding for the M27 J10 has been secured. This would enable development to start on site, whilst further funding was sought. The need to unlock delivery at Welborne is paramount, as Welborne is critical to achieving the short- and long-term aspirations of this Local Plan, with a large proportion of FBCs housing requirement (and employment floorspace) expected to be delivered at Welborne within the plan period to 2037. Therefore, Welborne's delivery is crucial to enable the development strategy of this plan to be considered justified and effective, which is imperative for the plan as a whole to be considered sound.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

If required by the Inspector, Buckland are available to attend, and contribute to the local plan examination as required, to support the continued allocation at Welborne.

---

2) Policy: DS3 – Landscape

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

We support the designation of the land to the east of Welborne as a special landscape area (under draft Policy DS3), which is reflective of its local importance and, due to the area's topography, prevents the visual encroachment of the urban area to the open countryside to the north of FBCs administrative boundary. We consider this approach to be both legally compliant and sound.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

---

3) Paragraph: 9.3

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

We support the position outlined in paragraph 9.30 of the draft plan, in relation to Biodiversity Net Gain requirements, as Buckland are in the process of agreeing a bespoke biodiversity enhancement strategy with FBC, following the provisions of the Welborne Plan. This Strategy which will reflect commitment to the delivery of significant biodiversity enhancement at Welborne, though its comprehensive network of open space and SANGs. Furthermore, it is important to note that these Biodiversity Net Gain requirements are yet to be legislated at a national level, and thus exact provisions and expectations are yet to be set out by Government. Thus, it could be questioned whether Policy NE2 is in fact premature, although this may be resolved depending on the time this plan is examined, and thus can be reviewed in this context by the Inspector at a later date.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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4) Paragraph: 10.27

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

We would wish to support the viability work which has been undertaken by the Council to underpin this Local Plan. We particularly support the recommendation that a zero CIL rate should be applied to Welborne, given the scale of infrastructure contribution to be provided through the Welborne S106 agreement, and the viability discussions which have been undertaken as a part of the Welborne Outline Planning Application

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Representations | Samantha Pope CEng BEng (Hons)

1712-1207

Respondent details:

Title:	Mrs
First Name:	Samantha
Last Name:	Pope CEng BEng (Hons)
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policy: TIN2 - Highway Safety and Road Network

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

10.15 Transport plan does not include an analysis of streets where the majority of the houses are proposed. Why hasn't more consideration been given to HA1 in the transport assessment? There are 830 dwellings proposed in HA1. With an average of 2 cars per dwelling, an additional 1660 vehicles will be on local roads! Because of the lack of consideration, there is no reference for the mitigation required to reduce congestion by 2036. The Plan fails the Test of Soundness by not being Positively Prepared in this respect. QUOTE 14.6 of Final transport Assessment "In conclusions, based on the work of this Strategic Transport Assessment, it is considered that the quantum and distribution of the development proposed in the Fareham Local Plan, and the resulting transport impacts, are capable of mitigation at the strategic level, and that the plan is therefore deliverable and sound from a transport perspective." This statement doesn't include the area of the local plan with 800 homes isn't assessed within the document Transport plan. 10.27 All developers will provide monies under section 106 to contribute to the Infrastructure Delivery Plan (IDP) . However there is nothing identified within the IDP table as a required contribution to transport and travel or highways in the western wards.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

There is no reference for the mitigation required to reduce congestion by 2036. The Plan fails the Test of Soundness by not being Positively Prepared in this respect. This statement doesn't include the area of the local plan with 800 homes isn't assessed within the document Transport plan. 10.27 All developers will provide monies under section 106 to contribute to the Infrastructure Delivery Plan (IDP) . However there is nothing identified within the IDP table as a required contribution to transport and travel or highways in the western wards.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Complete a transport assessment and include this along with mitigations required to the area of HA1. Include the mitigation within the IDP and itemize the contributions for travel and highways in the western wards

Your suggested revised wording of any policy or text:

The statements and supporting documentation must include the 800 homes proposed in HA1. I can not suggest wording for this as the professionals (transport, highways and infrastructure engineers) should complete the calculations required for HA1 and provide mitigation measures as a result.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

2) Policy: TIN4 - Infrastructure Delivery

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

From the Infrastructure Delivery Plan Section 5.4 Education is planned by Hampshire County Council. However the period of the child placements to extent the local schools only covers up to 2021. Has the council fully engaged with HCC over the houses planned for Warsash and the Western Wards as they will be built over the next five years and the local plan extends up to 2036. Is this a sound approach for the borough and our children's education? The IDP table item 83 Calls for section 106 provisions of additional Early Years Foundation Provision (EYP) within the Western Wards, however HA1 does not show the placement of a nursery or pre-school within the developments area. Where is this contribution of child placement to be allocated as the IDP calls for the addition of 83No placements when there are over 1000 dwellings added to the area. The IDP calls for the expansion for health care in the Western Wards with additional of GP locations in the Western Wards, however within the table provided within the document the timeline of this project and its review is in the past (prior to adoption of the local plan). How is this a sound approach for the borough when addition of 830 dwellings in HA1 alone.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

From the IDP Section 5.4 Education is planned by Hampshire County Council. However the period of the child placements to extent the local schools only covers up to 2021. Has the council fully engaged with HCC over the houses planned for Warsash and the Western Wards as they will be built over the next five years and the local plan extends up to 2036. Is this a sound approach for the borough and our children's education? Extend the schools study to include the duration of the draft plan, or the next five years identified with the majority of growth in the area, especially HA1 The IDP table item 83 Calls for section 106 provisions of additional Early Years Foundation Provision (EYP) within the Western Wards, however HA1 does not show the placement of a nursery or pre-school within the developments area. Where is this contribution of child placement to be allocated as the IDP calls for the addition of 83No placements when there are over 1000 dwellings added to the area. Assign EYP within the area of HA1 with contributions made by each of the developers to ensure the IDP is met for the western wards. The IDP calls for the expansion for health care in the Western Wards with additional of GP locations in the Western Wards, however within the table provided within the document the timeline of this project and its review is in the past (prior to adoption of the local plan). How is this a sound approach for the borough when addition of 830 dwellings in HA1 alone. Complete the review inline with the timeframe set out in this local plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Complete the studies identified in the supporting documentation to ensure the local plan is sound for the provision of education, early years foundation provision and GP surgeries.

Your suggested revised wording of any policy or text:

I can not make a suggestion for wording changes as i am not a professional in these fields. Once the studies have completed the mitigation should be included within the local plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

3) Paragraph: 7.13

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

7.13 Local retail/commercial facilities figures do not cater for the additional houses in Warsash. For example, No convenience goods floor space has been allocated to Warsash

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include convenience goods floor space in Warsash to account for the number of proposed houses in HA1.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Include a retail figure for the western wards.

Your suggested revised wording of any policy or text:

I can not calculate the retail figure for the western wards as i am not a professional in this field. Have the supporting documentation updated and add the figures to the local plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

---

4) Policy: D1 - High Quality Design and Placemaking

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

11.34 The council will support applications where development exceeds Building Regulations however no target has been set, is this 1% better or 10 % . The local plan is therefore is not sound and effective approach to carbon emissions as a borough. 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the carbon reductions promised by the government. The council therefore should set standards much like the London boroughs to ensure developers are designing for sustainable homes. These boroughs are also using new standards of design calculations (SAP10) which are not yet within building regulations which must be adhered too. The Fareham Design guidance do not give any guidance on sustainability.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

11.35 The council will support applications where development exceeds Building Regulations however no target has been set, is this 1% better or 10 % . The local plan is therefore is not sound and effective approach to carbon emissions as a borough. 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the carbon reductions promised by the government. The council therefore should set standards much like the London boroughs to ensure developers are designing for sustainable homes. These boroughs are also using new standards of design calculations (SAP10) which are not yet within building regulations which must be adhered too. The Fareham Design guidance do not give any guidance on sustainability, this should be updated to include potential green technologies that the council would accept as part of a planning proposal.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

The energy strategy provided as supporting documentation only accounts for the Borough. The councils design guidance standard should include an ideal energy strategy that the developers can adopt and modify as part of their planning submission.

Your suggested revised wording of any policy or text:

11.35 The council require the developer to submit plans to see each dwelling be designed to achieve an energy efficiency 20% better then building regulations Part L1A 2013. Update the Fareham design guidance to include sustainable housing design.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

As a professional engineer in this field I will be able to provide further insight and evidence on this subject.

---

5) Policy: CC4 - Renewable and Low Carbon Energy

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Section 8 mentions the requirement of meeting CO2 emission reduction targets, but instead of stating what the targets should be, the Plan simply refers to power generation within the borough and not what each of the development sites should deliver over and above Building Regulations requirements, on this basis it is believed that the plan is not positively prepared

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include targets for the next five, ten and fifteen year periods to ensure the developers have each follow the same targets and guidelines

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Include targets for the next five, ten and fifteen year periods to ensure the developers have each follow the same targets and guidelines. Targets should follow national standards to meet the climate change protocols

Your suggested revised wording of any policy or text:

i can not suggest wording on this.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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6) Policy: H1 - Housing Provision

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

The government have had a strategic rethink on how housing numbers are allocated to each area of the UK and issued within the timeframe of these comments. The Fareham local plan has used a now defuncted algorithm used to calculate the number of houses proposed within the area. The 800 plus homes allocated to the western wards should be recalculated using the new formula to ensure the western wards isn't saturated with new homes where it isn't required to meet government targets.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

To ensure the plan is sound and compliant with government requirements. the number of homes required within Fareham should be recalculated. Particular attention should be made to the western wards to ensure it is not saturated with houses and that Fareham as a whole borough is developed according to the latest formula.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

New housing figures mapped on to HA1 in particular.

Your suggested revised wording of any policy or text:

i can not comment without completing the new calculations

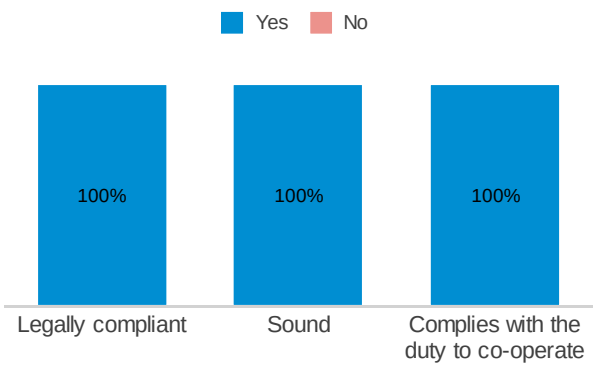
If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Paragraph | 10.27

1 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	1	1	1
Yes	1 100%	1 100%	1 100%
No	0 0%	0 0%	0 0%



Respondent: Ms Fiona Gray (1812-131047)

Agent: Mr Joseph Carr | DAVID LOCK ASSOCIATES

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

We would wish to support the viability work which has been undertaken by the Council to underpin this Local Plan. We particularly support the recommendation that a zero CIL rate should be applied to Welborne, given the scale of infrastructure contribution to be provided through the Welborne S106 agreement, and the viability discussions which have been undertaken as a part of the Welborne Outline Planning Application

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Representations | katarzyna bond

1812-91827

Respondent details:

Title:	mrs
First Name:	katarzyna
Last Name:	bond
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policies map: LOCAL PLAN 2037 BOUNDARY (HP3, HP5-9, HP11, NE2, NE7, TIN4, D4)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

it has been commented on in previous consultation and none of the omments were taken on board which defets purpose of the consultation.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

review of quality of housing proposed and better sounds climate chnage policies

How would the modification(s) you propose make the Local Plan legally compliant or sound?

propose on site facilities, avoiding using local infrustruture for bigger developments

Your suggested revised wording of any policy or text:

rethink climate emergency strategy: look at Southanpton City Council Green Charter and Wincehster City Counincil green policies

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Representations towards the Fareham Borough Draft Local Plan 2036 Publication Draft (Regulation 19) Consultation on Behalf of Persimmon Homes (South Coast)

December 2020

PERSIMMON
Together we make a home

1. Introduction

Persimmon welcomes the opportunity to comment on the Fareham Draft Local Plan 2036 (DLP) Publication (Regulation 19) consultation.

This letter is set out in sections as summarised below:

- Section 2 sets out our response to Duty to Cooperate issues
- Section 3 sets out our policy specific responses
- Section 4 sets out our response in relation to Omission Sites

2. Duty to Cooperate

The Duty to Cooperate places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters, including housing.

Planning Practice Guidance recommends that authorities should produce, maintain, and update one or more Statement(s) of Common Ground, throughout the plan-making process. The Council has unilaterally produced a 'Statement of Compliance with the Duty to Co-operate' which sets out how the Council claims to have addressed the duty to cooperate, including in relation to addressing the unmet housing need of its neighbouring authorities. This is not an agreed Statement. It is noted that there is little to no explanation within the Statement as to what cross boundary discussions have taken place since the Council has significantly altered its approach with regards to housing need (as detailed below). In Persimmon's view, this information is absent because neighbouring authorities, in particular Portsmouth and Gosport, will not be supportive of Fareham's approach.

As mentioned above, the Council's Regulation 19 consultation document is significantly different from the Regulation 18 draft in terms of its approach to housing. This is largely as a result of it applying the lower Local Housing Need (LHN) as derived from the Government's proposed new Standard Methodology, which has not been approved. The Regulation 18 version of the Plan included a number of Strategic Growth Areas that were identified, in part, to meet the housing needs of neighbouring authorities of Gosport and Portsmouth. These Areas have now been deleted, and do not feature in the Publication Plan.

The Council's decision to use the new Standard Methodology LHN in order to take advantage of lower housing numbers is premature, and is at odds with the approach being taken by nearly all other Local Planning Authorities developing Local Plans in the sub-region, including Gosport and Portsmouth.

It is understood that the SGAs would met at least 1,000 dwellings from Portsmouth's unmet needs, alongside a proportion of Gosport's (quantum not published). However, the Publication Plan suggests that unmet need accommodated by the Plan will only equate to 847 dwellings. By Fareham choosing to use the draft new Standard Methodology and reducing its housing site allocations as well, the scope for the Plan to pick up the housing needs of these neighbouring council areas has been significantly curtailed.

It is Persimmon's view therefore that, given the significant change in approach by Fareham Council, the joint working that it has undertaken on housing issues to date has been fundamentally undermined to a point where it can only be concluded that Council has failed the duty to cooperate.

2. Policy Specific Comments

DEVELOPMENT STRATEGY

Strategic Policy DS1 Development in the Countryside

Policy DS1 provides the policy basis for the delineation of settlement boundaries. In the context of our comments below, notably in relation to not meeting housing need, omission sites and the delineation of Strategic Gaps, the Council should amend the settlement boundaries to allow additional development to come forward.

With regards to the criterion d) of Policy DS1, an allowance for new or replacement building, conversion and/or extension of a school is welcomed. However, the Policy appears to limit re-provision to existing sites shown on the Policies Map. As set out in greater detail in the our response to Policy DS2 and the Omission Site section, discussions are on-going with the Meoncross school to facilitate expansion of the car park and/or playing fields in the short term. The potential relocation of the school to other land within Persimmon's interest at Cuckoo Lane over the longer-term is also being explored. As currently drafted, by strictly limiting development to within an existing educational facility, the Policy would prevent such future improvements and the possible relocation of Meoncross School.

Strategic Policy DS2 Development in Gaps

The Council has commissioned Hampshire County Council to review its Strategic Gaps. The County's methodology for this review is set out in the Technical Review of Areas of Special Landscape Quality and Strategic Gaps (September 2020). This applies 'Primary Measures' (i.e. physical and visual separation) and 'Secondary Measures' (i.e. Green Infrastructure Provision) to define the gaps. We support the inclusion of physical and visual separation as a means of determining the gap boundary, but we see no justification for including the secondary measures as this is outside of the scope of the role of a gap. In any case, Green Infrastructure is an issue that is dealt with separately under Policy NE9 of the draft Plan.

The following commentary on this policy considers each of the Strategic Gaps before comments are made on the content of Policy DS2 itself.

<u>The Fareham-Stubbington Gap</u>

As set out in the recommendations of the Gap Review paper (Chapter 4: Conclusions and Recommendations, Paragraph 10): *'there exists some opportunities for development to be absorbed within the Stubbington-Fareham Strategic Gap, subject to scale and future detailed design, without compromising its Gap function…'* It is surprising then that the Council has not examined this potential in greater details as part of its Publication draft Local Plan, particularly given that the most recent Regulation 18 Local Plan consultation proposed a Strategic Growth Area (SGA) within this gap as a means of accommodating growth.

It is also surprising that the Gap Review Paper does not adequately consider the influence of the Stubbington by-pass on the Fareham-Stubbington Gap. Paragraph 3 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap states that*: 'As the Bypass is currently under construction and its alignment marked out, it is possible to see how it might affect the sense of separation between Fareham and Stubbington.'* The report also states that it is too early to understand the full impact that Stubbington Bypass will have on the landscape character and development pressures of the Gap. This second assertion is contested. Given that the by-pass construction has progressed significantly, and that by-pass proposal has been subject to landscape assessment (including through the ES associated with the application), there is sufficient information available to allow for a robust assessment of the impact of the by-pass on the gap and the landscape to be carried out. A review of the landscape and gap evidence should be carried out prior to submission of the Plan for examination.

There can be no doubt that the by-pass will have a considerable influence on the Fareham-Stubbington Strategic Gap - effectively splitting it two. Once the by-pass is complete, it will form a strong defensible boundary, which will make the difference in the character between areas north and south even more apparent than it is already. This difference in the character requires considered in the Local Plan and its evidence base.

Land to the north of the bypass route is considerably more open in character, with large open fields with limited boundary planting providing prominent views north from the bypass toward the southern urban edge of Fareham, which is well defined by Rowan Way. This area is characterised by a strong sense of tranquillity, and is a much more sensitive landscape that is more befitting of Gap designation in accordance with the Council's own methodology. Land to the south of the bypass, however, comprises considerably more urban influences as demonstrated by existing development along Ranvilles Lane / Titchfield Road, the cemetery south of Oakcroft Land and development around May's Lane / Peak land (including where the urban area of Stubbington protrudes into the gap). This observation is supported by the detailed analysis of gap study area 7a (see Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap, para 8) which states that:

'There exists the potential to ***make modifications to the settlement boundary of North Stubbington: to extend the boundary to run along Oakcroft Lane****, as the isolated field that sits aside Crofton Cemetery, does not protrude into the landscape beyond the current Northern and Western edges of Stubbington. Largely sitting behind a mature line of Poplars also helps this isolated field absorb some development (subject to detail design),* ***without risking the integrity of the Gap, as a whole****.'*
(Persimmon's emphasis)

Paragraph 11, Bullet 2 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review evidence reconfirms the limited role that the area to the north west of Stubbington, south of Oakcroft Lane and east of Ranvilles Lane plays as a gap. The Gap study states that this area has *'the ability to absorb development into the landscape exists, without compromising the integrity of the Gap function'.* The Council will be aware of the planning application within this part of the gap (LPA Application Reference: P/20/0522/FP). This application comprises 209 new homes a considerable area of land to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1. The application is a resubmission of a planning application that addresses technical and design issues raised by the Council previously. It is understood that the application is due to be considered by planning committee in January 2021.

One key consideration when reviewing the boundary of a gap is the consideration that no more land should be included in the gap than is necessary (see adopted Core Strategy Policy CS22, Fareham Borough Council Gap Review 2012 and South Hampshire Strategy 2012). This concept is reiterated in the Gap Review Paper as 'minimum land take'. In light of the above, it is Persimmon's view that the gap evidence should be reconsidered with areas north and south of the by-pass assessed separately to take account of the by-pass. For reasons set out above, and in accordance with the Gap Review methodology, it is considered that a review of the evidence would indicate that the land north of the by-pass should be retained as gap and land to the south should be deleted from the gap designation. Retaining a gap to the north would preserve a c. 800m gap between the by-pass and the southern urban edge of Fareham, which is described in the Gap Review Paper as being *'moderate-large gap'* of a 'good distance' that *'gives the traveller time to experience the countryside after leaving one settlement before joining another.'* Retaining a gap of adequate width in this location is particularly important given the role Peak Lane plays in providing a well utilised north-south link between Stubbington and Fareham.

With regards to land to the east of Stubbington, Paragraph 11, of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review indicates that there is very little opportunity to absorb development in this corridor but that advanced planting along the eastern edge of the settlement would be beneficial. Persimmon Homes have interests in this area (as discussed in detail later in these representations). In summary, the proposals include new residential development, significant new strategic planting and open space along the eastern edge of the site. Discussion are on-going with the

Meoncross School to facilitate expansion of the car park and playing fields in the short term and the potential relocation of the school to other land within Persimmon's interests over the longer-term.

In light of the our comments set out above It is considered that the Fareham-Stubbington Strategic Gap should be redrawn so that land to the south and west of the by-pass is removed from the gap.

Whilst not a gap issue per se, the emerging and previous Local Plans, have tended to avoid allocating any significant growth on the periphery of Stubbington. Sensitively redrawing the gap boundary as suggested above will allow for much needed sustainable development housing to come forward to support the housing aspirations of those wish to live in or remain living in Stubbington.

The Meon Strategic Gap

As touched upon above, the function of a Strategic Gap is to prevent the coalescence of separate settlements. Land to the west of Stubbington is identified as a gap but there is no settlement to the west of the Stubbington that requires protection from coalescence. With regards to Strategic Gap Study Area 6, it is noted that the Gap Review study states that this gap is provided to ensure there is no coalescence between Stubbington and Titchfield along Titchfield Road. Whilst this northern most extent of this study area may serve this purpose, the central and southern parts of the Study Area 6 play no role whatsoever in preventing coalescence. This is recognised in Paragraph 13 of Chapter 4: Strategic Gaps SG 1: The Meon Gap of the Gap Review Study. Nonetheless, the Study recommends that the Gap is retained in this area due to: high levels of tranquillity, its role in providing separation of Portsmouth and Southampton, and to recognise the potential longer-term settlement expansion southwards from Titchfield and South Westwards from Hook. Based on the Council's Gap Review methodology, these are not adequate reasons to include this land within the gap.

A more logical delineation of the gap, which would ensure that no more land than necessary is included within it, could be to end its southernmost extent at Crofton Manor Equestrian Centre where the transition from countryside to urban (as part of Stubbington) becomes apparent. As recognised in the Gap review study, much of the land to the south of the Equestrian Centre is subject to protection under draft Policy DS3 (as discussed below), and ecological constraints which provide adequate protection against inappropriate development in this area. A gap is therefore not necessary.

General Comments on Policy DS2

Notwithstanding our comments above, in our considered view, Policy DS2 is too restrictive. There may be a point within the plan period, for example where the Council is unable to demonstrate a sufficient five year housing land supply, where additional housing may be required over and above those sites identified in the Plan. The Council has persistently struggled to demonstrate a sufficient five year housing land supply in recent years so flexibility in the Policy is required.

As demonstrated through the Council's Regulation 18 draft Plan, a sustainable location for such development may be in the Strategic Gap between Stubbington and Fareham. As such, the Policy should include additional wording to allow for appropriate and sustainable development in the Strategic Gap in such circumstances where housing supply needs to be increased.

The Policy also seeks to prevent development in Strategic Gaps that may significantly affect its 'integrity' and the 'distinctive nature of settlement characters'. This is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. The reference to 'integrity' and the 'distinctive nature of settlement characters' should be deleted from the Policy. The function of a Strategic Gap is to prevent the coalescence of separate settlements, which can be achieved through assessment of the impact of a proposed development on the physical and visual separation of settlements. The other policy criteria are superfluous.

In light of the above, it is considered that the Strategic Policy DS2 - Development in gaps and delineation of the Gap as shown on the draft Policies Map, should be redrawn as set out above. If this is not the case the Policy cannot be said to either justified or effective and is therefore unsound.

Strategic Policy DS3: Landscape

Policy DS3: Landscape identifies a number of Areas of Special Landscape Quality (ASLQ), including the Meon Valley. This is new Policy that does not form part of the adopted Local Plan. The first part of this Policy seeks to significantly restrict development in the Meon valley area. However, considering that the Council has successfully defended the Meon Valley area from a number of hostile planning applications in the recent past without this Policy in place, the justification for it is questionable. Given the prohibitive nature of Policy DS3, the development potential of Site 5 (Cuckoo Lane) for housing and new school provision, will unlikely be realised unless the site is allocated for development in the Local Plan and/or the site is excluded from the Meon Valley ASLQ designation.

HOUSING POLICIES

Strategic Policy H1 Housing Provision

As mentioned in the Duty to Co-operate section above, the Council is applying the Government's former draft Standard Methodology to arrive at its LHN (403 dpa) as opposed to the current Standard Methodology (514 dpa). The draft Standard Methodology is not Government Policy, it is only a consultation draft. The Government has recently (16th December 2020) released revised LHN figures that indicate that the Council's baseline LHN will increase to 514dpa. This increase LHN to exactly the same figure as per the current Standard Methodology. This newly published data clearly undermines the Councils premature decision to use the lower LHN figure. It is also noted that when the current and new LHN figures for Gosport and Southampton are considered both Councils are facing an increase in LHN of 106 dpa and 315 dpa, respectively. This is significant as both of these Authorities may need to look to Fareham to accommodate unmet housing needs. This will place even greater pressure on Fareham Borough Council to increase its housing requirement set out in Policy H1. For completeness, Portsmouth's LHN remains unchanged between the two data sets.

Notwithstanding, our concerns that the Council has failed the legal test with regards to the duty to cooperate, Policy H1 cannot be assumed to be sound as undershoots current and emerging LHN. The Plan cannot therefore be considered consistent with national policy and it is not positively prepared. Should the Council seek to amend its housing requirement (for example using the current Standard Methodology) and make consequential changes to its supply sites, re-consultation on a revised Regulation 19 Plan will be necessary.

Policy H1 includes an estimated 1,224 windfall dwellings. The Council's Housing Windfall Projections Background Paper (June 2020) does not provide a detailed breakdown of which sites are being considered as windfall. The Council's figures cannot therefore be scrutinised. Until such time as the Council publishes this detail underpinning the windfall allowance, this element of the supply should not be counted towards the Council's housing requirement.

The Policy also looks to implement a stepped housing requirement, which backloads housing delivery towards the latter part of the Plan period. This approach is at odds with the NPPF's objective to boost the supply of housing and appears not be justified by the expected rate of delivery of sites as site out in the summary housing trajectory in Appendix B of the Plan. For example, in the first period (2021/22 and 2025/26) the Council proposes a requirement of 2,250 dwellings (averaging 450 dwellings per annum). However its housing trajectory suggests that 3,085 dwellings will be delivered, which is equivalent to 617dpa. As such, Policy H1 should be expressed as an average requirement; it should not be stepped.

The Policy also sets out that approximately 428 homes will be delivered on specified brownfield sites and/or regeneration opportunities in Fareham Town Centre. In some cases deliverability, viability availability (i.e. in existing use) is not assured (notably sites FTC2-5). Whilst Local Plans should be aspiration, they should also be deliverable. Allied to above, a further 1,327 homes are identified on Housing Allocation sites (i.e. allocation prefixed with a HA reference). However, a number of these sites are rolled forward allocations from the current adopted Local Plan, and in some cases (i.e. HA29 and HA30) are site that formed part of the Western Wards growth are that were originally identified

in the 1970's, but have failed to be delivered. As such, it is questionable whether the Council has properly assessed deliverability / developability of some of the sites comprising its supply. It is advisable therefore that the quantum of housing expected from some of the questionable supply sites should not be counted against the housing requirement in the Plan, and alternative sites (such as those set out in the Omission Sites section) should be identified to ensure the Council's housing requirements are met. In additional to the above, the deliverability issues associated with Welborne are well documented. Recently it is understood that due to delays in the site coming forward, the Council has lost external funding to deliver critical highway improvement works. This further underscores the challenges associated with this site. The Council would be well advised to take a highly cautious approach when seeking to include housing supply from Welborne. The draft Plan currently includes 4,020 dwellings as part of the housing supply. In light of the above, this figure is considered to be highly optimistic and should be revised downwards.

Notwithstanding, our concerns regarding the Council's choice of LHN, this figure should be regarded as the starting point for developing the Plan's housing requirement. Councils are advised through national planning policy/ guidance to consider whether any adjustments should be made to the LHN figure to account for other factors such as economic growth (which appears to be absent from the Plan) and unmet need from neighbouring authorities (as discussed above). With regards to affordable housing, the Council commissioned a Housing Needs Survey as part of its previous Regulation 18consultation draft Plan in 2017. At the time, the Survey suggested that there is a net affordable housing need of 302 dpa (i.e. nearly ¾ of the overall annual requirement). Whilst the Standard Methodology accounts for affordability (or lack thereof in Fareham's case), actual affordable housing need indicates that a further uplift to its LHN may be necessary.

Policy HP4 Five-Year Housing Land Supply

Policy HP4 states that development 'may be' permitted where a development meet all the criteria in policy HP4. The Policy should be reworded to positively state that a development *'will be'* permitted if it meets the policy criteria. When determining planning applications, the decision maker is required to read the Local Plan as a whole; there is no reason for the Policy to be equivocal on this matter.

With regards to criterion (b) the policy states that a development should be '…integrated with the neighbouring settlement'. Does this mean a physical link between the development and the adjoining settlement or that a development should be integrated in design terms? This needs to be clarified.

Criterion c) seeks to prevent development in strategic gaps that may significantly affect its integrity. As per our comments in respect of Policy DS2, this is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. It is also noted that Policy DS2 sets out different policy requirement with regards to the protection of Strategic Gap (i.e. proposals should not affect the physical and visual separation of settlements). This has the potential to create an internal conflict within the Plan as it is unclear which policy requirements (either HP4 or DS2) would take precedent where the Council unable to demonstrate adequate five year supply. It is suggested therefore that the wording for Criterion c) is deleted or replaced with a cross reference to Policy DS2 (including Permission's suggested amendment to this DS2).

Policy HP5 Provision of Affordable Housing

With respect to the percentages of affordable housing sought at sites, Policy HP5 should include a viability review mechanism to provide flexibility. This will assist with the viability of schemes should there be a fall in market over the lifetime of the Plan and/or in circumstance where unknown development costs are introduced (nitrate mitigation costs associated with the HRA requirements are a case in point having seriously affected the viability of schemes over the past year or so).

As set out in the supporting text to this Policy (paragraph 5.32), the Council publishes on its website the identified affordable housing need by area of the Borough. The Council's website shows considerably different housing need for each area. The affordable tenure mix is therefore too prescriptive and does not reflect the Council's own evidence base. It is advisable therefore that the

Council replaces criteria i-ii with a statement confirming that affordable housing mix and tenure will be negotiated with the Council evidence base set out its webpage used as the starting point.

Further underscoring our concerns with the nature of the tenure mix, the Council should be aware of the potential practical challenges associated such a small percentage of Affordable Home Ownership. The Policy could be interpreted by officer so that Affordable Home Ownership is provided at 10%, which would be a challenge for reasons set out below. Registered Providers are becoming ever specialised with some only dealing with the shared ownership side and others the rented side. Requiring such a small percentage of Affordable Home Ownership products through this Policy may create challenges in terms the viability of tender bids for this type of unit. In addition, Affordable Home Ownership, including shared ownership schemes, have been shown to be an effective means of getting people on the property ladder. As the Council's own evidence shows 10% is considerably below what is actually needed.

The final element of Policy HP5 addresses the market rent of Affordable Rented units, which will be judged as 80% of market rent or the relevant Local Housing Allowance (LHA), whichever is lower. The NPPF only make provision for rent to be set at 80% of market. It does not state that market rents should be benchmarked against LHA. The reference to LHA should be deleted to ensure that HP5 is in conformity with national policy.

It is also noted in Paragraph 5.42 of the supporting text to HP5 that the Council may need review the Affordable Housing Supplementary Planning Document (SPD) to address changes to the affordable housing and mix. SPDs should not be used to review issues that have a direct impact on viability. This should be tested through the Local Plan review process.

Policy HP7 Adaptable and Accessible Dwellings

The PPG sets out a number of tests against which Councils should consider when seeking to introduce M4(2) and M4(3) policies into its Local Plans. The Council's Specialist Housing Background Paper (September 2020) has been produced which shows how the Council claims to have met these tests.

In terms of need, the Background Paper sets out the population with Long Term Health Problem or Disability based on census data. However, this measures population, not households, so should not be assumed to an accurate proxy for need. It should also be noted that some people who state that they may have a Long Term Health Problem or Disability as part of a Census response may not have an illness that would affect mobility and would not therefore not necessarily require M4(2) or M4(3) dwellings. The evidence base should be updated to reflect the above.

With regards to the provision of Category 3 specifically, the Council's evidence of need is weak being based on a national wheelchair usage that may not reflect the level of need in Fareham Borough. Furthermore, with regards to Category 3 affordable housing, from a practical point of view, Registered Providers are less willing to take on wheelchair dwellings as they can be difficult to occupy. If there is no suitable occupier then the unit could be sat empty for a significant period while a suitable occupier is found. During this time the unit is not generating any income, and could have been used to house a family that is in need at the time.

As the Council correctly identifies, a large proportion of older homeowners will seek to remain within their own homes with care provided in situ. Should these owner occupiers need to downsize or relocate they will be able to utilise the equity built up within their dwellings to access products which meet their specific. This may be sheltered or extra care accommodation. Within recent years, as this market has developed, the industry has responded with a number of private sheltered accommodation schemes approved within Fareham. In this context, the Local Plan also looks to facilitate the delivery of specialist housing through Policy HP8 and through specific housing allocations made in the Plan (HA42 – HA43). The Background Paper does not appear to have factored in the supply of specialist homes that may come forward be on allocated sites and windfall sites permissible under Policy HP8.

With regards to the second test relating to location of specialist housing, as set out HP8, this type of accommodation is best located in accessible locations. Given the mobility challenges which some older people face, town and district centres, with their conveniently located services such as shops and health facilities, are ideal locations for older persons housing. Fareham town centre is a highly accessible location where a significant quantum of flatted housing is proposed with the benefit of a reduced affordable housing policy requirement. District Centres are also highly accessible locations where there is a potential for older persons housing could be delivered. The Council should therefore consider restricting this Policy requirement to areas of high accessibility.

Policy HP9 Self Build and Custom Homes

Policy HP9 sets out a policy requirement for 10% of all units on sites over 40 dwellings to provide plots for sale to address local self or custom build need. It is noted, however, that at Paragraph 5.8 of the Council's Self and Custom Build Housing Background Paper (September 2020) it is stated that that the Council has met its past and future self-build requirements – this has been achieved without the need for a specific policy. It is also noted that the adopted Welborne Plan requires some 1% of its housing to be for self / custom build. Set against the current identified need of 35 net plots it would seem excessive to require a policy to further increase self / custom build supply. This could result in significant over provision of a product for which there is no clear market demand. In light of the above, the justification for Policy HP9 is therefore questionable. The policy does include provision for plot to be developed for non-self-build ,should they not be taken up, however, this Local Plan has made no assessment about the extent to which this would affect cash flow and the viability of developments. It is Persimmon's view therefore that this Policy should be deleted.

Notwithstanding our overarching concerns regarding the justification for this policy, there are a number of practical considerations that the Plan fails to adequately acknowledge. Criterion a) for example, sets out that self or custom build plots should be serviced. The Policy needs to clarify what is meant by 'serviced'. Does serviced this relate highway access, gas, water, electricity and/or broadband, and to which point should the plots be serviced? Turning to criterion c) it is not clear who would be responsible for setting out the design parameters. Placing a requirement to conform to set parameters could put off some prospective self / custom builders. The requirement to provide self and custom build plots may also have a number of practical and management issue, such as:

- Phasing and completion of the wider site.
- Section 106 contributions due to the exemption that applies to self-build housing.
- Delivery of housing in accordance with paragraph 59 of the NPPF to boost significantly housing supply, where supply on an ad hoc basic by self-builders is likely to be slow compared with the remainder of the site or even not take place at all.
- The reserve matters period running out and needing to be extended.
- Ad-hoc builders turning up outside specified hours of work.
- Storage of materials as there is limited room on plot and storage spills onto the market housing part of the site.
- Purchasers having to stop building due to unemployment/lack of funds.
- Purchaser dissatisfaction where building continues on a site which was expected to finish when they moved in.

<u>CLIMATE CHANGE</u>

Strategic Policy CC1 Climate Change

This Policy states that the 'Council will promote mitigation and adaptation to climate change through…' It is unclear whether the criteria will be sought as part of development proposals, or whether the criteria relate to development delivered by the Council. This requires clarification. If it is the former, the Policy should make clear that the criteria are not requirements but should only be met where it is possible to do so.

Policy CC2 Managing Flood Risk and Sustainable Drainage Systems

Policy CC2 requires all developments to be designed in accordance with the CIRIA C753 SuDs Manual or equivalent national or local guidance. The SuDS manual is, however, only guidance. In Persimmon's experience, strict adherence to the guidance can be problematic as the design of a SUDS system also need to consider design, aesthetics, engineering etc. It is recommended therefore that the wording for this bullet point is prefixed with 'Where possible,' to provide the necessary flexibility.

NATURAL ENVIRONMENT

Policy NE2 Biodiversity Net Gain

Policy NE2 sets out a requirement for site to deliver 10% net gain for biodiversity. The Local Plan viability assessment assumes a cost of £500 per dwelling. This development cost is based on limited evidence and seems low, particularly for greenfield sites (as opposed to brownfield equivalents) which are likely to require significant more extensive measures to achieve a 10% net gain. In many cases, the requirement to achieve BNG is likely to negatively impact on the developable area, resulting in a loss of revenue that negatively impacts on viability, rather than be a cost associated with each individual units per se. In Persimmon's view, the viability evidence to support the introduction of this Policy is inadequate. As mentioned above, meeting BNG at 10% can require considerable land take; on some sites Persimmon has been involved in, BNG has required around 50% of the gross site area. It is not clear whether or to what extend the Council has factored in this 'land hungry' BNG requirement as part of its housing allocations capacity estimates. It is also noted that BNG should be achieved across a site, it is not a requirement to be met at the individual plot level (although this might form part of the BNG solution). As such, supporting text Paragraph 32 is misleading and should be deleted.

Policy NE4 Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent

This is new Policy which sets out Fareham's policy approach to dealing with excessive nutrient (nitrate) loading on protected European sites of ecological importance. However, the Policy is light on detail with insufficient guidance as to how applicants will be able to demonstrate conformity. Given Persimmon's significant experience in dealing with such matters, the Company is aware of how this Policy can be implemented in practice, but for less informed developers/applicants this may be more challenging.

Notwithstanding the above, the Company is aware that the primary means of determining whether a development proposal will be able to demonstrate nutrient neutrality is by producing a nutrient budget using the Natural England Methodology. Given that the Natural England Methodology provides a key evidence base and is fundamental to the implementation of Policy NE4, it is critical that this document is examined in detailed alongside the Local Plan. Of particularly concern is that Natural England's Methodology includes a number of onerous stages that result in significantly more mitigation being required than is actually necessary. These provisions include, but are not limited to, housing occupancy rates, internal migration (particularly those households that are occupying new affordable housing) and default permit levels. Furthermore, despite many of steps set out Natural England Methodology taking a precautionary approach to nitrate assessment, an arbitrary buffer of 20% increase in nitrate loading is added at the end of the calculator. This buffer is not required and will further exacerbate the issue of overproviding mitigation land that is not necessary. Lastly, it is noted that the Partnership for South Hampshire has updated the Integrated Water Management Study (IWMS). The IWMS provides a key evidence base underpinning the nitrate assessment work, but the Natural England Methodology does not take into account this new evidence.

Policy NE5 Solent Wader and Goose Sites

Policy NE5 sets out the Council approach to protecting area which are used by Solent Waders and/or Brent Geese. The Policy makes reference to such area as shown on the Policies Map. These

designations are, however, informed by an interactive GIS map provided on the Solent Bird Aware website, which forms a critical evidence base to the development of Policy NE5. It is therefore concerning that, on the same webpage as the bird habitat GIS mapping, members of the public can download a form to report bird sightings. It is not clear whether or to what extent these reported sighting are authenticated / scrutinised by a qualified ecologist. There appears to be wide scope for land to be incorrectly identified as a bird site leading to unnecessary cost being expended to mitigate site, and in the worst cases complete sterilisation of that land. This is certainly the case with a number of sites that are with Persimmon Homes' interests (as detailed later in these representations). There is a concern therefore that the mapping evidence base underpinning Policy NE5 is flawed.

The Policy also does not set provision with regards to bird surveys. The methodology for bird sites allows sites to be identified as habitat even if they are not actually being used by birds. It would seem logical that the policy makes provision for applicant to undertake ecology survey and assessment of bird sites in order to demonstrate the absence or presence of a species. We would recommend that one year's survey data should be sufficient, with further surveys only required if the some activity has been identified at a site.

The Council will also be aware that it is the Solent Bird Aware mapping (not the Policies Map) that is used by consultees (Natural England and the Council's own in-house ecologist), to determine whether a development will impact on any protected bird habitat areas, to avoid any confusion in the future, and to ensure the Policies Map remains in date, it is suggested the Policy Map deletes these designations.

With regards to the criterion a) 'Core and Primary Support Areas' the Policy requires that development on such sites should result in an overall net gain to the Solent Wader and Brent Geese Network. BNG is a requirement of Policy NE2; the concept for which is established in the NPPF. However, Persimmon are unaware of any such requirement in national policy or the evidence base underpinning this policy, for a net gain for specific species, including protected birds.

Policy NE6 Trees, Woodland and Hedgerows

Point a) of this Policy advises that the 'unnecessary loss' of non-protected trees, hedgerow and woodland should be avoided. It is unclear what 'unnecessary loss' means in practice.

Point b) of the Policy should be a new sentence, and what is meant by the term 'unavoidable' in this context should be clarified.

Policy NE8 Air Quality

Criteria a) of this policy requires electricity charging infrastructure to be provided as part of new development (excluding Welborne). It is unclear why this Policy is not to be applied to Welborne. Presumably this is because of the impact of such provision on viability. Viability issues associated with EV charging provision are, however, not limited to Welborne.

The Local Plan Viability study incudes development cost associated with EV charging as part of £10,000 per plot contingency. Paragraph 5.3.8 of the Study states that, *'it is unclear at stage of writing if or when any of these measures will be required, so [the study takes] a very cautious and conservative approach….'* With regards to the EV charging, Policy NE8 requires such provision; there is no uncertainly as to what is expected of a development proposal. As such, the Viability Study should consider this issue in greater detail and not combine this policy requirement with other unknown cost demands on development. Combining these 'unknowns' a single contingency means that is not possible to scrutinise in detail whether the assumptions made with respect to EV is reliable.

We would highlight that the cost for providing EV charging points is around £500-£600 but this does not include additional costs associated with providing additional sub-stations on lager development sites so that all charging points are capable of being used concurrently (alongside all other energy

demands on a development), and the potential to provide enhanced electricity supply (i.e. off-site upgrades) over and above that required for the units that could challenge a scheme's viability.

As current drafted, this element of the Policy is not justified.

TRANSPORT AND OTHER INFRASTUCTURE

Strategic Policy TIN1 Transport Infrastructure, Policy TIN2 Highway Safety and Road Network and Strategic Policy TIN4: Infrastructure Delivery

These policies concern development contributions to the delivery of new infrastructure. However, it is considered the funding for such infrastructure may, in many instances, be a matter for CIL.

Notwithstanding, the above, if such Infrastructure is a requirement to make the development acceptable in planning terms, then such contribution need to meet the relevant tests set out in the CIL Regulations. It is no longer appropriate for blanket contribution to be sought by planning authorities. The Policy should be clear on this matter.

With specific reference to TIN2 it is unclear why the Council has chosen not to show the alignment of the Stubbington by-pass on the Policies Map given its strategic importance. This Policies map should be updated to show this route.

DESIGN

Policy D1 High Quality Design and Place Making

Policy D1 makes reference to a number of principles of policy and urban design, but also makes reference to guidance contained in the supporting text. For clarity and avoid any confusion over what is policy and what is supporting, text, it is suggested that this cross reference to the supporting text contained in the policy wording is deleted.

The Council should also review the policy to remove any duplication with other policies in the Plan, for example the section relating nature.

Consideration should also be given as whether the policy needs to be so detailed given that the Council has comprehensive guidance on design set out in its adopted Design SPD.

Policy D3: Coordination of Development and Piecemeal Proposal

This Policy seeks to avoid ransom situations. However, The Council will be aware of case law that prevents it from interfering on private property rights with regard to depressing or prevent returns to a landowners.

Policy D4: Water Quality and Resource
The second part of this policy requires developers to meet the Optional Technical Housing Standard for Water Efficiently (i.e. 110L/person/day). Meeting these Standards should be optional, not required. Whilst the Natural England Nutrient Methodology for the Solent area requires development to meet these standards as a means of addressing nitrate loading, there may be instances where nutrient neutrality can be achieved without doing so. The justification for requiring proposals to meet this standard are inadequate.

D5 Space Standards

The housing standards review introduced the optional space standards which local authorities could adopt by way of reference in their local plans. However, a prerequisite to the adoption of the space standards are the following tests set out in the planning practice guidance (Paragraph: 020 Reference ID: 56-020-20150327).

"Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- ***need** – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- ***viability** – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- ***timing** – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.'*

In order to meet the policy test for the inclusion of the space standards there is a requirement for the council to establish the need for the adoption of the national space standard. To this end, the Council has published a Specialist Housing Background Paper (September 2020). Para 6.7 of Background Paper states most dwellings that have been consented or are awaiting determination are consistent with the 2015'Technical housing standards –nationally described space standard. The Background paper, makes references to the larger plots not meeting this standard, with an example being made of site ref 14/19. However, on the whole most dwellings considered in the Council's Background Paper, including large units, are meeting the Optional standards. From a need perceptive, it would seem as though there is little justification for the introduction of this Policy.

In terms of first part of the viability test, the Council's Local Plan Viability Study indicates that development viability would not be negatively impacted by the introduction of the standards. This Study, however, is completed at a relatively high level, which makes it difficult to conclude whether this part of the test has been complied with. With regards to the second part of the test, no assessment has been carried out by the Council to demonstrate that the requirement for new development will not negatively impact affordability within the market.

As set out in paragraph 6.10 of the Background Paper, the Council has decided not to set a transition period for the adoption of the national space standards as it is of the view its introduction would not affect viability. For reasons set out above, we do not concur with this assessment, and suggest that a three year grace period is introduced to allow sites that are under a fixed contract to be brought forward. It is also noted that, the Council are looking to apply the draft policies in this Plan, including the requirement for national space standards prior to the examination or adoption of the plan. This contrary to the approach set out in the planning practice guidance. It is not practical to expect development proposals that are currently being considered to suddenly meet space standards.

In light of the above, Policy DS5 is not justified and should be deleted for reasons of soundness.

Local Plan Appendices

Appendix B set out a summary housing trajectory for the sites identified in the Plan. This is inadequate to properly assess the delivery expectation made by the Council with respect to individual sites. To enable proper scrutiny of the trajectory, the Council's housing trajectory should be broken down by individual sites. This is particularly important because the Council has consistently over-estimated the delivery timescales for key sites. For example, Welborne, which was originally identified in the Core Strategy (2011), was expected to commence delivery in 2014/15. The site has still not achieved an implementable planning persimmon, and commenced of development is still some way off.

4. Omission Sites

The following section provides an overview of the sites in Fareham Borough that are in Persimmon's interests, but have not be identified for allocation. These site are largely located on the periphery Stubbington and are within the ownership of the Dunley Estate. The Table below summarises the Dunley land holdings including capacity. The sites are shown on the enclosed Location Plans provided at Appendix 2.

Site Number	Address	Gross Area Acres (Hectares)	Site Capacity Estimate*
1	Land East of Burnt House Lane	23.53 (9.52)	240 - 320
2	Land West of Peak Lane	46.25 (18.72)	TBC
3	Land North of Titchfield Road	4.83 (1.95)	40 -50
4	Land South of Titchfield Road	2.78 (1.12)	10 - 30
5	Land West of Cuckoo Lane	52.76 (21.35)	150-200
6	Land at Oakcroft Lane	41.04 (16.20)	209
	Total	**171.19 (69.28)**	**649 - 809**

*Based on net developable area, not gross area.

Sites 1-3 and Site 6 fall within the South of Fareham SGA that was identified as part of the most recent Regulation 18 draft Plan. The remaining sites (Sites 4 and 5) are located outside of the SGA. The following section addresses each site in turn.

In support of the Draft Local Plan Regulation 19 Plan, the Council updated its Strategic Housing and Employment Land Availability Assessment (SHELAA) in September 2020. This replaces the previous study which published in December 2019. The conclusion of the SHELAA as related to each of the sites shown in the Table above are considered.

Site 1: Land East of Burnt House Lane

This site is located to the eastern edge of the Stubbington. Persimmon has undertaken some initial capacity testing in relation to Site 1, including an initial highways assessment and masterplanning. The outcome of this work indicates that the site is capable of delivering around 240 to 320 new homes. This accounts for on-site constraints including the provision of a noise attenuation bund, and strategic planting to the eastern and northern boundaries of the site. Adjacent to this site is the Meoncross School, which seeking alternative arrangements for playing pitches close to the school (the existing pitches are currently leased and do not adjoin the school) and additional car parking to avoid parents parking on the nearby residential streets. Persimmon is in discussion with the school about how development at the Burnt House Lane may assist in addressing the school's immediate needs. In the longer term, however, given that the school is unable to expand within its existing site, consideration is being given as to whether the facility could be relocated to the Cuckoo Lane site (Site 5) to the west of Stubbington. Permission are strongly of the view that the site is sustainable and suitable for development and it is capable of being brought forward as a standalone allocation site, or as part of a wider masterplan with the South of Fareham SGA, should the Council seek to revisit this project.

The SHELAA 2019 concluded that Site 1 (SHELAA Ref: 1040) was deliverable housing site. However, in the Council SHELAA 2020 the Council considers the site to be undeliverable due a) to a significant visual impact undermining the integrity of the Strategic Gap, and b) the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The

Council ascribes a capacity of 125 dwellings to the site. It is unclear how the Council has reached the conclusions in the new SHELAA given its assessment of the 2019 SHELAA undertaken just nine months prior. Notwithstanding this, as set in these representations, it is Persimmon's view that the Strategic Gap should be redrawn to exclude this site. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the bird site to development is not unachievable. A strategy of improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 2: Land West of Peak Lane

This site is located to the north of the by-pass and extends across much of the gap towards the urban edge of Fareham in the north. Given its location and context, the development potential of this site is considered to be limited. However, the land could be an effective nitrate mitigation and/or bird protected habitat site that mitigation solution that could be used to address the potential impact development on other sites within Permission interests and/or other sites in the Borough the require mitigation solutions.

Site 3: Land North of Titchfield Road

This site is located to the north-west of Stubbington. Whilst this site formed part of the previous SGA, it is clearly distinct from and separate from it. This site is small scale that is well-contained in landscape terms, surrounded by existing built development and is deliverable in the short-term as stand-alone site that can be brought forward either as part of outside of the SGA masterplanning process should the Council seek to revisit this project. Initial capacity assessments of Site 3 indicates that it is capable of delivering around 40-50 new homes.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3190) was a deliverable housing site. However, in the SHELAA 2020 considers the site to be undeliverable due it being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 20 dwellings to the site. It is unclear how the Council has reached these conclusions regarding the suitability of the site given its assessment of the site undertaken just nine months prior. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the site to development is not unachievable. This approach to improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 4: Land South of Titchfield Road

This small site is located to the north-west of Stubbington. It bounded to the north-east and north-west by existing housing fronting Titchfield Road and the Crofton Equestrian Centre. The site's relationship with the wider Meon Valley landscape is limited by the woodland to the south of the site. The woodland to the south and its associated watercourse (which is also within Dunley Estate ownership) is recognised as an important ecological resource. Sensitive site design, however, could provide a means of ensuring the ecological interests at this adjoining site are protected and enhanced. Initial site capacity assessment indicated that the site is capable of delivering between c. 10-30 new homes. Were the Council minded to allocate the site for residential development, it could provide an important contribution towards its small-medium site housing allowance as required by Paragraph 68 of the NPPF.

Site 5: Land West of Cuckoo Lane

This site adjoins the settlement boundary of Stubbington to its north-eastern boundary. It is characterised by a substantial arable field that is well-contained in the north by the built form of Stubbington and substantial woodland. Initial capacity testing of this site, which has allowed for a substantial ecological buffer to the woodland, strategic planting to contain the site from the wider Meon Valley, land for a new school and new parkland further south, indicates that it is capable of delivering around 150-200 new homes.

This site is assessed in the SHELAA as being undeliverable due to being located within a *'highly sensitive landscape (based on the Fareham Landscape Assessment) and within an Area of Special Landscape Quality. Significant ecological constraints associated with the adjacent SPA/SSSI affect the suitability of the site.'* The SHELAA ascribes a capacity of 240 dwellings to the site. Whilst the ecological and landscape challenges associated with this site are recognised, they are not insurmountable. Although not a consideration for the SHELAA per se, the site provides the opportunity to deliver substantial ecological and recreation benefits, alongside community benefits, including new education provision and allotments.

Site 6: Land at Oakcroft Lane

Similar to Sites 1 and 3, the Oakcroft Lane site can be delivered outside of or as part of the SGA process (should the Council revisit this project). However, as demonstrated through the planning application, the site is deliverable now as a standalone development site. Technical issues associated with the development have been resolved and Persimmon are currently awaiting determination of the application by the Council. The site is capable of delivering 209 new homes alongside a considerable area of space to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3141) was a deliverable housing site. However, in the SHELAA 2020 the Council considers the site to be undeliverable due to the site to be undeliverable due to the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 200 dwellings to the site. It is unclear how the Council has reached these conclusions given its assessment of the site undertaken just nine months prior, and considering the site-specific mitigation strategy for protected birds has the support of Natural England and the Council's ecologist via the planning application process.

Appendix 1: Oakcroft Lane Site Layout

Rev	Date	Revision Details	Dr	Ch
E	22.04.20	Bypass junction amended	br	db
D	25.02.20	see planning cover note	br	db
C	05.11.19	see planning cover note	br	db
B	20.09.19	see planning cover note	br	db
A	22.07.19	see planning cover note dated 23 July	br	db

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Job Title
Oakcroft Lane, Stubbington

Drawing Title
Site Layout

Job No	Drawing No	Rev
220	A-02-015-SL	E
Drawn	Checked	Date
BR	DB	March '19

Scale
1:1000 @ A1 / 1:2000 @ A3

metres 20 40 60 80 100

Status
PLANNING

Persimmon Homes. No dimensions to be scaled from drawing except for the puposes of Planning Applications. The contractor should check all dimensions on site. It is the contractors responsibility to ensure compliance with Building Regulations. No drawings should be copied or modified without permission from Persimmon Homes.

File Location: s:\south coast\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Appendix 2 Omission Site Location Plans

Site 1 Location Plan: Burnt House Lane, Stubbington

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Site 2 Location Plan: West of Peak Lane, Stubbington

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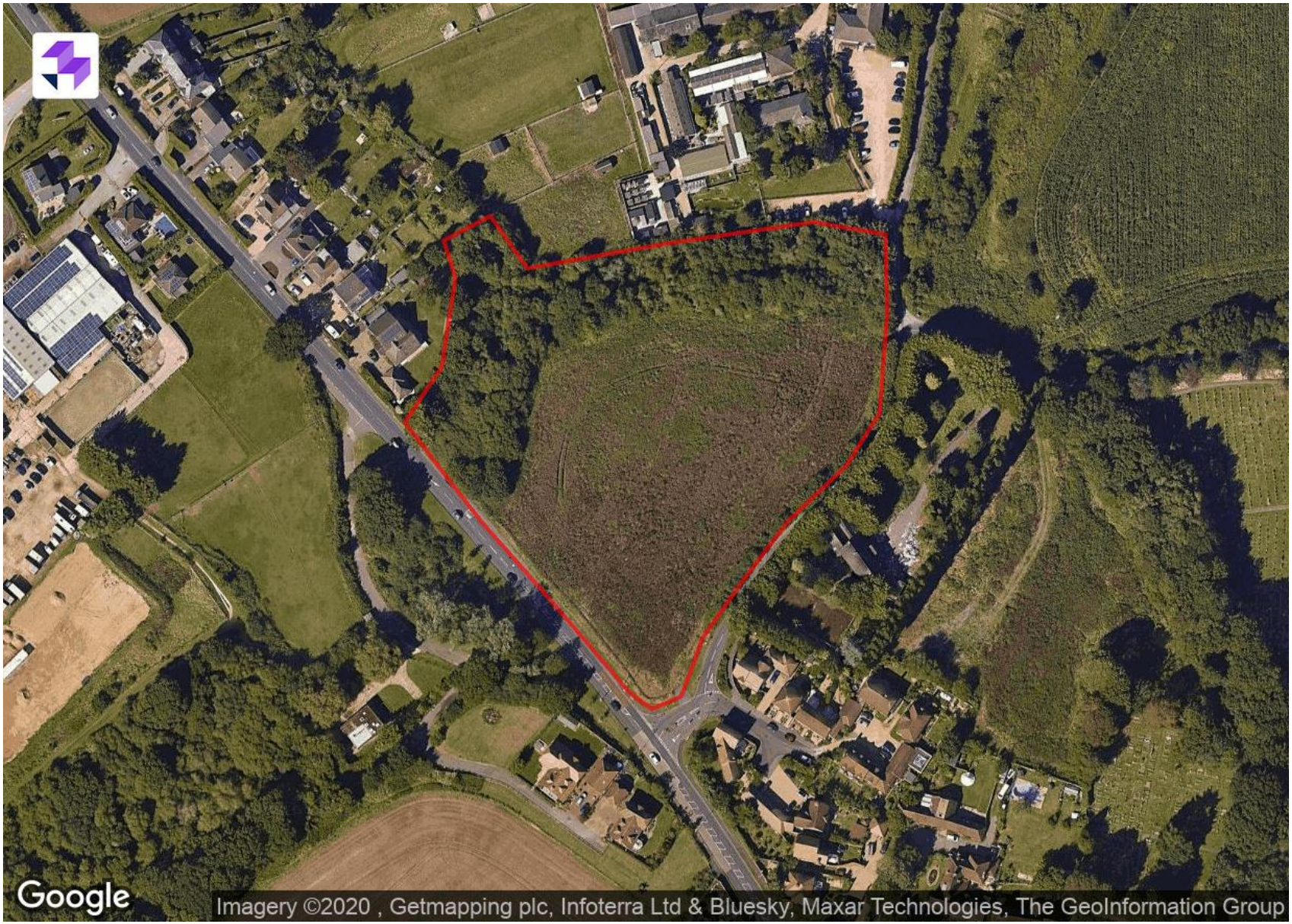

Site 3 Location Plan: North of Titchfield Road, Stubbington

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Site 4 Location Plan: South of Titchfield Road, Stubbington

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Site 5 Location Plan: West of Cuckoo Lane, Stubbington

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OFFICIAL PARTNER

Rev	Date	Revision Details	Dr	Ch
A	22.07.19	see planning cover note dated 23 July	br	db

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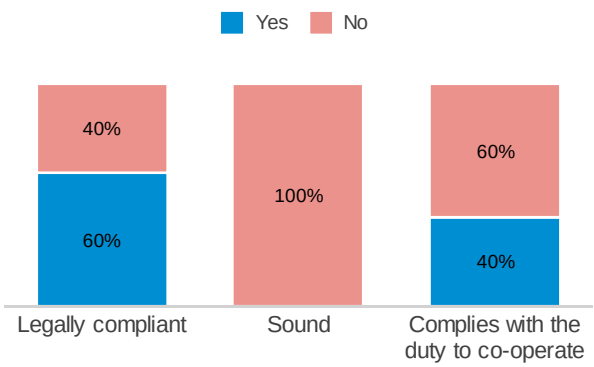
File Location: s:\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Policy | TIN4 - Infrastructure Delivery

5 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	5	5	5
Yes	3 60%	0 0%	2 40%
No	2 40%	5 100%	3 60%



Respondent: Mr Trevor Ling (1412-261621)

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

The Delme roundabout study assumes a change of traffic lights will resolve current problems assuming that the PM traffic congestion is not considered. With the major increase in planned infill at DOWNEND ROAD there is little hope that the increased traffic during this rush hour will be any better. The infrastructure plans are inadequate for future planned development off the A27.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Re-think Delme roundabout plans or stop future development until a viable so;union is found and tested

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Prevent further degradation of air quality at Cams school and unacceptable traffic queues on A27

Your suggested revised wording of any policy or text:

Remove future development plans off A27 until satisfactory infrastructure is implemented and proven to work

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Respondent: Unknown2 Unknown2 (Unknown2)

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 10.26 Infrastructure Delivery Plan Section 5.4 Education is planned with HCC but the period of any proposed extensions for child placements is only up to 2021 whereas the Plan covers up to 2037. This is not a sound approach for the education of our children. Education Para 10.27 Infrastructure Delivery Plan Table item 83 calls for section 106 provisions of additional Early Years Foundation Provision (EYP) within the Western Wards however HA1 does not indicate the placement of a nursery or pre-school within the development area. Where is the child placement contribution to be allocated as the IDP calls for the addition of 83 placements whereas there are over 1000 new dwellings being proposed for the Warsash area alone.

Para 10.26 Infrastructure Delivery Plan calls for the expansion of health care provision through the addition of further GP locations in the Western Wards, However the table provided within the document only provides an historic timeline pre-dating the Local Plan. This is not a Sound approach taking into consideration that HA1 alone will bring an additional 830 dwellings.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include child placements forecast to 2037 (not 2021) and review the EYP numbers for 1000 new dwellings proposed in Warsash

Need to commit to appropriate increase in local doctors and dentists (healthcare needs)

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Would cover the Plan duration and reflect a reasonable demand based on the actual number of new Dwellings (83 placements is obviously too low!)

Make it relevant to current and future needs (not based on historic data) and be sufficient to support the additional 1000 dwellings proposed for Warsash

Your suggested revised wording of any policy or text:

The Child Placements and EYP up to 2037 will be assessed and Schools extensions funded and planned accordingly to accommodate the increased Educational needs of the area.

Local Healthcare facilities will be assessed and committed to, using future predicted demand from over 1000 new dwellings in the Warsash area

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

No, I don't want to take part in a hearing session

Respondent: Mrs Samantha Pope CEng BEng (Hons) (1712-1207)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

From the Infrastructure Delivery Plan Section 5.4 Education is planned by Hampshire County Council. However the period of the child placements to extent the local schools only covers up to 2021. Has the council fully engaged with HCC over the houses planned for Warsash and the Western Wards as they will be built over the next five years and the local plan extends up to 2036. Is this a sound approach for the borough and our children's education? The IDP table item 83 Calls for section 106 provisions of additional Early Years Foundation Provision (EYP) within the Western Wards, however HA1 does not show the placement of a nursery or pre-school within the developments area. Where is this contribution of child placement to be allocated as the IDP calls for the addition of 83No placements when there are over 1000 dwellings added to the area. The IDP calls for the expansion for health care in the Western Wards with additional of GP locations in the Western Wards, however within the table provided within the document the timeline of this project and its review is in the past (prior to adoption of the local plan). How is this a sound approach for the borough when addition of 830 dwellings in HA1 alone.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

From the IDP Section 5.4 Education is planned by Hampshire County Council. However the period of the child placements to extent the local schools only covers up to 2021. Has the council fully engaged with HCC over the houses planned for Warsash and the Western Wards as they will be built over the next five years and the local plan extends up to 2036. Is this a sound approach for the borough and our children's education? Extend the schools study to include the duration of the draft plan, or the next five years identified with the majority of growth in the area, especially HA1 The IDP table item 83 Calls for section 106 provisions of additional Early Years Foundation Provision (EYP) within the Western Wards, however HA1 does not show the placement of a nursery or pre-school within the developments area. Where is this contribution of child placement to be allocated as the IDP calls for the addition of 83No placements when there are over 1000 dwellings added to the area. Assign EYP within the area of HA1 with contributions made by each of the developers to ensure the IDP is met for the western wards. The IDP calls for the expansion for health care in the Western Wards with additional of GP locations in the Western Wards, however within the table provided within the document the timeline of this project and its review is in the past (prior to adoption of the local plan). How is this a sound approach for the borough when addition of 830 dwellings in HA1 alone. Complete the review inline with the timeframe set out in this local plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Complete the studies identified in the supporting documentation to ensure the local plan is sound for the provision of education, early years foundation provision and GP surgeries.

Your suggested revised wording of any policy or text:

I can not make a suggestion for wording changes as i am not a professional in these fields. Once the studies have completed the mitigation should be included within the local plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Respondent: Mr. Gordon Dedman (1612-401118)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

As I have previously addressed and advised, the HA4 plan conflicts with the 2008 Ambient Air Quality Directive. There is nothing in the plan for the additional infrastructure required to support the increase in traffic that can be expected at the junction of Downend Road and the A27. With a school at that junction, the increase in air pollution can only be harmful to the students. Local authorities have a fundamental role in leading the coordination and delivery of infrastructure that will support their areas. Effective infrastructure planning, prioritisation and governance of spend are critical to supporting the delivery of sustainable development and growth and in this case, it is lacking.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Proper infrastructure put in place. As I have previously suggested, the traffic should be directed away from the junction.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would effectively ensure the plan meets the requirements.

Your suggested revised wording of any policy or text:

The 2008 Ambient Air Quality Directive needs to be adhered to.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

J11 M27 – Down Barn Farm, Fareham

Representations on the Fareham Borough Local Plan to 2037

Submitted on behalf of Graham Moyse

December 2020

Turley
Planning

Contents

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Stuart Irvine

[redacted]

December 2020

1. Introduction

1.1 Turley are instructed by Graham Moyse to prepare representations in respect of the Fareham Local Plan 2037 – Regulation 19 Submission Draft.

1.2 Graham Moyse owns land in the vicinity of Junction 11 of the M27 (known as Down Barn Farm) and as a local farmer and entrepreneur, oversees a number of valued local businesses.

1.3 The primary purpose of the representations is to shape the policies of the Local Plan to support the aspirations of Graham Moyse in respect of the potential that exists at Down Barn Farm.

1.4 The representations have been set out in Section 2 of this report and have also been submitted individually on the relevant representation forms.

1.5 Section 3 sets out some initial details of the potential that exists on the land at J11 of the M27 (including Down Barn Farm). Whilst these proposals are still at a formative stage, that they offer an exciting and unique opportunity to address two key development concepts, namely:

- A dedicated electric vehicle service station and associated facilities
- A location to accommodate business / infrastructure users that require proximity to the strategic road network

1.6 The location of the site at Junction 11 of the M27 is well suited to respond to such uses given its accessibility to the motorway network and its proximity to key urban areas.

1.7 Whilst the broad principles of the emerging Local Plan are supported, it is our view that there are two substantive omissions in terms of its content, namely:

- Insufficient recognition is given to the need to provide infrastructure to support the growth of electric vehicle usage (including specific allocations for such facilities); and
- There has been a failure to recognise the need for specific employment provision to accommodate users who need a high level of accessibility and are of form that is not well suited to being within the built up environment.

1.8 These principles are drawn out through the representation in Section 2.0, with the conclusions that:

- The wording of several policies should be amended to more fully recognise the importance of electric vehicles and to provide support to the delivery of infrastructure that is necessary to support the establishment and growth of the electric vehicle network over the lifetime of the Local Plan.

- Greater recognition should be given within the relevant employment policies, to supporting growth in locations, such as the land at J11 of the M27, where they respond to the specific needs of users.

2. Representations

2.1 Representations have been made in respect of the following chapters, paragraphs and policies of the plan.

- Paragraph 2.10 – Fareham Local Plan 2037 Vision
- Paragraph 2.12 – Strategic Priorities
- Paragraphs 3.4 / 3.5 – Good Growth
- Policy DS1 – Development in the Countryside
- Policy DS3 – Landscape
- Chapter 6 – Employment
- Policy E1 – Employment Land Provision
- Chapter 8 – Climate Change
- Policy CC1 – Climate Change
- Policy CC4 – Renewable and Low Carbon Energy
- Policy NE8 – Air Quality
- Policy TIN1 – Sustainable Transport
- Policy TIN4 – Infrastructure Delivery

2.2 Each representation is by its nature an objection and consideration has been given in respect of each as to how the plan could be amended to overcome the objection.

2.3 In addition to the representations being set out below, each has also been submitted on an individual objection form.

Paragraph 2.10 - Fareham Local Plan 2037 Vision

Representation

2.4 The vision is supported in general terms. However, its failure to include reference to supporting measures to address climate change is a significant oversight. Making provision for the necessary infrastructure within the Borough to support changing technologies is fundamental to addressing climate change. There are substantive changes, such as the transition of petrol to electric vehicles, which will take effect over the plan period, and the vision should reflect the need to deliver appropriate infrastructure to support that change.

Amendment

2.5 Add an additional statement to confirm that the Local Plan will promote the delivery of infrastructure to support infrastructure delivery that is relevant to address the climate change agenda.

Paragraph 2.12 – Strategic Priorities

Representation

2.6 Whilst there is a strategic priority relating the climate change, it fails to recognise the need for and importance of infrastructure delivery to support key aspects such as the transition from a road network that is dominated by petrol based vehicles to one where electric vehicles are the primary vehicle mode. This transition will take place over the life of the plan period and there is a need to promote both home and network based facilities to enable this to take place. A failure to specifically reference this as a strategic priority is a clear oversight.

Amendment

2.7 Amend strategic priority number 11 to make specific reference to the provision of infrastructure to supports electric vehicles changing, both at home and across the highway network.

Paragraphs 3.4 / 3.5 – Good Growth

Representation

2.8 The concept of good growth should be extended to make specific reference to highway network related infrastructure that promotes electric vehicles. Over the plan period the sale of petrol / diesel vehicles will end (2030) and the transition toward alternatives, principally electric vehicles will require the delivery of necessary infrastructure, both in homes and across the network. The promotion of good growth should include a clear and proactive intent to deliver such infrastructure.

Amendment

2.9 Include reference within the supporting text to the delivery of electric vehicle related infrastructure as part of measures to address climate change.

Policy DS1 – Development in the Countryside

Representation

2.10 The policy should include an additional bullet that allows for employment related development that has a specific locational requirement, such as accessibility to the strategic road network.

2.11 In addition there should also be a wording amendment to bullet h), to recognise that certain infrastructure can have specific location requirements, which means that delivery is required within a countryside location.

2.12 Examples of such provision include facilities to serve the strategic road network (including electric vehicle charging stations) and to those forms of business where there are specific sustainable advantages to being close to roads (for example waste related activities).

2.13 The policy should provide sufficient flexibility to allow for due consideration to be given to infrastructure and commercial requirements and the way in which key climate change and wider sustainability can be achieved by accommodating appropriate development in the countryside. It is recognised that such uses may be limited in form, but the policy should acknowledge that such uses should be supported.

Amendment

2.14 Amend the policy to include reference to commercial and infrastructure based uses that have key locational requirements, such as proximity and accessibility to the strategic road network.

Policy DS3 - Landscape

Representation

2.15 The policy is well formed, but would benefit from specific recognition that there will be forms of development that have specific locational requirements. This may include growth in locations where change in the landscape is more sensitive to change. In such circumstances, there will be means through which impacts can be appropriately mitigated. To support this, the policy should include reference to supporting development where landscape impacts are being addressed through appropriately formed landscape strategies.

Amendment

2.16 Amend the policy to reflect that where there are landscape impacts associated with development, growth can still be supported provided an appropriate landscape strategy (including mitigation where required) is set out.

Chapter 6 - Employment

Representation

2.17 The approach to employment provision set out within Chapter 6 serves to faces adequately into the quantitative employment needs of the Borough over the plan period. However, there is a lack of recognition to key qualitative matters, including the need to support the demands of business that have specific location requirements and to those uses that may be displaced to accommodate other uses (particularly residential).

2.18 There will be businesses that demand locations that are well related to the strategic road network for example, or are for forms of development that are not well suited to

either residential areas or B1 based business locations. There does not appear to be a cogent evidence base to demonstrate how the needs of such users are to be accommodated.

2.19 By its nature, the quantitative approach to employment provision does not factor this in, with new employment provision being on a restricted number of sites, which are either distant from the strategic network or are focussed on office based uses. On existing sites, there has been a significant reduction of available provision as a consequence of redevelopment for other uses, particularly residential. This implication of these changes has not been addressed, with the needs of displaced uses being particularly acute.

2.20 To address this, the employment strategy should make specific allowance for the broad needs of business, with a positive and proactive approach to accommodating the genuine needs of economic development, with a presumption in favour of investment in employment generating development and associated infrastructure.

Amendment

2.21 Expand the employment section to include a policy that supports employment generating development (by way of presumption in favour) and recognises the specific location requirements of certain commercial uses, including those that have been displaced by the redevelopment of existing employment sites.

Policy E1 – Employment Land Provision

Representation

2.22 The policy is wholly focussed on a numerical approach to employment provision, with no reference to qualitative employment needs. In addition, the new employment allocations are highly restrictive in locational terms and provide limited scope for new growth in other parts of the Borough.

2.23 The policy should recognise the broader employment needs that will exist within the Borough across the plan period, to ensure that opportunities for new investment are not missed, or that the qualitative and location needs of businesses can be met.

2.24 In this regard, the policy should be expanded to recognise that the employment requirements should not be viewed as a maximum provision and that other opportunities for employment growth should not be frustrated unnecessarily. This should take the form of a general presumption in favour of employment generating development in suitable and sustainable locations.

2.25 In specific terms, consideration should be given to identifying land at J11 of the M27 (including Down Barn Farm) as an employment allocation. This site is well related to the strategic road network and provides a unique opportunity to accommodate users who are dependent upon such a location. The site is also well suited to accommodate users who are also ill suited to either a residential environment or a more traditional business park location. This is reflected by its current use by the Highways Agency as a

processing facility to support the implementation of the smart motorway improvements on the M27.

2.26 The merits of this location are not driven by the quantitative needs as set out within the plan, but the qualitative considerations described above. The site would be of particular interest to a number of existing business who are being displaced by other major developments in the wider South Hampshire context. This is a unique opportunity that the Local Plan should embrace either by way of a specific allocation, or by creating policies that allow due consideration to be given to such development should it come forward via a planning application.

Amendment

2.27 Amend the policy to reflect the comments above.

Chapter 8 – Climate Change

Representation

2.28 The climate change chapter has not been drafted with a full recognition of key consideration that are relevant to the promotion of climate change objectives. In particular, the failure to adequately reference the transition of petrol to electric vehicle based travel and its associated infrastructure needs is a major oversight.

2.29 The Government has committed to ending the sale of petrol and diesel vehicles by 2030, with all vehicles to be zero emission based by 2035. Both of these events are within the plan period and will require the delivery of appropriate home based and network based infrastructure.

2.30 It is noted that the broader plan includes policies that reference the need to integrate electric vehicle charging into new development, however, it is entirely silent on the needs to delivery supporting infrastructure across the wider transport network. This should be addressed by the provision of a specific policy within Chapter 8 that promotes the provision of key infrastructure that will support the transition of the highway network to net zero. This would include support for electric changing facilities in appropriate locations that are well related to the strategic road network.

Amendment

2.31 Include specific reference within the Chapter to the need to support the transition to a net zero highway network, with a specific policy that promotes the delivery of related infrastructure, including electric vehicle changing.

Policy CC1 – Climate Change

Representation

2.32 This policy is inadequate as it fails to recognise the importance of supporting the transition of road vehicles towards net zero, which will be a key consideration over the plan period if wider Government objectives are to be achieved.

Amendment

2.33 Amend the policy to include a bullet point that recognises the importance of infrastructure delivery associated with the transition of the road vehicles to net zero, including appropriate supporting infrastructure.

Policy CC4 – Renewable and Low Carbon Energy

Representation

2.34 This policy focuses exclusively on energy generating development. This is unnecessarily narrow, and indeed has been drafted in an overly negative way that fails to recognise the fundamental benefits associated with delivering such valuable forms of energy generation.

2.35 The policy should recognise that there will be infrastructure that serves to promote net zero, such as electric vehicles, which should be supported. This may sit in a policy of its own, but failing that, CC4 should be expanded to include the consideration of development proposals that deliver such infrastructure, but with a more generous presumption in favour of such development, rather than the overly restrictive approach that is currently cast within the policy.

2.36 This restrictive approach has been driven by the perception that uses such as solar farms and wind farms imply significant impacts (particularly visual). This is not the case of all forms of net zero and progressive technologies and the policy should make a clear distinction in that regard.

Amendment

2.37 Unless addressed in a policy of its own right, CC4 should be amended to include reference to other forms of infrastructure that promote net zero related technologies, such as electric vehicle charging. In making these amendments, the policy text should be recast to recognise that these technologies are different to those energy generating uses that are perceived to have significant visual impacts. This should be reflected by a general presumption in favour of the delivery of lower impact infrastructure.

Policy NE8 – Air Quality

Representation

2.38 The references within this policy to the promotion of electric vehicle charging infrastructure is welcomed. However, this is focussed exclusively on provision within new developments. This is insufficient to meet the infrastructure needs required to service the transition of petrol / diesel vehicles to net zero emissions based vehicles over the period to 2025.

2.39 Whilst home based infrastructure is appropriate, it does not address the key consideration of charging facilities within the wider highway network, particularly in terms of users who are travelling across the strategic road network where there is a substantive issue regarding the ability to recharge when on longer journeys or where access to home based infrastructure is not available.

2.40 In this respect, unless addressed elsewhere in the plan, policy NE8 should include provisions that support the delivery of electric vehicle charging infrastructure to serve the wider strategic road network.

Amendment

2.41 Amend the policy as suggested above.

Policy TIN1 – Sustainable Transport

Representation

2.42 This policy is premised on the basis of the promotion of non-car based means of travel. This is commendable but does not adequately recognise that the transition towards net zero emissions based vehicles will also make a valuable contribution towards more sustainable transport patterns. Given the timescales associated with this transition (over the period to 2035), there should be strong support within TIN1 to the delivery of infrastructure that enables this transition.

Amendment

2.43 Amend to include reference to the role of electric vehicles as a sustainable mode of transport and to provide support for appropriate infrastructure to facilitate their delivery.

Policy TIN4 – Infrastructure Delivery

Representation

2.44 This policy focuses wholly on ensuring that infrastructure that supports new development is delivered in a timely manner. This is supported but it fails to address the need for the delivery of wider infrastructure, particularly that which stems from the objectives set out within the Climate Change chapter (and also reflecting our representations on the policies in that chapter).

2.45 The policy should be broadened in its intent to incorporate a focus on ensuring that this wider infrastructure is delivered alongside new development to ensure that core climate change objectives are capable of being met. This implies an imperative to support the early delivery of such infrastructure within the early parts of the plan period.

Amendment

2.46 Amend to include reference to the timely delivery of wider infrastructure, particularly that which is crucial to supporting climate change related objectives.

3. Land at J11 of the M27 (inc Down Barn Farm)

3.1 The land at J 11 of the M27 comprises the land immediately adjacent to the motorway junction (to the north and north east) extending up to Boarhunt Road. The site currently accommodates a number of users, including a park & ride and strategic base for the Highways England in undertaking the smart motorway improvements that are currently underway.

3.2 A plan showing the location of the site is attached at Appendix One.

3.3 This site offers a unique opportunity to respond to a range of development needs, including those that require a location that is directly related to the strategic road network, or to accommodate users that are not well suited to either a residential environment or a business park.

3.4 A number of potential forms of development are appropriate for this location, including:

- Service facilities to serve the M27, including scope for an electric vehicle charging station.
- Uses of a similar form to those that are currently in place to meet the needs of Highways England – such as processing of building / waste materials.
- Displaced users who require relocation away from other sites that are being redeveloped for other uses or are allocated for such development. This is particularly relevant to locations such as Tipner where the sites development will require a number of business to relocate to alternative sites that meet their needs.
- Other uses that require accessibility to the strategic road network.

3.5 The site can be developed in an appropriate manner, incorporating a strong landscape framework and measure to promote biodiversity gain. The ability of the site to accommodate significant development without giving rise to undue impacts is currently being demonstrated by the scale of existing activity on site.

3.6 Further details to support the promotion of the site in the manner outlined above are currently in preparation and we would welcome the opportunity to consider how the Local Plan can support its delivery.

Appendix 1: Land at J11 of the M27 (inc Down Barn Farm).

Turley
Planning

HAMPSHIRE
CONSTABULARY

Gosport NPT Neighbourhood Police Office
[redacted]

[redacted]

Consultation Team
Fareham Borough Council
Civic Offices
Civic Way
Fareham
Hampshire
PO16 7AZ

Our ref: FBC-01
Your ref:

25th November 2020

Dear Sir or Madam,

RESPONSE TO THE REGULATION 19 LOCAL PLAN CONSULTATION

Thank you for your email of the 6th November 2020 and the opportunity to respond to the consultation. Having considered the document I have the following comments to make with reference to prevention of crime and disorder[1].

Crime and disorder are aspects of life that people do not like to consider or admit occur where they live. Unfortunately, crime and disorder occurs throughout the Borough of Fareham, left unchecked crime and disorder ruins lives and undermines communities. Every opportunity must be taken to reduce the opportunities for crime and disorder, the planning process is one of those opportunities.

Government policy is that the design and layout of a development must be such that it reduces the opportunities for crime and disorder (anti-social behaviour). To that end various pieces of legislation and guidance demonstrate the Government's commitment to reducing crime and disorder (by use of the planning system) some of which are referenced below:

(i) Section 17 of the Crime and Disorder Act 1998 (as amended) requires all local, joint and combined authorities (as well as National Parks, the Broads Authority and the Greater London Authority) to exercise their functions with due regard to their likely effect on crime and disorder, and to

[1] In the context of this letter "disorder" includes Anti-Social Behaviour (ASB)

do all they reasonably can to prevent crime and disorder[2]. Crime for these purposes includes terrorism.

(ii) The National Planning Policy Framework (NPPF):

Paragraph 127. Planning policies and decisions should ensure that developments:

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users[46]; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

(iii) Planning Practice Guidance (PPG); Healthy and Safe Communities; Supporting Safe Communities:

a. What is the role of planning in preventing crime and malicious threats?
   i) Planning provides an important opportunity to consider the security of the built environment, those that live and work in it and the services it provides.
b. How can planning help achieve resilient places?
   i) Good design means a wide range of crimes from theft to terrorism are less likely to happen by making committing those crimes more difficult. It helps create safer places, infrastructure and buildings that are less vulnerable to terrorist attack and, should an attack take place, where people are better protected from its impacts. It can also reduce the cost and impact of security measures by avoiding retrospective works and enable mitigating measures to be blended into the environment.

It is clear that Central Government's intension is that the design of a development must contribute to reducing the opportunities for crime and disorder. The proposed local plan must reflect national planning policies as set out in the National Planning Policy Framework and associated Planning Practice Guidance, and in this context should contain the Council's policy on reducing crime and disorder.

Within the Local Plan there are several paragraphs that acknowledge that low levels of crime and disorder bring benefits to the area, but the plan does not expand on this:

Paragraph 2.5, of the local plan, states:

"The Local Plan assists with engendering a feeling of safety and security in our everyday activities by ensuring places are well-designed for activity both during the day and night. Proposed growth within Local Plans must be assessed in terms of the impacts on highways and how people use walking and cycling routes, and needs to demonstrate that any new growth on our road network is designed with safety in mind."

[2] Section 17 states "crime and disorder in its area (including anti-social behaviour and other behaviour adversely affecting the local environment); and etc."

Paragraph 2.10, of the Local Plan, "The Fareham Local Plan 2037 Vision", states:

"Fareham Borough will offer a high quality of life to all residents and be an attractive, safe and pleasant place to live, work and visit. It will be a sustainable and increasingly prosperous place, with low levels of crime and unemployment and good access to community facilities, jobs, leisure, shops, open space and services."

Achieving a low level of crime does not happen by chance, it requires polices designed to reduce the opportunities for crime and disorder. To that end we would ask that the following amendments are incorporated into the Local Plan:

Within paragraph 11.4 we would ask for an additional bullet point entitled: "Prevention of Crime and Disorder"

Within the Design section of the Local Plan we would ask for several paragraphs relating to the prevention of crime and disorder are added, worded as below, or with words so as to convey the same meaning:

"Low levels of crime are one of the elements of the vision. Research has shown that developments incorporating Crime Prevention Through Environmental Design (CPTED) principles, which includes attributes such as: development layout, defensible space about dwellings / buildings, good natural surveillance of the public realm (including footpaths and cycle ways), the provision of lighting to the current British Standard and the appropriate boundary treatments, suffer less crime and disorder."

"The Secured By Design (SBD)[3] award scheme incorporates the design and security elements required to reduce the opportunities for crime and anti-social behaviour. The Local Planning Authority will be supportive of proposals which are assessed under the Secured By Design (SBD) Award Scheme. Those proposals which have, or are demonstrably committed to achieving SBD accreditation will be looked upon favourably."

Within Policy D1: "High Quality Design and Place Making" an additional subparagraph is added worded as below, or with words so as to convey the same meaning:

"All development must incorporate CPTED measures to reduce the opportunities for crime and disorder."

[3] The Secured By Design (SBD) Award Scheme is a police initiative to guide and encourage those engaged with the specification, design and building of new homes to adopt crime prevention measures. Secured by Design has been proven to reduce the opportunities for crime and the fear of crime, creating safer, more secure and sustainable environments. Secured by Design is owned by the UK Police Service and is supported by the Home Office.

To be consistent with national policy the Local Plan must enable delivery of sustainable development in accordance with the NPPF. The omission of any policy relating to the prevention of crime and disorder means the Local Plan is not as "consistent" as it might be. We would ask the above amendments are incorporated into the Local Plan.

I would bring to your attention that paragraphs 11.55 and 11.56 of the Local Plan appear to be the same.

If I can be of any further assistance please do not hesitate to contact me.

Yours faithfully,

S York
Designing Out Crime Officer

HAMPSHIRE
CONSTABULARY

Gosport NPT Neighbourhood Police Office

[redacted]

[redacted]

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Fareham Borough Council
Civic Offices
Civic Way
Fareham
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Our ref: FBC-01
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Yours faithfully,

S York
Designing Out Crime Officer

Keely, Lauren

From: [redacted]
Sent: 18 December 2020 22:17
To: Consultation
Subject: Representation about the Local Plan
Attachments: response to Fareham Local Plan.doc

Follow Up Flag: Follow up
Flag Status: Flagged

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If not please get in touch.

Yours faithfully

Anne Stephenson
[redacted]

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A1: No Agent

A2: Personal details

Ms

Anne

Stephenson

[redacted]

All representations are about whether the policy is Sound

Strategic Priorities

2.12 The strategic priorities are not in the correct order and this is reflected in the structure of the report.

The need to respond to the UK governments declaration of a Climate Emergency and to support it in reaching its commitments under the Paris agreement are alluded to but more as an afterthought rather than something that should be at the heart of planning. The need for an increase in green infrastructure and as a way to mitigate climate change and also improve the local environment needs to be more strategically planned and should be nearer the top of the priorities, as should the need for good design which will reduce carbon emissions and help to produce renewable energy. I think the design chapter should be up front as part of the development vision as should the idea of building a resilient community which is why Climate change should also be at the beginning of the report.

Housing Need and Supply:

FTC2 Market Quay Development

g) It is important that any retail doesn't draw people away from the present shopping areas as at present there are empty outlets in the precinct. Any town square needs feel a safe space and should not detract from the present town square which already seems under used and a bit of a 'ghost town' feel at times. I acknowledge the mention of roof gardens and balconies and think it is important to incorporate a green feel to this area as I think this is lacking in the present town centre. Use of green walls, street trees, water features that will actually work and be enjoyed (I have never seen the only water feature in West Street ever in operation and have lived here for 20 years). For example fountains that come out of the paving in a 'random' way that children could play in. Bearing in mind the projections for climate change bringing dryer and hotter summer we need opportunities for people to enjoy cool and shady areas and areas with a green and natural feel are known to improve mental health.

FTC4 Fareham Station West

e) TPOs **must** be respected as mature trees are so important to maintain biodiversity and landscape value as even if trees are planted in their place it takes a long time for them to grow to replace properly mature trees that are felled. There should also be a 5 new for one policy to replace any trees felled and a requirement for any developer to maintain any trees planted for at least 3 years after planting.

HA1 North and South of Greenaway Lane

g)) TPOs **must** be respected as mature trees are so important to maintain biodiversity and landscape value as even if trees are planted in their place it takes a long time for them to grow to replace properly mature trees that are felled. There should also be a 5 new for one policy to replace any trees felled and a requirement for any developer to maintain any trees planted for at least 3 years after planting.

HA7 : Warsash Maritime Academy

j) TPOs **MUST** be respected as mature trees are so important to maintain biodiversity and landscape value as even if trees are planted in their place it takes a long time for them to grow to replace properly mature trees that are felled. There should also be a 5 new for one policy to replace any trees felled and a requirement for any developer to maintain any trees planted for at least 3 years after planting.

m) Flood risk: considering the site this should be a much higher priority in the planning process. Is this actually a realistic site for development considering projected seal level changes and increasing likelihood of storms etc. affecting tidal areas?

HA9 Heath Road

f) TPOs **MUST** be respected as mature trees are so important to maintain biodiversity and landscape value as even if trees are planted in their place it takes a long time for them to grow to replace properly mature trees that are felled. There should also be a 5 new for one policy to replace any trees felled and a requirement for any developer to maintain any trees planted for at least 3 years after planting.

HA10 Funtley Road South

g) This should be re-written to change the emphasis:

The design and layout of dwellings, roads, footpaths or other infrastructure proposals should be in a manner that does not impact on, and prevents damage to, the existing woodland on-site which shall be retained and incorporated within the development.

HA19: 399-403 Hunts Pond Road

Should this include some reference to the trees in the area so trees with TPOs are retained?

HA22 Wynton Way:

f) This should be re-written to change the emphasis:

The design and layout of dwellings, roads, footpaths or other infrastructure proposals should be in a manner that does not impact on, and prevents damage to, the existing woodland on-site which shall be retained and incorporated within the development.

HA26 Beacon Bottom East

No mention of preservation of trees not even those with TPOs which seem to be part of the site

H 33 Land East of Bye Road, Swanwick

No mention of preservation of trees not even those with TPOs or woodland which seems to be part of the site

HA34 : Land South West of Sovereign Crescent

No mention of preservation of trees with TPOs which seem to be part of the site

HA36: Land at Locks Heath District Centre

d) Is the reference to winter gardens correct as I'm not sure what this means?

HA38 68 Titchfield Park Road

e) it should clearly state the need to retain existing trees.

HA40 Land west of Northfield Park

d) Should be re-written:

Existing trees subject to a Tree Preservation Order should be retained and incorporated within the design and layout of proposals in a manner that **does not impact on the trees**

HA42 Land South of Cams Alders

This is taking place on land identified as important for nature conservation. The Council should avoid such areas as the Government has noted the need to keep biodiversity and green space. This development should occur on a brown field site e.g. the town centre where retail units are closing.

Employment

Policy E4

SHELAA Reference: part of 124 (ID 2850)

Solent 2

This is on a site of importance for nature conservation. The Council should avoid such areas as the Government has noted the need to maintain biodiversity and green space. This development should occur on a brown field site e.g. the town centre where retail units are closing.

d) There should be a wildlife corridor to avoid the area to the west being cut off.

Policy E7: Solent Airport

6.41 There should be no extension or growth of aviation as this goes counter to the advice of the Committee on Climate Change which says there should be no airport expansion if the UK is to meet its commitments to reduce carbon emissions. The expansion is also counter to FBC commitment to becoming carbon neutral.

Retail

7.13/7.16: The need for retail space is likely to be lower due to the growth of on-line shopping.

7.23 There should be a focus on '15 minute communities' to reduce the need for car travel.

Strategic Policy on Climate Change

8.6 This should be framed more positively so it is clear that the Council commits to finding areas to actively increase tree cover as part of its obligation to play its part in reducing Carbon emissions as trees sequester carbon. FBC should aim for 40% tree canopy cover on streets to mitigate temperature rise (the urban heat island) this is being done in Hackney. Trees also help to reduce air pollution.

Policy CC4: Renewable and Low Carbon Energy

Developments should be orientated to allow maximum potential for solar power use. It could be a stipulation that all new builds have solar panels.

Policy NE6: Trees, Woodland and Hedgerows

Please change wording: Where protected trees, woodland and hedgerows are subject to removal, a replacement of an *appropriate number*, species and size in an appropriate location will be required.

Wording here should be made clearer to reinforce the idea that there will need to be a net biodiversity increase if protected trees and hedgerows are removed for example the number of replacement trees will be 5/3 times that of those felled and there will be maintenance required for at least 3 years afterwards to ensure the trees are established.

Design:

11.7 should include reference to climate change, reducing carbon footprint by insulation etc and incorporating renewable energy production using solar panels etc.

11.23 Add “need to take into account the requirement to be low energy and carbon neutral”

Representations | katarzyna bond

1812-91827

Respondent details:

Title:	mrs
First Name:	katarzyna
Last Name:	bond
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policies map: LOCAL PLAN 2037 BOUNDARY (HP3, HP5-9, HP11, NE2, NE7, TIN4, D4)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

it has been commented on in previous consultation and none of the omments were taken on board which defets purpose of the consultation.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

review of quality of housing proposed and better sounds climate chnage policies

How would the modification(s) you propose make the Local Plan legally compliant or sound?

propose on site facilities, avoiding using local infrustruture for bigger developments

Your suggested revised wording of any policy or text:

rethink climate emergency strategy: look at Southanpton City Council Green Charter and Wincehster City Counincil green policies

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Keely, Lauren

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Sent: 18 December 2020 22:17
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Housing Need and Supply:

FTC2 Market Quay Development

g) It is important that any retail doesn't draw people away from the present shopping areas as at present there are empty outlets in the precinct. Any town square needs feel a safe space and should not detract from the present town square which already seems under used and a bit of a 'ghost town' feel at times. I acknowledge the mention of roof gardens and balconies and think it is important to incorporate a green feel to this area as I think this is lacking in the present town centre. Use of green walls, street trees, water features that will actually work and be enjoyed (I have never seen the only water feature in West Street ever in operation and have lived here for 20 years). For example fountains that come out of the paving in a 'random' way that children could play in. Bearing in mind the projections for climate change bringing dryer and hotter summer we need opportunities for people to enjoy cool and shady areas and areas with a green and natural feel are known to improve mental health.

FTC4 Fareham Station West

e) TPOs **must** be respected as mature trees are so important to maintain biodiversity and landscape value as even if trees are planted in their place it takes a long time for them to grow to replace properly mature trees that are felled. There should also be a 5 new for one policy to replace any trees felled and a requirement for any developer to maintain any trees planted for at least 3 years after planting.

HA1 North and South of Greenaway Lane

g)) TPOs **must** be respected as mature trees are so important to maintain biodiversity and landscape value as even if trees are planted in their place it takes a long time for them to grow to replace properly mature trees that are felled. There should also be a 5 new for one policy to replace any trees felled and a requirement for any developer to maintain any trees planted for at least 3 years after planting.

HA7 : Warsash Maritime Academy

j) TPOs **MUST** be respected as mature trees are so important to maintain biodiversity and landscape value as even if trees are planted in their place it takes a long time for them to grow to replace properly mature trees that are felled. There should also be a 5 new for one policy to replace any trees felled and a requirement for any developer to maintain any trees planted for at least 3 years after planting.

m) Flood risk: considering the site this should be a much higher priority in the planning process. Is this actually a realistic site for development considering projected seal level changes and increasing likelihood of storms etc. affecting tidal areas?

HA9 Heath Road

f) TPOs **MUST** be respected as mature trees are so important to maintain biodiversity and landscape value as even if trees are planted in their place it takes a long time for them to grow to replace properly mature trees that are felled. There should also be a 5 new for one policy to replace any trees felled and a requirement for any developer to maintain any trees planted for at least 3 years after planting.

HA10 Funtley Road South

g) This should be re-written to change the emphasis:

The design and layout of dwellings, roads, footpaths or other infrastructure proposals should be in a manner that does not impact on, and prevents damage to, the existing woodland on-site which shall be retained and incorporated within the development.

HA19: 399-403 Hunts Pond Road

Should this include some reference to the trees in the area so trees with TPOs are retained?

HA22 Wynton Way:

f) This should be re-written to change the emphasis:

The design and layout of dwellings, roads, footpaths or other infrastructure proposals should be in a manner that does not impact on, and prevents damage to, the existing woodland on-site which shall be retained and incorporated within the development.

HA26 Beacon Bottom East

No mention of preservation of trees not even those with TPOs which seem to be part of the site

H 33 Land East of Bye Road, Swanwick

No mention of preservation of trees not even those with TPOs or woodland which seems to be part of the site

HA34 : Land South West of Sovereign Crescent

No mention of preservation of trees with TPOs which seem to be part of the site

HA36: Land at Locks Heath District Centre

d) Is the reference to winter gardens correct as I'm not sure what this means?

HA38 68 Titchfield Park Road

e) it should clearly state the need to retain existing trees.

HA40 Land west of Northfield Park

d) Should be re-written:

Existing trees subject to a Tree Preservation Order should be retained and incorporated within the design and layout of proposals in a manner that **does not impact on the trees**

HA42 Land South of Cams Alders

This is taking place on land identified as important for nature conservation. The Council should avoid such areas as the Government has noted the need to keep biodiversity and green space. This development should occur on a brown field site e.g. the town centre where retail units are closing.

Employment

Policy E4

SHELAA Reference: part of 124 (ID 2850)

Solent 2

This is on a site of importance for nature conservation. The Council should avoid such areas as the Government has noted the need to maintain biodiversity and green space. This development should occur on a brown field site e.g. the town centre where retail units are closing.

d) There should be a wildlife corridor to avoid the area to the west being cut off.

Policy E7: Solent Airport

6.41 There should be no extension or growth of aviation as this goes counter to the advice of the Committee on Climate Change which says there should be no airport expansion if the UK is to meet its commitments to reduce carbon emissions. The expansion is also counter to FBC commitment to becoming carbon neutral.

Retail

7.13/7.16: The need for retail space is likely to be lower due to the growth of on-line shopping.

7.23 There should be a focus on '15 minute communities' to reduce the need for car travel.

Strategic Policy on Climate Change

8.6 This should be framed more positively so it is clear that the Council commits to finding areas to actively increase tree cover as part of its obligation to play its part in reducing Carbon emissions as trees sequester carbon. FBC should aim for 40% tree canopy cover on streets to mitigate temperature rise (the urban heat island) this is being done in Hackney. Trees also help to reduce air pollution.

Policy CC4: Renewable and Low Carbon Energy

Developments should be orientated to allow maximum potential for solar power use. It could be a stipulation that all new builds have solar panels.

Policy NE6: Trees, Woodland and Hedgerows

Please change wording: Where protected trees, woodland and hedgerows are subject to removal, a replacement of an *appropriate number*, species and size in an appropriate location will be required.

Wording here should be made clearer to reinforce the idea that there will need to be a net biodiversity increase if protected trees and hedgerows are removed for example the number of replacement trees will be 5/3 times that of those felled and there will be maintenance required for at least 3 years afterwards to ensure the trees are established.

Design:

11.7 should include reference to climate change, reducing carbon footprint by insulation etc and incorporating renewable energy production using solar panels etc.

11.23 Add “need to take into account the requirement to be low energy and carbon neutral”

Representations | Robin Webb

212-421914

Respondent details:

Title:	Mr
First Name:	Robin
Last Name:	Webb
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: 2.12

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Strategic priorities 1 and 11 fail to address FBC's commitment to carbon neutrality by 2030. FBC made a commitment to the borough to achieving carbon neutrality by 2030 in an Oct 2019 council meeting. A carbon reduction plan has yet to be published but it seems FBC is limiting this ambition to activities over which it has direct control. This is very disappointing. Surely, in a local plan of this scope and reach, where FBC has the power of approval, FBC should be prepared to take a lead in energy conservation and carbon neutrality by mandating building design policies which to help achieve these objectives, not only in 'the embodied energy' of construction materials (para 11.24) but also in whole-life energy consumption and reduced CO2 emissions through insulation, choice of heating systems and re-usable energy sources.

• By echoing a national preference for 'mass transit and other means of transport', without suggesting how these alternative transport systems might become available/practical, the housing policies HA1 and HA7 (approx. 950 homes) aggravate the already serious congestion faced by car (and bus) passengers attempting to reach the A27 or the M27 from the Warsash peninsular in peak periods. These policies attracted hundreds of reasoned objections, mostly about transport and local facilities in the 2017 consultation. In the current plan, however, these allocations seem unchanged. They are in evident conflict with plan statements with regard to Transport and Other Infrastructure (10.3) on 'accessibility improvement' and 'management of network congestion'. The bullet list of road improvements at para 10.15 does include improvements to Warsash/Abshot Road but neither of these appear to be of relevance to the problems of A27 or M27 access. • The plan (para 11.10) states that 'Development should avoid being in a place that is dominated by vehicle access and movement priority'. So don't build on a roundabout. However, out-of-scale development (HA1 & 6 again) will generate vehicle access and movement priority by further extending the existing commuter and school access traffic jams .

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Where FBC has the power of approval, FBC should be prepared to take a lead in energy conservation and carbon neutrality by mandating building design policies which to help achieve its declared carbon neutrality objective, not only in 'the embodied energy' of construction materials (para 11.24) but also in whole-life energy consumption and reduced CO2 emissions through insulation, choice of heating systems and re-usable energy sources.

Substantially reduce the HA1 and HA7 housing allocation (preferred option) or commit to road improvements to cope with existing problems and to cope with projected increases in use.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

FBC would then be honouring its commitment.

Self evident

Your suggested revised wording of any policy or text:

Above words should be summarised to extend the wording of Strategic Priorities 1 and 11 at para 2.12 to include the FBC carbon neutral commitment. Full wording to be included later in the report in the Climate Change and Design sections (8 & 11)

This ould depend on how FBC elects to address this problem. It's worth noting, however, that the Total Housing Requirement at para 4.6 Table 4.1 is stated as 8,389. Puzzlingly, this includes a 15% contingency instead of the national requirement of 10%. So the plan includes a surplus of 364 homes over the requirement. One might therefore look no further than a 364 house reduction to the HA1/HA7 allocation to bring the total requirement back into line.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

No, I don't want to take part in a hearing session

2) Paragraph: 10.3

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Transport and other infrastructure. para 10.3 . The plan gives insufficient attention to 'accessibility improvement' or 'management of network congestion', particularly in respect of the Warsash peninsular and the effects of HA1 and HA6 in their contribution of traffic associated approx 950 new homes which will aggravate the already serious congestion faced by car (and bus) passengers attempting to reach the A27 or the M27 in peak periods. These policies attracted hundreds of reasoned objections, mostly about transport and local facilities in the 2017 consultation. In the current plan, however, these allocations seem unchanged. They are in evident conflict with plan statements with regard to Transport and Other Infrastructure (10.3) on ‘accessibility improvement’ and ‘management of network congestion’. The bullet list of road improvements at para 10.15 does include improvements to Warsash/Abshot Road but neither of these appear to be of relevance to the problems of A27 or M27 access. The plan (para 11.10) states that ’Development should avoid being in a place that is dominated by vehicle access and movement priority’. However, out-of-scale development (HA1 & 7 again) will generate vehicle access and movement priority by further extending the existing commuter and school access traffic jams . The plan is therefore internally inconsistent.

This allocation takes over a significant portion of the Locks Heath Centre Car Park, as does HA37 which is represented separately. There is no evidence that the car park under-utilised. On the contrary, cars using the centre overflow inconveniently onto adjacent roads at the busiest periods. Subpara (g) of HA36 states :Reconfiguration of car parking needs to consider requirements and functions of the existing shopping centre; The existing 'Requirements and functions' therefore show this allocation to be without merit

What modification(s) is necessary to make the Local Plan legally compliant or sound?

The plan should either include a plan or priority statement making introducing significant improvement to roads connecting the Warsash peninsular to the A27 and M27 or, alternatively and preferably, drastically reduce the housing allocations at HA1 and HA7.

Delete HA36

How would the modification(s) you propose make the Local Plan legally compliant or sound?

See above

Self evident

Your suggested revised wording of any policy or text:

See above

See above

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

No, I don't want to take part in a hearing session

3) Policy: HA37 - Former Locks Heath Filing Station

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

This allocation takes over a significant portion of the Locks Heath Centre Car Park, as does HA36 which is represented separately. There is no evidence that the car park under-utilised. On the contrary, cars using the centre overflow inconveniently onto adjacent roads at the busiest periods. This allocation is without merit.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Delete HA37

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Self evident

Your suggested revised wording of any policy or text:

See above

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

4) Policy: HA7 - Warsash Maritime Academy

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

HA7 states at sub para (a) that: The quantum of housing proposed shall be broadly consistent with the indicative site capacity, including conversion of the building currently known as the Shackleton building to flats; This relatively modern building is described in the plan as a 'Statutory Listed Building'. I have no objection to this part of the proposal per se, except for a general objection to over-building on the Warsash peninsular. However, the former Warsash Academy site includes a row of four coastguard cottages, constructed in approx 1900 which alone preserve the historic identity of the site and appear to be without protection. I suggest that this should be re-considered.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Consider protection of the 'Coastguard' building, by sympathetic conversion into housing.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Self evident

Your suggested revised wording of any policy or text:

Reword HA7 as suggested above

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

The countryside charity
Hampshire

En[redacted]

Working locally and nationally for a beautiful and living countryside

15th December 2020

FAO: planningpolicy@fareham.gov.uk

Fareham Local Plan 2037 Publication
Regulation 19 Consultation

Dear Sirs,

Please find attached comments from CPRE Hampshire regarding the Regulation 19 Fareham Local Plan 2037 consultation.

Firstly, a general point; CPRE Hampshire is extremely pleased to see that Fareham BC have approached their new Local Plan from a landscape-based perspective, a process which we wholly support. Furthermore, we fully endorse Fareham BC's inclusion of a Climate Change policy, which must underpin all other policies and spatial planning.

Furthermore, we are pleased to see that Fareham have adopted housing numbers based on the latest available housing projections from the ONS, the 2018-based projections, which show a considerable reduction in estimated local need.

However, we remain disappointed that there seems to be no mention of a potential new South Hampshire **Green Belt** in the Reg 19 consultation. In an earlier consultation by Fareham BC in July 2019, there were a number of mentions of this option, notably in Section 10c regarding the Meon Valley, where it said "The Council will also be working with PUSH to consider the potential for greenbelt land across local authority areas, and there could be scope for this area to become part of a South Hampshire greenbelt." As CPRE Hampshire has long campaigned for a sub-regional area of restraint in order to encourage urban regeneration and prevent sprawl, this was very much welcomed. Sadly, this does not seem to have been included in the Reg 19 document, and we consider its exclusion to be a significant wasted opportunity, as the NPPF allows local authorities to designate Green Belt as part of the Local Plan process. It has been agreed that the PfSH authorities are to consider a new Green Belt as part of their forthcoming Statement of Common Ground and we would have hoped to see Fareham BC leading the way.

CPRE Hampshire has completed Response forms for individual policies which are attached below this letter, but in summary our headline comments are as follows:

Development Strategy

Strategic Policy DS1 Development in the Countryside: CPRE Hampshire agrees with these principles but notes that a South Hampshire Green Belt could aid considerably in achieving these goals.

Strategic Policy DS2 Strategic Gaps: We note the decision to re-define strategic gaps (the Meon and Fareham-Stubbington gaps) and suggest that a new Green Belt could achieve this. An area could easily be defined to encompass the Meon Valley, which could link to an area of larger Green Belt to the north of the Borough in Winchester District.

Strategic Policy DS3 Areas of Special Landscape Quality: CPRE Hampshire agree with Fareham BC's analysis of the Borough's varied landscapes and supports any intention to define them as Areas of Special Landscape Quality, illustrated in Figure 3.3. However, CPRE Hampshire suggests that some of these could be further protected if they also formed part of a wider South Hampshire Green Belt, in particular the Upper Hamble Valley, the Meon Valley, the Forest of Bere and Portsdown Hill.

Climate Change

Strategic Policy CC1 Climate Change: CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. The aspirations in Policy CC1 are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. We consider that this is a missed opportunity. However, we feel that Criterion a) does not go far enough. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes "Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle." It must be a fundamental tenet of the Fareham Local Plan that NO development should be permitted that relies on the car as its main means of access.

Nothing less than a drastic change to spatial strategy and a move away from South Hampshire's historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture. The adoption of a South Hampshire Green Belt would assist this by encouraging urban redevelopment, and preventing sprawl into the countryside where modal change to walking, cycling and public transport is very much more difficult to achieve.

Housing

Policy H1 Housing: CPRE Hampshire recognises that the current guidance from MHCLG requires the calculation of local housing need (LHN) based on figures from the 2014-based household projections, although a recent MHCLG consultation suggested a new methodology. Whatever the methodology, CPRE Hampshire supports Fareham BC in using the most up-to-date household figures based on the 2018-based projections. We also welcome the removal of Policy HA2 from the Reg 19 Local Plan.

Policy HA1 Warsash: CPRE Hampshire does not believe that the proposed development around Warsash can be consider truly sustainable, reliant as it is on the car as the main means of transport. We are concerned about the lack of a masterplan and believe the proposed framework does not fulfil a place making function.

Policy HP4 Five-Year Housing Land Supply: CPRE Hampshire has significant concerns about the unintended consequences of this policy, specifically its linkage with DS1, and believe that it may lead to site selection looking outside the Urban Area in the first instance.

Policy HP6 Exception Sites: The potentially inadvertent use of the word OR in Criterion c) could allow significantly large exception sites to be allowed, as long as they remain below the threshold of 5% of the size of the adjacent settlement. There should be a fixed upper limit.

Natural Environment

Strategic Policy NE1 Protection of Nature Conservation, Biodiversity and the Local Ecological Network: CPRE Hampshire supports the use of ecological network mapping to conserve nature and protect biodiversity and as a tool for influencing spatial planning.

Policy NE2 Biodiversity Net Gain: CPRE Hampshire supports the requirements for 10% biodiversity net gain on all development.

Policy NE4 Water Quality effects on the SPAs, SACs and Ramsar sites of the Solent: CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse the proposed policy until the legal issues have been resolved.

Policy NE6 Trees, Woodlands and Hedgerows: CPRE Hampshire agrees with any policy that supports the preservation or enhancement of trees, woodlands and hedgerows.

Policy NE8 Air Quality: CPRE Hampshire supports the requirements for air quality improvement but considers more could be achieved if development were only to be permitted in locations around mass public transport hubs, rather than being car dependent.

Policy NE9 Green Infrastructure: CPRE Hampshire agrees that green infrastructure is important to the wider ecological network and to the health and wellbeing of residents but suggests that it would be better protected in perpetuity were it to be formalised as part of a new Green Belt.

Transport and Other Infrastructure

Strategic Policy TIN1 Sustainable Transport: CPRE Hampshire recognises that Fareham BC aspire to have 'good growth' with existing and proposed transport corridors influencing choice of development, but we feel the policy does not go far enough. The Council should feel empowered to reject development which is not already located around, or can provide, public mass transit hubs, in particular the rail network.

The principles of development and transport as set out in the Transport for New Homes checklist should be followed - https://www.transportfornewhomes.org.uk/the-project/checklist-for-new-housing-developments/.

Design

Strategic Policy D1 High Quality Design and Placemaking: The design quality of future developments starts with overall masterplanning and landscape context as well as specific building details. Fareham has seen a proliferation of poorly designed car dependant nondescript developments over recent years, and it is critical that major improvements are made for the future.

Yours faithfully,

Caroline Dibden

Vice-President
CPRE Hampshire

The countryside charity
Hampshire

A1 Is an Agent appointed:

No, an agent is not appointed

A2 Please provide your details below:

Title:	**Mrs**
First Name:	**Caroline**
Last Name:	**Dibden**
Job Title:	**Vice-President**
Organisation:	**CPRE Hampshire, the countryside charity**
Address:	[redacted]
Telephone:	
Email Address:	

POLICY DS1: Development in the Countryside

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.29 – 3.36

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS1: Development in the Countryside

B1c Which part of the Policies Map?

Areas of Special Landscape Quality and Strategic Gaps

a) East of Welborne,
b) the Strategic Gap along the Meon, and
c) to the north-west of the borough.

2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire STRONGLY SUPPORTS the overall approach taken by Fareham BC in the Fareham Local Plan 2037 for a spatial strategy based on countryside, which is justified as it is in accordance with the aspirations as set out in the NPPF for development to be brownfield first, and for countryside to be protected for its intrinsic value and beauty, and for protection of Best and Most Versatile agricultural land. It is also supported by the Government's 25-year Environment Plan and for the recommendations as set out by the Climate Change Committee.

Furthermore, CPRE Hampshire SUPPORTS the Vision for the Fareham Local Plan 2037 which states that Fareham BC seek to retain its identity, and the identity of individual settlements within the Borough, through measures that seek to retain the valued landscapes and settlement definition.

We also SUPPORT Strategic Priority 2 which seeks to maximise development in the urban area and away from the wider countryside, valued landscapes and those of special quality and spaces that contribute to settlement definition.

CPRE Hampshire believes that the Vision and Strategic Priority 2 would both be better achieved if a new Green Belt was designated, due to its permanence and effectiveness. We submitted to Fareham BC and to PfSH a report by NEF Consulting on the potential socio-economic and environmental benefits of a Green Belt: https://www.cprehampshire.org.uk/our-campaigns/south-hampshire-green-belt/. This demonstrates the considerable financial benefits as well as to health and wellbeing, climate change and natural capital of protecting the green space near to population centres, in perpetuity, something that only Green Belt is designed to achieve.

Looking at the specific policy wording, CPRE Hampshire believes that criterion (e) of **Policy DS1** is unsound, specifically in the way it permits development in the countryside that is compliant with Policies **HP4, HP5 and HP6**. Permissions that might be compliant with these polices appear to be in direct contradiction with the other criteria in **Policy DS1**, and the policy is therefore internally inconsistent.

HP4 relates to the Five Year Housing Supply (5YHLS) and allows residential development outside the urban area boundary where the Council is unable to demonstrate a 5YHLS. It is believed that the Government intends to remove 5YHLS test in the planning reforms, so this policy may be redundant and should be reworded to future proof its deletion. However, that notwithstanding, the main problem is that the wording of Policy HP4 and its linkage with **DS1** could unintentionally lead to countryside locations taking priority over alternative, more sustainable, urban or brownfield locations.

HP5 relates to the provision of affordable housing on sites of 10 or more, and its linkage to **DS1** could unintentionally suggest that Fareham BC accepts in principle the development of ANY affordable housing site outside the urban area boundary. The risk is that the linkage could potentially enable large scale housing development in the countryside as long as it could be demonstrated that 40% affordable housing would be achieved.

HP6 relates to small rural affordable housing exception sites, and whilst CPRE Hampshire supports the provision of rural affordable housing, the concern is that the linkage with **DS1** could inadvertently lead to a series of separate applications which in combination amount to significant levels of development in the countryside. The cumulative impact on the separation of settlements resulting from a number of sites each individually sub- 1 hectare or <5% of the adjacent settlement must be considered, but at the moment the policy has no mechanism for dealing with this potential eventuality. See separate comments on **Policy HP6** as regards the use of the word *OR*.

CPRE Hampshire SUPPORTS criteria i) to v) of **Policy DS1** and believe they provide a sound underpinning of the principles aspired to by Fareham BC.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Fareham BC should look at the areal extent of a possible South Hampshire Green Belt as part of this Local Plan, as it has been confirmed by Leader Cllr Woodward that they wish to see such a designation to protect the countryside and gaps.

Remove the linkage of **Policies HP4, HP5 and HP6** with **Policy DS1**.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Including a proposed South Hampshire Green Belt would be in accordance with the aspirations as set out by the Council in council meetings, PfSH meetings and in press releases.

Removing the linkage of **Policies HP4, HP5 and HP6** with **Policy DS1** would remove the internal inconsistency by removing the possibility of inadvertent development in the countryside.

B4c Your suggested revised wording of any policy or text:

Remove the linkage of **Policies HP4, HP5 and HP6** from Policy **S1 (e).**

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for Local Plans to take the countryside into account when devising spatial development strategy, and we would like to appear at the Hearings to support Fareham BC in choosing this approach. Our expertise lies in spatial strategy and reconciling development requirements with the environmental constraints of countryside, and its uses and purposes.

POLICY DS2: Development in Strategic Gaps

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.43 to 3.46, Para 3.10

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS2: Development in Strategic Gaps

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC to designate strategic gaps between Fareham / Stubbington and the Western Wards (Meon Gap) and between Fareham / Bridgemary and Stubbington / Lee-on-the-Solent (Fareham- Stubbington Strategic Gap). However, a study carried out on behalf of CPRE Hampshire in January 2019, by consultants West Waddy, showed that historically strategic gaps in South Hampshire have failed to adequately prevent coalescence of settlements. This report was shared with Fareham BC as a member of the Partnership for South Hampshire, and can be submitted as part of our evidence on this matter to the examination hearings.

"An Assessment of the Effectiveness of Settlement Gap Policies in South Hampshire in preventing Urban Sprawl & the Coalescence of Settlements" – January 2019, West Waddy.

The conclusions show that through appeals and permissions the gaps designated in South Hampshire (including Fareham) have been significantly reduced over time, and are thus an ineffective policy and thus unsound. Para 3.10 confirms that this has been the case in Fareham.

The findings of this report show that "In the national context, South Hampshire is fairly unique among the large urban areas in England in having no designated Green Belt, with reliance instead being placed upon Gaps designated in Local Plans to prevent the coalescence of settlements."

Furthermore "given the major urban extensions currently being proposed and the past history of erosion of Gaps through subsequent permissions being granted, a strong argument can be made that the current Gap policies across the sub-region are failing in their remit to prevent coalescence and sprawl, which is ultimately likely to lead to currently separate settlements forming one large South Hampshire conurbation and expanding out into the adjoining areas of countryside. The exceptional circumstances therefore exist to demonstrate that a new stronger policy backed by explicit Government advice is needed to prevent this happening and the tool for this is a Green Belt, which is already in use around most large urban areas in England. South Hampshire is the exception in having no such designation."

CPRE Hampshire has submitted to Fareham BC and to PfSH a report by NEF Consulting on the potential socio-economic and environmental benefits of a Green Belt: https://www.cprehampshire.org.uk/our-campaigns/south-hampshire-green-belt/

Notwithstanding the above comments regarding a new Green Belt, CPRE Hampshire SUPPORTS the removal of the earlier proposed Strategic Growth Area SGA, previously entitled HA2 (in the Reg 18 consultation version) from the now proposed Fareham-Stubbington Strategic Gap. The previous inclusion of the SGA was clearly subject to objections by neighbouring Gosport BC, which would have undermined any Duty to Co-operate and thus soundness. It was also objected to by many CPRE members and is therefore of concern to us.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Fareham BC should look at the areal extent of a possible South Hampshire Green Belt as part of this Local Plan, as it has been confirmed by Leader Cllr Woodward that they wish to see such a designation to protect the gaps between settlements.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Including a proposed South Hampshire Green Belt would be in accordance with the aspirations as set out by the Council in council meetings, PfSH meetings and in press releases, and would lead to a much more rigorous policy to prevent coalescence which is Fareham BC's stated aim.

A need for a South Hampshire Green Belt was confirmed by Cllr Woodward in the Fareham BC Executive Committee at 6pm on Monday 7th December 2020. Its omission from the Reg 19 Local Plan consultation is thus not in accordance from the council's own publicly announced policy.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for a new South Hampshire Green Belt, and we would like to appear at the Hearings to further explain our justification and why Fareham merits the exceptional circumstances required to designate a new Green Belt. We have a petition which has been signed by nearly 15,000 people asking Fareham BC (alongside Eastleigh BC, Winchester CC and Test Valley BC) to designate a Green Belt as part of its Local Plan process.

POLICY DS3: Landscape

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 3.48 to 3.58

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy DS3: Landscape

B1c Which part of the Policies Map?

All Areas of Special Landscape Quality

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE fully SUPPORTS the approach taken by Fareham BC in respect of analysing and including Areas of Special Landscape Quality as part of its development strategy and as Strategic Policy S3. This is in accordance with the aspirations outlined in the NPPF to value landscape for its intrinsic character and beauty of the countryside, as outlined in NPPF Para 170 a) and b).

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has long campaigned for Local Plans to take landscape into account when devising spatial development strategy, and we would like to appear at the Hearings to support Fareham BC in choosing this approach. Our expertise lies in spatial strategy and reconciling development requirements with the environmental constraints of, and impacts upon, the wider landscape.

POLICY H1: Housing Provision

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 4.1 to 4.20

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy H1: Housing Provision

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

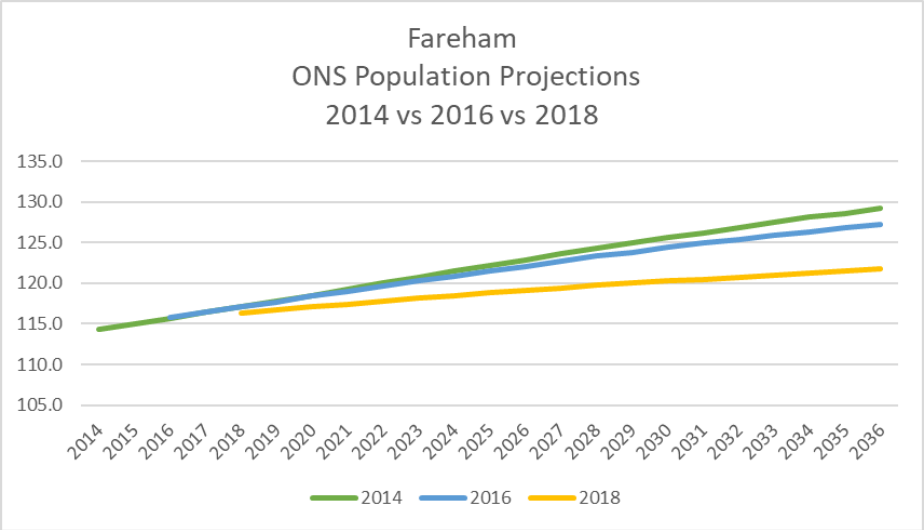
B3 Please provide details you have to support your answers above

The approach taken by Fareham BC to calculating housing need for this Reg 19 version is based upon the MHCLG consultation on a new standard method in August 2020, which showed Fareham's housing need to be lower (403 dpa) than using the previous standard method (514 dpa). CPRE Hampshire SUPPORTS the use of the latest base data on household projections (the 2018-based projections from the ONS) as it conforms with Para 31 of the NPPF "The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals."

As can be seen from the graph below, the most up-to-date population projections (in 000's) for Fareham evidences the trend towards a lower requirement, and this would translate into a lower household projection. The impact of Covid-19, and corresponding economic fallout, on migration patterns will remain unclear for some time, and it is therefore sensible to use a cautious approach to planning and development.

However, for Fareham to agree to take unmet need from Portsmouth is premature, predating as it does the revised statement of common ground from PfSH, and therefore Policy H1 is unsound.

It is also clear that there remains a significant reliance on delivery of housing at Welborne, which is subject to a separate plan. Delays to infrastructure finding at Welborne could have an impact on Fareham's overall strategy for delivery of its housing needs in the plan period.



B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Remove the requirement to take housing from Portsmouth CC.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a recognised authoritative voice on Hampshire's housing numbers, the standard methodology and has been involved in this aspect of Fareham's Local Plans since the time of the South East Plan in 2005, and the formation of PfSH (Partnership for South Hampshire).

CPRE Hampshire is part of an expert group in the National CPRE network on housing numbers, and would like to appear at the hearing sessions to SUPPORT the use of the most up-to-date household projections.

POLICY HA1: North and South of Greenaway Lane, Warsash

B1 Which part of the Local Plan is this representation about?

	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA1 North and South of Greenaway Lane, Warsash

B1c Which part of the Policies Map?

Figure 4.1

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire has significant concerns about the piecemeal development already seen, and proposed, in the Warsash area. Population growth in the 10 years 2009-2019 has reached 9% in Warsash and the western wards, while Fareham itself has only grown by 4%. As Warsash has no access to the rail network, this pattern of development could not be considered sustainable. It therefore fails the soundness tests.

An indicative framework as shown in Figure 4.1, but this does not meet the requirements for a masterplan, and it is not adequate for long-term planning to integrate the various separate sites and applications by a series of different developers. Policy HA1 will fail to meet any government aspirations for placemaking as set out in the NPPF Chapter 12, Paras 124 to 130, and is therefore unsound.

Para 124 of the NPPF states “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

Para 125 of the NPPF states "Design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics." It is apparent from discussion with CPRE Hampshire members that there has not, to date, been any meaningful involvement of local communities.

It is clear that the settlement policy boundaries have been moved to accommodate the applications pending for Warsash. This is not consistent with a plan-led approach but is simply reactive to a developer-led situation, and takes no account of the area's defining features.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

More analysis of the sustainability criteria for the overall development strategy, such as access to public transport is required before sites such as HA1 are confirmed. Has every opportunity for brownfield development around rail networks been ruled out?

Much more consultation with the local community is required before the proposed HA1 framework meets NPPF prerequisites.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire, the countryside charity, has worked for some years with local campaign group Save Warsash and the Western Wards, and a number of our members will be affected by the proposals for such a large allocation of housing to one small settlement. We would like to take part in the hearing sessions to represent their concerns for initial choice of an unsustainable site, loss of countryside and open space in Warsash, and poor design due to lack of a masterplan.

POLICY HP4: Five-year housing land supply

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 5.22 to 5.28

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy HP4: Five-year housing land supply

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

Policy HP4 states "If the Council cannot demonstrate a five-year supply of land for housing against the housing requirement set out in Policy H1, additional housing sites, outside the Urban Area boundary, may be permitted where they meet all of the following criteria….." The problem with this policy is that inadvertently it encourages the first choice of sites to be "outside the Urban Area". CPRE Hampshire is sure that this is not what Fareham BC intends, and in any event it would not be in accordance with the councils own aspirations for a brownfield first approach, nor in accordance with the NPPF Para 137, and is therefore unsound. A sequential approach should be used, even in the event of a lack of a five-year housing land supply.

The problem is exacerbated by the linkage of **Policy HP4** with **Policy DS1**, particularly **DS1 Criterion (e)** as discussed above**.**

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HP4 should be rewritten to include a sequential approach, which "makes as much use as possible of suitable brownfield sites and underutilised land" as per Para 137 (a) of the NPPF.

The linkage of **Policy DS1 (e)** and **Policy HP4** should be removed.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be in accordance with the NPPF.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is part of an expert group in the National CPRE network on housing numbers, and the five-year housing land supply, and would like to appear at the hearing sessions to discuss its impact on the Fareham Reg 19 Local Plan.

POLICY HP6: Exception Sites

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 5.43 to 5.51

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy HP6: Exception sites

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The second part of **Policy HP6, Criterion (c)**, would allow exception sites with a limit of 1 hectare *OR* a proviso that the scheme does not exceed 5% of the size of the adjacent settlement. The problem is the word OR, as this could lead to large sites adjacent to large settlements being permitted as they would still be beneath the 5% cut-off. For example, Fareham town is a large settlement, of some 20,000 households, and so an exception site of up to 5% could itself number 1,000 dwellings. CPRE Hampshire is sure that this is not what was intended by Fareham BC as the aspiration is for small sites on urban boundaries.

The problem is exacerbated by the linkage of **Policy HP6, Criterion (c)**, with **Policy DS1**, particularly **DS1 Criterion (e)** as discussed above**.**

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Policy HP6 should be rewritten to include a sequential approach, which "makes as much use as possible of suitable brownfield sites and underutilised land" as per Para 137 (a) of the NPPF.

Criterion c) should be reworded to remove the reference to *OR* 5% of the size of the adjacent settlement and have a fixed upper limit of what is meant by 'small sites' as identified in the justification text (Para 5.46).

The linkage of **Policy DS1 (e)** and **Policy HP6** should be removed.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

Any ambiguity on what a "small site" means would be removed giving clarity for applicants and for FBC.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of affordable housing, such that it is located and designed appropriately, and would like to appear at the hearing sessions to discuss the impact of Policy HP6 on the Fareham Reg 19 Local Plan.

STRATEGIC POLICY CC1: Climate Change

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 8.1 to 8.10

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy CC1: Climate change

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		**NO**
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire generally SUPPORTS the approach taken by Fareham BC to Climate Change. But we believe that **Policy CC1, Criterion (a)** does not go far enough to encourage/enforce a truly sustainable pattern of development and is unlikely to lead to a meaningful reduction of emissions from private car use.

Section 19(1A) of the Planning and Compulsory Purchase Act 2004 requires that a local authority's development plan documents must: (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.

The NPPF Para 148 further includes the requirement that "the planning system should support the transition to a low carbon future in a changing climate", should "shape places in ways that contribute to radical reductions in greenhouse gas emissions" and Footnote 48 "in line with the objectives and provisions of the Climate Change Act 2008."

CPRE Hampshire believes that one of the most fundamental ways of combating the likelihood of adverse climate change, is to plan development where it can use better public transport and be less reliant on the car. The aspirations in **Policy CC1** are more about how development can respond to climate change, and rather less about how spatial planning of future development can help prevent it. We consider that this is a missed opportunity. According to Camilla Ween, Harvard Loeb Fellow, speaking on behalf of Transport for New Homes "Transport is responsible for about 26% of greenhouse gas emissions, much arising from personal car journeys. Our society will not be able to achieve the UN goals if we do not change the way we travel; that means we need to create new communities that are NOT car dependent. That means careful consideration of where new development is located, as well as how we design new communities, for example, places that are well connected with high quality public realm and movement infrastructure that encourage people to want to move to a car-free lifestyle." It must be a fundamental tenet of the Fareham Local Plan that NO development should be permitted that relies on the car as its main means of access.

Nothing less than a drastic change to spatial strategy and a move away from South Hampshire's historic pattern of sprawling suburbs will enable any meaningful contribution to the fight against adverse climate change. We owe it to future generations to do our utmost to shift patterns of behaviour that have become entrenched with the use of the private car. Even electric cars will not solve many of these issues as they still leave residues from tyres and fluids and are unsustainable in terms of battery manufacture.

Policy CC1 is therefore not legally complaint unless the large part of Fareham's spatial strategy is geared to development around mass public transport hubs and avoiding sites which are car-dependant. It is clear that sites such as Policy HA1 would fail to meet this condition.

CPRE Hampshire recommends the checklist provided by Transport for New Homes, which sets out an objective approach to planning new housing areas without dependence on cars: https://www.transportfornewhomes.org.uk/wp-content/uploads/2019/10/checklist.pdf

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

CPRE Hampshire recommends strengthening **Policy CC1, Criterion (a)** to enable a spatial strategy more likely to meet the requirements set out in Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and the NPPF, by including a requirement for mass public transport hubs to be the first approach for development, and to enable Fareham to refuse car-dependent applications.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would be in accordance with Section 19(1A) of the Planning and Compulsory Purchase Act 2004, and the NPPF Para 148.

B4c Your suggested revised wording of any policy or text:

(a) A development strategy that minimises the need to travel by allocating sites and generally directing development to locations **near to mass public transport hubs**, with better services and facilities, or where they are capable of being improved.

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning housing, such that it is located and designed appropriately around public transport hubs to minimise emissions and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy CC1** in this regard.

POLICY NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.5 to 9.27

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network

B1c Which part of the Policies Map?

The Local Ecological Network map in Appendix C

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The approach taken by Fareham BC is sound, and CPRE Hampshire SUPPORTS the requirement for nature to be conserved and ecological networks to be protected as per the forthcoming Environment Act.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning development, such that it is located and designed appropriately to conserve and enhance the biodiversity of the area and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE1** in this regard.

POLICY NE2: Biodiversity net gain

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
X	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.28 to 9.44

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE2: Biodiversity net gain

B1c Which part of the Policies Map?

The Local Ecological Network map in Appendix C

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

The approach taken by Fareham BC is sound, and CPRE Hampshire SUPPORTS the requirement for biodiversity net gain as per the forthcoming Environment Act.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning development, such that it is located and designed appropriately to see a net gain in biodiversity of the area, and would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE2** in this regard.

POLICY NE4: Water quality effects on the SPAs, SACs and Ramsar sites of the Solent

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.50 to 9.54

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE4: Water quality effects on the SPAs, SACs and Ramsar sites of the Solent

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		**NO**
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire understands there is an outstanding judicial process underway regarding the effectiveness of Fareham BC's proposals for mitigating nitrate and other pollutants on the Solent and other protected waterways. At this point, CPRE Hampshire is therefore unable to endorse the proposed policy until the legal issues have been resolved.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire's remit covers protection and enhancement of both land and seascape, including Hampshire's iconic chalk streams and rivers, and the Solent. In the absence of an outcome on the legal matters, the hearing session may be the first opportunity to evaluate the effectiveness and legality of the proposed policy.

POLICY NE6: Trees, woodland and hedgerows

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.79 to 9.89

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY NE6: Trees, woodland and hedgerows

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE6** is sound. The Climate Change Committee has called for a 40% increase in the extent of hedgerows by 2050 to help tackle the climate emergency, and we would thus like to see more hedgerows planted and restored in Fareham BC.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

NO Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

POLICY NE8: Air quality

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.98 to 9.118

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE8: Air quality

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE8** is sound.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

NO Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

POLICY NE9: Green infrastructure

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 9.119 to9.125

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE9: Green infrastructure

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound	**YES**	
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy HE9** is sound. However, we believe that a link with **Policy HE1** should be included within **Policy HE9** itself, rather than just within the supporting text in **Para 9.122**. CPRE Hampshire further believes that much better Green Infrastructure provision could be safeguarded over the long term if it were to be incorporated within a South Hampshire Green Belt.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of green infrastructure alongside planning development, such that it is located and designed appropriately, in order to benefit biodiversity, natural capital, but also residents' health and wellbeing. We would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy NE9** in this regard, and to discuss whether a South Hampshire Green Belt could ensure green infrastructure is protected in perpetuity.

POLICY TIN1: Sustainable transport

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 10.1 to 10.11

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy TIN1: Sustainable transport

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire SUPPORTS the approach taken by Fareham BC and consider **Policy TIN1** to be a good starting point. CPRE Hampshire recognises that Fareham BC aspire to have 'good growth' with existing and proposed transport corridors influencing choice of development, however we feel **Policy TIN1** does not go far enough. The Council should feel empowered to reject development which is not already located around, or can provide, public mass transit hubs, in particular the rail network. The policy as it stands does not give Fareham BC a sufficiently robust mechanism for achieving this. It is therefore unlikely to comply with the aspirations to meet climate change objectives as set out in **Policy CC1** or for air quality in **Policy NE8**.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

The principles of development and transport as set out in the Transport for New Homes checklist should be followed - https://www.transportfornewhomes.org.uk/the-project/checklist-for-new-housing-developments/.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

The policy would then comply with climate change and air quality objectives.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire is a keen proponent of a spatial strategy for planning housing, such that it is located and designed appropriately around public transport hubs to minimise emissions and impacts on climate change. We would like to appear at the hearing sessions to discuss the likely effectiveness of **Policy TIN1** in this regard.

POLICY D1: High quality design and place making

B1 Which part of the Local Plan is this representation about?

X	A paragraph	Go to B1a
X	A policy	Go to B1b
	The policies map	Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

Paragraphs 11.1 to 11.36

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

POLICY D1: High quality design and place making

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	**YES**	
Sound		**NO**
Complies with the duty to co-operate	**YES**	

B3 Please provide details you have to support your answers above

CPRE Hampshire welcomes the approach taken by Fareham BC towards high quality design in **Policy D1** but would like to see the inclusion of the words countryside and landscape into **Criterion (i)**. The omission of these words makes it inconsistent with **Strategic Policies DS1 and DS3** and therefore unsound.

The design quality of future developments starts with overall masterplanning and landscape context as well as specific building details. Fareham has seen a proliferation of poorly designed car dependant nondescript developments over recent years, and it is critical that major improvements are made for the future.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include the words countryside and landscape into **Criterion (i).**

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

This would then be in accordance with **Strategic Policies DS1 and DS3**.

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

YES Yes, I want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

CPRE Hampshire has many members in Fareham who are keenly interested in the design of future developments and would like to see major improvements over previous failures in design quality, which has historically resulted in large spawling estates of car-dependant nondescript housing.

Property Services

Planning Policy Manager
Fareham Borough Council

Enquiries to: Louise Hague

[redacted]

Date: 18 December 2020

Our ref: Y00511

Your ref: Regulation 19 Local Plan Consultation

[redacted]

Dear Sir/Madam

Regulation 19 Local Plan Consultation

In response to the above consultation, please find attached the general landowner comments in written representations on behalf of Hampshire County Council Property Services, in its role as a public landowner to help inform the next stages of the emerging Local Plan Update to 2038. These are separate from the comments submitted on behalf of Hampshire County Council in respect of its regulatory functions.

As landowner, the County Council will be responding to the Local Plan Consultation on the following Policies/Paragraphs (please see attached):

- Strategic Policy H1: Housing Provision
- Policy D1: High Quality Design and Place Making
- Housing Allocation Policy: HA3 (Southampton Road)
- Housing Allocation Policy: HA9 (Heath Road)
- Housing Allocation Policy: HA13 (Hunts Pond Road)
- Housing Allocation Policy: HA22 (Wynton Way)
- Housing Allocation Policy: HA24 (335-337 Gosport Road)
- Strategic Policy R4: Community and Leisure Facilities
- Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
- Policy D4: Water Quality and Resource
- Paragraphs 11.55/56

To date, Hampshire County Council in its capacity as landowner, has supported the earlier stages of the Local Plan Update to 2037. The purpose of the following is to offer comments, from a landowning perspective, to help inform the scope and soundness of Fareham Local Plan when examined by the Secretary of State as anticipated in Summer 2021.

HCC Property Services, Three Minsters House, 76 High Street, Winchester, Hampshire, SO23 8UL
t: 01962 847778 | **f:** 01962 841326 | www.hants.gov.uk/propertyservices

Hampshire County Council

I hope this is helpful to you in continuing to support the Borough Council in subsequent stages of the Local Plan Update to 2037.

Yours sincerely

Louise Hague MRICS MRTPI
Senior Development Manager

FAREHAM Local Plan 2037

Introduction

The Council has published the Publication Version of the Local Plan. This consultation is the final stage before the Plan is submitted to a Government Planning Inspector for independent examination.

The Statement of Representations Procedure and Statement of Fact sets out how and when you can view the Local Plan and respond to the consultation.

You can make comments on the Plan, known as representations, up to 18 December 2020.

What can I make a representation on?

This consultation is different from previous ones as it no longer seeks views on alternative options. You will be asked whether you think the Plan is:

- **Legally Compliant**: Does the Plan meet the legal requirements for plan making as set out by planning laws?
- **Sound**: Has the Plan been positively prepared? Is it justified, effective, and consistent with national policy?
- **Complies with the Duty to Co-operate**: Has the Council engaged and worked effectively with neighbouring authorities and statutory bodies?

You can make a representation on any part of the plan, but only comments that address the three questions above can be taken into account.

You can find out more about each of the questions by reading Fareham Today and the Frequently Asked Questions.

What happens next?

A Planning Inspector will be appointed to consider the Plan and comments from the consultation on behalf of the Secretary of State. All representations will be forwarded, together with the Publication Plan, to the Planning Inspector for consideration.

PERSONAL DETAILS

Data Protection Privacy Statement – Consultation on the Local Plan in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012

In order to deliver services to the citizens and communities in Fareham Borough, it is necessary for the Council to collect, gather and process personal data.

In relation to the consultation on the Local Plan in accordance regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, Fareham Borough Council will collect and process personal data for the following processing purposes:

- Receiving representations to the consultation and submitting the Local Plan for examination in public.

The Council is processing this personal data by virtue of the following Lawful Basis:

- Compliance with a legal obligation
- Performance of a task carried out in the public interest.

Consultation responses will be entered onto the online consultation form. The company that host the online consultation form, Snap Surveys are ISO 27001 certified and will store the data on a secure UK server.

The Town and Country Planning (Local Planning) (England) Regulations 2012 requires that, when the Council submits the Local Plan and associated documents to the Secretary of State, for examination in public, the responses made to the consultation on the Local Plan must also be submitted. This includes the personal data collected, such as name, address and contact details.

In addition, any representations submitted will be made available on the Fareham Borough Council website. Addresses, email addresses and phone numbers will not be published.

Representations linked to plan making will be retained for no more than 5 years following adoption of the Local Plan. We will not keep this information for longer than is necessary.

You have certain rights under the General Data Protection Regulations (GDPR) in respect of your personal information. More information about your rights can be found on the Council's website or on request.

A1 Is an Agent Appointed?

☐ Yes ☒ No

A2 Please provide your details below:

Title:	Ms
First Name:	Katherine
Last Name:	Snell
Job Title: (where relevant)	Senior Planner and Urban Designer
Organisation: (where relevant)	Hampshire County Council
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

A3 Please provide the Agent's details (if applicable):

Title:	N/A
First Name:	
Last Name:	
Job Title: (where relevant)	
Organisation: (where relevant)	
Address:	
Postcode:	
Telephone Number:	
Email Address:	

You can check which paragraph, policy etc you want to comment on by looking atthe

You can find out more about what you can comment on by reading Fareham Today and the Frequently Asked Questions.

B1 Which part of the Local Plan is this representation about?

- [ ] A paragraph Go to B1a
- [x] A policy Go to B1b
- [ ] The policies map Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy H1: Housing Provision

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council in its capacity as landowner supports the spatial approach to Policy H1 to distribute development through Local Plan allocations. The County Council considers that this is a sound approach that is positively prepared, justified and deliverable within the Plan period (effective) based on the Borough Council's objectively assessed needs and wider Local Plan evidence base.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

- [x] Yes, I want to take part in a hearing session
- [ ] No, I don't want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

The County Council could offer further clarification on the points raised.

The Inspector will decide on who will appear at the hearing(s). You may be asked to take part when the Inspector has identified the matters and issues for examination.

Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

You can check which paragraph, policy etc you want to comment on by looking atthe Publication Local Plan.

You can find out more about what you can comment on by reading Fareham Today and the Frequently Asked Questions.

B1 Which part of the Local Plan is this representation about?

- [ ] A paragraph — Go to B1a
- [x] A policy — Go to B1b
- [ ] The policies map — Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy D1: High Quality Design and Place Making

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council, as landowner, supports Policy D1 as it considers that the density of schemes should be informed by and be sympathetic to the character of the surrounding areas, rather than having a set standard. This allows sufficient flexibility (effective) to support best practice urban design principles particularly with regards to legibility to emphasise the importance of place as well as sensitively manage the transition from an urban to rural settlement edge.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

- [x] Yes, I want to take part in a hearing session
- [ ] No, I don't want to take part in a hearing session

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The County Council could offer further clarification on the points raised.

The Inspector will decide on who will appear at the hearing(s). You may be asked to take part when the Inspector has identified the matters and issues for examination.

Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

You can check which paragraph, policy etc you want to comment on by looking atthe Publication Local Plan.

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B1 Which part of the Local Plan is this representation about?

- [ ] A paragraph — Go to B1a
- [x] A policy — Go to B1b
- [ ] The policies map — Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA3 (Southampton Road)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council, as one of the landowners for this site, supports the inclusion of this draft allocation and has provided information through the Local Plan process to date to support the allocation. The County Council re-affirms that that its land within Policy HA3 is available and deliverable within the Plan period.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

- [x] Yes, I want to take part in a hearing session
- [ ] No, I don't want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

The County Council could offer further clarification on the points raised.

The Inspector will decide on who will appear at the hearing(s). You may be asked to take part when the Inspector has identified the matters and issues for examination.

Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

You can check which paragraph, policy etc you want to comment on by looking atthe Publication Local Plan.

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B1 Which part of the Local Plan is this representation about?

- [ ] A paragraph — Go to B1a
- [x] A policy — Go to B1b
- [ ] The policies map — Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA9 (Heath Road)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council as a landowner supports the allocation of its land in Policy HA9. The site has a resolution to grant planning permission for 70 dwellings (insert ref). The County Council, as applicant, is currently engaged in on-going discussions with the Borough Council Planning Case Officer, Natural England and third-party providers to put in place sufficient mitigation to achieve a nitrate neutral development. The County Council as landowner has also submitted a pre-application submission to Natural England for consideration of its own land to mitigate the nitrate output of site Policy HA9. This evidence offers a realistic prospect that the site is capable of coming forward in within the early stages of the Plan period. The County Council, as landowner, re-affirms that it’s land within Policy HA9 is available and deliverable.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

- [x] Yes, I want to take part in a hearing session
- [ ] No, I don't want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

The County Council could offer further clarification on the points raised.

The Inspector will decide on who will appear at the hearing(s). You may be asked to take part when the Inspector has identified the matters and issues for examination.

Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

You can check which paragraph, policy etc you want to comment on by looking atthe Publication Local Plan.

You can find out more about what you can comment on by reading Fareham Today and the Frequently Asked Questions.

B1 Which part of the Local Plan is this representation about?

- [ ] A paragraph — Go to B1a
- [x] A policy — Go to B1b
- [ ] The policies map — Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA13 (Hunts Pond Road)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council as a landowner supports the inclusion of this draft allocation and has provided information that confirms this site is available, deliverable. This allocation will contribute (indicative yield 38 dwellings) to the supply of housing required over the plan period for the borough.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

- [x] Yes, I want to take part in a hearing session
- [ ] No, I don't want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

The County Council could offer further clarification on the points raised.

The Inspector will decide on who will appear at the hearing(s). You may be asked to take part when the Inspector has identified the matters and issues for examination.

Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

You can check which paragraph, policy etc you want to comment on by looking atthe Publication Local Plan.

You can find out more about what you can comment on by reading Fareham Today and the Frequently Asked Questions.

B1 Which part of the Local Plan is this representation about?

- [ ] A paragraph — Go to B1a
- [x] A policy — Go to B1b
- [ ] The policies map — Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA22 (Wynton Way)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council as a landowner supports the inclusion of this draft allocation and has provided information that confirms this site is available and deliverable. This allocation will contribute (indicative yield 13 dwellings) to the supply of housing required over the Plan period for the borough.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

- [x] Yes, I want to take part in a hearing session
- [ ] No, I don't want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

The County Council could offer further clarification on the points raised.

The Inspector will decide on who will appear at the hearing(s). You may be asked to take part when the Inspector has identified the matters and issues for examination.

Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

You can check which paragraph, policy etc you want to comment on by looking atthe Publication Local Plan.

You can find out more about what you can comment on by reading Fareham Today and the Frequently Asked Questions.

B1 Which part of the Local Plan is this representation about?

- [ ] A paragraph Go to B1a
- [x] A policy Go to B1b
- [ ] The policies map Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA24 (335-337 Gosport Road)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	✓

B3 Please provide details you have to support your answers above

Hampshire County Council as a landowner supports the inclusion of this draft allocation and has provided information that confirms this site is available, deliverable and developable. This allocation will contribute (indicative yield 8 dwellings) to the supply of housing required over the plan period for the borough.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

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- [ ] No, I don't want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

The County Council could offer further clarification on the points raised.

The Inspector will decide on who will appear at the hearing(s). You may be asked to take part when the Inspector has identified the matters and issues for examination.

Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

You can check which paragraph, policy etc you want to comment on by looking atthe Publication Local Plan.

You can find out more about what you can comment on by reading Fareham Today and the Frequently Asked Questions.

B1 Which part of the Local Plan is this representation about?

- [ ] A paragraph Go to B1a
- [x] A policy Go to B1b
- [ ] The policies map Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy R4: Community and Leisure Facilities

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound		✓
Complies with the duty to co-operate	✓	

You can check which paragraph, policy etc you want to comment on by looking at the Publication Local Plan.

B3 Please provide details you have to support your answers above

Hampshire County Council in its role, as both a public landowner and service provider, supports the intentions of Policy R4 to maintain the provision of necessary community facilities during the Plan period. Notwithstanding its support for Policy R4, the County Council is still concerned that the draft policy does not meet the tests of soundness as it appears overly restrictive and not sufficiently flexible to respond to unexpected and ever-changing needs to community facilities brought through public service providers service reviews during the Plan period. This presents a risk that Policy R4 is not effective.
The County Council as a public service provider has an on-going need to review and, if necessary, rationalise surplus facilities as part of wider County Council strategies to improve local services in the community. Such County Council services include 'Children's Services' (pre-school through to the 14-19 year age group), 'Adult Services' (catering for those with learning disabilities, mental health, older people, and persons with physical disabilities), and 'Community and Cultural Services' (libraries, museums, sports, recreation, tourism).
The County Council would like to emphasise its statutory function to provide public services, and to remain effective in meeting this commitment, the County Council will be implementing a series of service-driven improvements, covering both frontline and support services. This may sometimes result in the 'necessary loss' of particular community buildings and land in County Council ownership, in order to reinvest proceeds of sale in local service improvements. The policy should have increased flexibility to accommodate the unique role and function of public service providers.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

The policy should have increased flexibility to accommodate the unique role and function of public service providers and so be effective.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

The County Council therefore recommends the following addition/ changes to Policy R4 to overcome its objection (see below). This draws on the wording of Basingstoke & Deane Borough Council's Adopted Local Plan 2011 – 2029, Policy CN8 – Community, Leisure and Cultural Facilities, part h, and South Downs Local Plan 2014– 2033, Development Management Policy SD43- New and Existing Community Facilities and is therefore a material consideration in Plan making. The County Council's proposed amendment would reinforce the unique role and function of public service providers and their need for managed change to deliver operational service improvements over the Plan period (be effective).

B4c Your suggested revised wording of any policy or text:

Development proposals that would result in the loss of community or publicly owned or managed facilities will be permitted where:

i. The facility is no longer needed; and
ii. No alternative community use of the facility is practical or viable; and
iii. Any proposed replacement or improved facilities will be of equivalent or better in terms of quality, function and accessibility; *or*
iv. the proposals are part of a public service provider's plans to re-provide or enhance local services and the proposal will clearly provide sufficient community benefit to outweigh the loss of the existing facility, meeting evidence of a local need.

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

☑ Yes, I want to take part in a hearing session

☐ No, I don't want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

The County Council could offer further clarification on the points raised.

The Inspector will decide on who will appear at the hearing(s). You may be asked to take part when the Inspector has identified the matters and issues for examination.

Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

You can check which paragraph, policy etc you want to comment on by looking atthe Publication Local Plan.

You can find out more about what you can comment on by reading Fareham Today and the Frequently Asked Questions.

B1 Which part of the Local Plan is this representation about?

- [ ] A paragraph — Go to B1a
- [x] A policy — Go to B1b
- [ ] The policies map — Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council in its role as a public landowner supports the intentions of Policy NE4 to protect the integrity of the designated sites from increased nutrients.
The County Council has confidence that any increased wastewater production related to its draft allocated sites will be suitably mitigated through on-site and off-site mitigation measures as required under the policy.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

- [x] Yes, I want to take part in a hearing session
- [ ] No, I don't want to take part in a hearing session

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The County Council could offer further clarification on the points raised.

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B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy D4: Water Quality and Resources

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound		✓
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council in its role, as both a public landowner and service provider, supports the principle of Policies CC1 and D4.

Notwithstanding this, the County Council is concerned that the draft policy does not meet the tests of soundness as it is not sufficiently flexible to respond to unexpected changes during the plan period.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

The policy should have increased flexibility to be consistent with national policy.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

The County Council would be mindful to overcome its objection if the policy is amended to introduce sufficient flexibility in the wording. This would still seek to achieve a high standard of sustainable development but would not require potentially unattainable standards to be met (be effective).

B4c Your suggested revised wording of any policy or text:

To minimise impact on the water environment and adapt to climate change, all new dwellings shall achieve as a minimum the Optional Technical Housing Standard for Water efficiency of no more than 110 litres per person per day, *unless sufficient evidence justifies meeting the mandatory national standard (no more than 125 litres per person per day).* Development that achieves a higher technical standard of 100 litres per person per day will be supported.

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

☑ Yes, I want to take part in a hearing session

☐ No, I don't want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

The County Council could offer further clarification on the points raised.

The Inspector will decide on who will appear at the hearing(s). You may be asked to take part when the Inspector has identified the matters and issues for examination.

Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

You can check which paragraph, policy etc you want to comment on by looking atthe Publication Local Plan.
You can find out more about what you can comment on by reading Fareham Today and the Frequently Asked Questions.

B1 Which part of the Local Plan is this representation about?

- [x] A paragraph — Go to B1a
- [ ] A policy — Go to B1b
- [ ] The policies map — Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

11.55/56

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council, in its role as a public landowner and service provider, supports the policy aspiration to achieve energy efficiencies in new non-residential development. In particular the County Council notes that paragraph 11.55 considers how the BREEAM assessment process can influence viability of a proposal and make allowances for this, to ensure the plan will remain effective over the plan period. For example, as landowner, the County Council considers that any forthcoming draft policy should be open to demonstrating meeting this energy efficiency standard by alternative equivalent standards such as those based on an embodied carbon (CO2 / Kg / sqm) metric as advocated by the RIBA 2030 Climate Challenge: https://www.architecture.com/-/media/files/Climate-action/RIBA-2030-Climate-Challenge.pdf

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

- [x] Yes, I want to take part in a hearing session
- [ ] No, I don't want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

The County Council could offer further clarification on the points raised.

The Inspector will decide on who will appear at the hearing(s). You may be asked to take part when the Inspector has identified the matters and issues for examination.

Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

HAMPSHIRE
CONSTABULARY

Gosport NPT Neighbourhood Police Office

[redacted]

[redacted]

Consultation Team
Fareham Borough Council
Civic Offices
Civic Way
Fareham
Hampshire
PO16 7AZ

Our ref: FBC-01
Your ref:

25th November 2020

Dear Sir or Madam,

RESPONSE TO THE REGULATION 19 LOCAL PLAN CONSULTATION

Thank you for your email of the 6th November 2020 and the opportunity to respond to the consultation. Having considered the document I have the following comments to make with reference to prevention of crime and disorder[1].

Crime and disorder are aspects of life that people do not like to consider or admit occur where they live. Unfortunately, crime and disorder occurs throughout the Borough of Fareham, left unchecked crime and disorder ruins lives and undermines communities. Every opportunity must be taken to reduce the opportunities for crime and disorder, the planning process is one of those opportunities.

Government policy is that the design and layout of a development must be such that it reduces the opportunities for crime and disorder (anti-social behaviour). To that end various pieces of legislation and guidance demonstrate the Government's commitment to reducing crime and disorder (by use of the planning system) some of which are referenced below:

(i) Section 17 of the Crime and Disorder Act 1998 (as amended) requires all local, joint and combined authorities (as well as National Parks, the Broads Authority and the Greater London Authority) to exercise their functions with due regard to their likely effect on crime and disorder, and to

[1] In the context of this letter "disorder" includes Anti-Social Behaviour (ASB)

do all they reasonably can to prevent crime and disorder[2]. Crime for these purposes includes terrorism.

(ii) The National Planning Policy Framework (NPPF):

Paragraph 127. Planning policies and decisions should ensure that developments:

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users[46]; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

(iii) Planning Practice Guidance (PPG); Healthy and Safe Communities; Supporting Safe Communities:

a. What is the role of planning in preventing crime and malicious threats?
   i) Planning provides an important opportunity to consider the security of the built environment, those that live and work in it and the services it provides.
b. How can planning help achieve resilient places?
   i) Good design means a wide range of crimes from theft to terrorism are less likely to happen by making committing those crimes more difficult. It helps create safer places, infrastructure and buildings that are less vulnerable to terrorist attack and, should an attack take place, where people are better protected from its impacts. It can also reduce the cost and impact of security measures by avoiding retrospective works and enable mitigating measures to be blended into the environment.

It is clear that Central Government's intension is that the design of a development must contribute to reducing the opportunities for crime and disorder. The proposed local plan must reflect national planning policies as set out in the National Planning Policy Framework and associated Planning Practice Guidance, and in this context should contain the Council's policy on reducing crime and disorder.

Within the Local Plan there are several paragraphs that acknowledge that low levels of crime and disorder bring benefits to the area, but the plan does not expand on this:

Paragraph 2.5, of the local plan, states:

"The Local Plan assists with engendering a feeling of safety and security in our everyday activities by ensuring places are well-designed for activity both during the day and night. Proposed growth within Local Plans must be assessed in terms of the impacts on highways and how people use walking and cycling routes, and needs to demonstrate that any new growth on our road network is designed with safety in mind."

[2] Section 17 states "crime and disorder in its area (including anti-social behaviour and other behaviour adversely affecting the local environment); and etc."

Paragraph 2.10, of the Local Plan, "The Fareham Local Plan 2037 Vision", states:

"Fareham Borough will offer a high quality of life to all residents and be an attractive, safe and pleasant place to live, work and visit. It will be a sustainable and increasingly prosperous place, with low levels of crime and unemployment and good access to community facilities, jobs, leisure, shops, open space and services."

Achieving a low level of crime does not happen by chance, it requires polices designed to reduce the opportunities for crime and disorder. To that end we would ask that the following amendments are incorporated into the Local Plan:

Within paragraph 11.4 we would ask for an additional bullet point entitled: "Prevention of Crime and Disorder"

Within the Design section of the Local Plan we would ask for several paragraphs relating to the prevention of crime and disorder are added, worded as below, or with words so as to convey the same meaning:

"Low levels of crime are one of the elements of the vision. Research has shown that developments incorporating Crime Prevention Through Environmental Design (CPTED) principles, which includes attributes such as: development layout, defensible space about dwellings / buildings, good natural surveillance of the public realm (including footpaths and cycle ways), the provision of lighting to the current British Standard and the appropriate boundary treatments, suffer less crime and disorder."

"The Secured By Design (SBD)[3] award scheme incorporates the design and security elements required to reduce the opportunities for crime and anti-social behaviour. The Local Planning Authority will be supportive of proposals which are assessed under the Secured By Design (SBD) Award Scheme. Those proposals which have, or are demonstrably committed to achieving SBD accreditation will be looked upon favourably."

Within Policy D1: "High Quality Design and Place Making" an additional subparagraph is added worded as below, or with words so as to convey the same meaning:

"All development must incorporate CPTED measures to reduce the opportunities for crime and disorder."

[3] The Secured By Design (SBD) Award Scheme is a police initiative to guide and encourage those engaged with the specification, design and building of new homes to adopt crime prevention measures. Secured by Design has been proven to reduce the opportunities for crime and the fear of crime, creating safer, more secure and sustainable environments. Secured by Design is owned by the UK Police Service and is supported by the Home Office.

To be consistent with national policy the Local Plan must enable delivery of sustainable development in accordance with the NPPF. The omission of any policy relating to the prevention of crime and disorder means the Local Plan is not as "consistent" as it might be. We would ask the above amendments are incorporated into the Local Plan.

I would bring to your attention that paragraphs 11.55 and 11.56 of the Local Plan appear to be the same.

If I can be of any further assistance please do not hesitate to contact me.

Yours faithfully,

S York
Designing Out Crime Officer

Historic England

By email only to: planningpolicy@fareham.gov.uk

Our ref: PL00049426
Your ref:

[redacted]

Date: 18/12/2020

Dear Sir or Madam

Regulation 19 Local Plan Consultation

Thank you for consulting Historic England on the above document. Our main comments are set out in Appendices 1 and 2 to this letter.

Appendix 1 deals with all policies we wish to make comment on, excluding site allocation policies. Site allocation policies are located in Appendix 2. Appendix 3 is the same set of comments in Appendices 1 and 2, The official forms do not appear to be editable, so we have not used them.

We do not consider our appearance to be necessary at examination on any of the points we have raised, however, we would be happy to attend, should the Inspector request this.

Yours faithfully

Edward Winter
Historic Environment Planning Adviser

Appendix 1: Table of Historic England's detailed comments on the Fareham Regulation 19 Local Plan Policies (excluding site allocations: see Appendix B for site allocations)

Policy/section	Soundness/legal compliance/DTC	Comments	Suggested change
Vision, strategic priorities	Not sound.	We welcome the reference to the continued protection of heritage in the vision, and strategic priorities 3 and 10. These are important elements of the positive strategy for the conservation and enjoyment of the historic environment, which the plan should demonstrate, as set out in NPPF paragraph 185. However, to be **consistent with NPPF, and therefore sound**, para 185, in Strategic Priority 10, "historical assets" should be replaced with "historic environment".	In Strategic Priority 10, "historical assets" should be replaced with "historic environment".
Policy HP1: New Residential Development	No comment.	No comment.	
Design chapter, Policy D1	Sound.	We welcome the characterisation of well-designed, contextual development that is "responsive to local history, culture and heritage", and the reference to heritage in criterion (i) in Policy D1.	
Strategic Policy DS3: Landscape	Sound.	We support criterion (f) as part of the positive strategy for conserving and enhancing the historic environment	

Strategic Policy HE1: Historic Environment and Heritage Assets	Sound.	We support having a strategic policy for the historic environment and heritage assets and welcome its identification in paragraph 1.35, which lists those policies that are considered to be strategic, in line with NPPF paragraph 21. The inclusion of a strategic policy for heritage complies with NPPF paragraph 20.	
Historic Environment Chapter (general approach)	Sound.	We support the approach the Council has taken, to have separate policies for conservation areas, listed buildings/structures & settings, archaeology, non-designated assets and heritage at risk. The separation of each of these asset-classes provides more detailed policy for each of the identified types of asset, which should be more useful to applicants and decision-makers. The detailed policies are supported by the strategic policy, which also references national heritage policy. NB: Fareham has locally listed parks and gardens, i.e. non-designated assets, but has no registered parks & gardens i.e. designated assets.	
Background paper	Sound.	We welcome the background paper as a useful tool in demonstrating that a suitable evidence base has informed the plan, in respect of the historic environment.	

Appendix 2: Table of Historic England's detailed comments on the Fareham Regulation 19 Local Plan Site Allocation Policies

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
FTC1	Palmerston Car Park	Sound	A number of grade II listed buildings and structures, as well as a conservation area are located near to the site. These assets should be conserved and enhanced. The historic environment policies in section 12 of the plan and criteria c and d in policy FTC1 are considered appropriate for this purpose.	
FTC2	Market Quay	No comment.	No comment.	
FTC3	Fareham Station East	No comment.	No comment.	
FTC4	Fareham Station West	No comment.	No comment.	
FTC5	Crofton Conservatories	No comment.	No comment.	
FTC6	Magistrates Court	No comment.	No comment.	
HA1	North and South of Greenaway	No comment.	No comment.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
	Lane			
HA3	Southampton Road	No comment.	No comment.	
HA4	Downend Road	Sound	We support criteria (b) and (g).	
HA7	Warsash Maritime Academy	Not sound	We welcome criteria f and g, but we do not consider they go far enough to protect the listed buildings on site. As they stand, we do not consider the policy to be sound, because in offering insufficient protection to heritage assets, in is not consistent with national policy. The policy requirements should make it clear that new development should not be located to the west of the listed buildings. This because the relationship between the River Hamble/Southampton Water and academy is an important element to the significance of the academy. While development to the west of the listed buildings may be less likely, due to the presence of the Area of Special	Change criterion (f) to: **"f) Provision of a heritage statement (in accordance with Policy HE3)that assesses the potential impact of proposals on the significance of the Grade II Listed Buildings and their setting; and"** Add new criterion: • **"No development should be located to the west of the listed buildings"**

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			Landscape Quality and the flood zones 2/3, it is our view that this should be made explicit, through a policy requirement. We recommend adding the following criterion: • "No development should be located to the west of the listed buildings" Alternatively, the site boundary could be redrawn, to exclude this area. In addition to the above, the text in criterion (f) lacks some clarity. We are of the view that it should be amended as follows: "f) Provision of a heritage statement (in accordance with Policy HE3)that assesses the potential impact of proposals on the significance of the Grade II Listed Buildings and their setting; and"	Or, **"Alternatively, the site boundary could be redrawn, to exclude this area"**
HA9	Locks Heath	No comment.	No comment.	
HA10	Funtley Road	No comment.	No comment.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
	South			
HA12	Moraunt Drive	No comment.	No comment.	
HA13	Hunts Pond Road	No comment.	No comment.	
HA15	Beacon Bottom West	No comment.	No comment.	
HA17	69 Botley Road	No comment.	No comment.	
HA19	399-403 Hunts Pond Road	No comment.	No comment.	
HA22	Wynton Way	No comment.	No comment.	
HA23	Stubbington Lane	No comment.	No comment.	
HA24	335-357 Gosport Road	No comment.	No comment.	
HA26	Beacon Bottom East	No comment.	No comment.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
HA27	Rookery Avenue	No comment.	No comment.	
HA28	3-33 West Street	No comment.	No comment.	
HA29	Land East of Church Road	No comment.	No comment.	
HA30	33 Lodge Road	No comment.	No comment.	
HA31	Hammond Industrial Estate	No comment.	No comment.	
HA32	Egmont Nursery, Brook Avenue	No comment.	No comment.	
HA33	Land East of Bye Road, Swanwick	No comment.	No comment.	
HA34	Land South West of Sovereign	No comment.	No comment.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
	Crescent			
HA35	Former Scout Hut, Coldeast Way	No comment.	No comment.	
HA36	Land at Locks Heath District Centre	No comment.	No comment.	
HA37	Former Locks Heath Filling Station	No comment.	No comment.	
HA38	68 Titchfield Park Road	No comment.	No comment	
HA39	Land at 51 Greenaway Lane	No comment.	No comment	
HA40	Land west of Northfield Park	No comment.	No comment.	
HA41	22-27a Stubbington Green	No comment.	No comment.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
HA42	Land South of Cams Alders	Not sound	Proposed site allocation H42 is one of three sites proposed to be allocated for sheltered housing, in this case for 60 dwellings, the site being 1.29 hectares in total area. The site allocation plan shows the extent of the scheduled area of Fort Fareham, as well as a 50m buffer around the monument. The site allocation area, is located approximately 70m due north of the monument, at the closest point. The site allocation area extends to the north-east and north-west of this point, with an irregular shape. The whole of the proposed allocation is considered to be located within the setting of Fort Fareham. The setting of the fort has already been significantly compromised by development in its setting, as well as within the monument itself. The northern corner of the monument, where the proposed allocation is located, therefore represents the only significant area that remains free from development, and this would have been part of the field of fire associated with the fort. This area does contain a tree belt,	**Change criterion (h) to:** **"h. Provision of a heritage statement (in accordance with Policy HE3) that assesses the potential impact of proposals on the significance of Fort Fareham and through development in its setting, together with an archaeological assessment (in accordance with Policy HE4) and a scheme of mitigation to off-set any harm to the setting of the monument."**

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			which, through blocking the field on fire, also compromises the setting, but as this is not development, we consider this is something that has the potential to be reversed at some point in the future. The allocation text or plan does not make clear to what extent the allocated area would be built upon, but with a stated capacity of 60 dwellings on a site of 1.29 hectares, we presume that no significant areas of the site would be left undeveloped. Therefore it is likely that the proposed development will affect the significance of the monument, through development in its setting. The NPPF states that "[heritage] assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations" (184), and that "great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			substantial harm, total loss or less than substantial harm to its significance" (193). "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification" and "scheduled monuments are considered to be assets of the highest significance" (194). The NPPF also states that "significant adverse effects on [any of the sustainability] objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered) (32). We recognise that the site allocation requires a heritage statement and this is welcome.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			In the SA of the publication version of the plan, the main reason for the site selection seems to be based on location: the SA asserts that demand for sheltered housing is most likely to occur in Portchester and Fareham South. Presumably, no other suitable sites are suitable, in terms of location (if other sites were available that do not cause significant adverse effects on a sustainability objective, following NPPF para 32, Land South of Cam Alders should not be allocated). However, given that the impact of the proposed allocation is recognised as 'negative' in the high level assessment result, in the historic environment objective, the policy should reflect the NPPF requirement to mitigate, as set out in para 32. Therefore the site allocation should require a mitigation plan to offset harm to the setting of Fort Fareham. Without this, we consider the policy to be **inconsistent with national policy and therefore unsound**. In addition to the above concern, the	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			policy is also somewhat unclear in terms of its wording, with regard to "conservation and setting…" and "grade II scheduled monument". Fort Fareham is not a grade II scheduled monument: this classification does not exist. It is both a scheduled monument, AND a grade II listed building. In such cases, the scheduling take precedence. Describing Fort Fareham as a grade II scheduled monument could give the impression that it is not an asset of the highest significance. The reference to "conservation and setting" is considered to lack clarity. We suggest criterion (h) is amended as suggested below, to account for all three of our concerns. Without amendment, we consider the policy to be **inconsistent with national policy and therefore unsound,** for each of the three reasons we cite. **"h. Provision of a heritage statement (in accordance with Policy HE3) that assesses the potential impact of proposals on the significance of Fort Fareham and through development in**	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			its setting, together with an archaeological assessment (in accordance with Policy HE4) and a scheme of mitigation to off-set any harm to the setting of the monument."	
HA43	Corner of Station Road, Portchester	No comment.	No comment.	
HA44	Assheton Court	No comment.	No comment.	
HA45	Rear of 77 Burridge Road	No comment.	No comment.	
E2	Faraday Business Park	No comment.	No comment.	
E3	Swordfish Business Park	No comment.	No comment.	
E4	Solent 2	No comment.	No comment.	

Date: 18 December 2020
Our ref: 333521
Your ref: N/A

Planning Strategy Team
Fareham Borough Council

BY EMAIL ONLY

Dear Sir/Madam,

Regulation 19 Local Plan Consultation (6th November – 18th December 2020)

Thank you for your consultation dated 06 November 2020 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the Council's approach to achieving sustainable development through its Local Plan, particularly through its suite of Natural Environment policies that include protection of internationally, nationally and locally designated sites, the enhancement of the local ecological network and the requirement for biodiversity net gain.

Our comments on the Regulation 19 Local Plan and supporting Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA) are made below.

Strategic Policy DS1: Development in the Countryside
It is recommended this Policy also requires proposals to ensure compliance with Natural Environment policies, in particular Strategic Policy NE1 and Policy NE2, to ensure impacts on nature conservation interests are properly considered and addressed, and biodiversity net gain is achieved (for applicable development).

With regards to soils, the local plan outlines that 'the benefits of protecting the Best and Most Versatile (BMV) agricultural land are considered against the need for development'. This Policy requires development proposals to demonstrate they 'Conserve and enhance landscapes, sites of biodiversity or geological value and soils'.

The National Planning Policy Framework sets out that:

> 'Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework[1]; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.'
>
> *1 Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.*

It is recommended that this Policy is amended to give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpin our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver. The plan should safeguard the long term capability of BMV agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future.

Where site allocations are sited on BMV land, the Plan should outline a requirement for the protection of soils during construction where possible, referencing the 'Defra Code of practice for the sustainable use of soils on construction sites'.

Strategic Policy DS3: Landscape
Natural England welcomes the proposed designation of eight Areas of Special Landscape Quality within the Borough, and the requirement for development in these areas to meet stringent criteria that seek to protect and enhance landscape.

Strategic Policy CC1: Climate Change
Natural England advise all Local Plans consider climate change adaption and recognise the role of the natural environment to deliver measures to reduce the effects of climate change, for example tree planting to moderate heat island effects. In addition factors which may lead to exacerbate climate change (through more greenhouse gases) should be avoided (e.g. pollution, habitat fragmentation, loss of biodiversity) and the natural environment's resilience to change should be protected. Green Infrastructure and resilient ecological networks play an important role in aiding climate change adaptation.

Natural England welcomes Strategic Policy CC1: Climate Change that promotes mitigation and adaptation to climate change through various methods including the integration of green and blue infrastructure into the design of developments, adopting higher water efficiency standards, the integration of energy efficiency, renewable and low carbon technologies into all development, and reducing reliance on car travel.

Natural England supports the embedding of policy that will deliver measures to increase sustainability of development over the Plan period. This should also include reducing consumption of raw natural resources, sourcing more renewable or 'green' energy, and reducing waste. Consideration should be given to the collection of financial contributions from development to offset residual carbon emissions elsewhere in the Borough. Consideration can also be given to the retrofitting of existing development with technology that improves energy and water efficiency.

It is recommended that Local Plan policy also seeks measures that help natural habitats across the Borough adapt to the effects of climate change. We would encourage you to refer to the Natural England and RSPB Climate Change Adaptation Manual and look at the step by step approach to identifying the climate resilience of habitats that occur in the Borough. Consideration should be given to addressing issues on habitats and protected sites that will be exacerbated by climate change, such as flooding, drought, reduction of water resources etc.- the Manual can also help identify these.

Consideration can be given to delivering specific projects within the Borough. For example, to maximise climate change adaptation and mitigation through the establishment of a Nature Recovery Network (NRN), and the Local Nature Recovery Strategy in which the NRN would sit, to ensure climate change resilience at their core. Such projects could potentially benefit from carbon offsetting contributions from development over the local plan period.

Such an approach could link into other aspects of the Plan such as water and air quality, nutrient mitigation for Solent European designated sites, delivery of biodiversity net gain, natural flood management, and green infrastructure implementation among others. Natural England would be happy to advise further on this aspect.

Policy CC2: Managing Flood Risk and Sustainable Drainage Systems
Natural England welcome this Policy that requires development ensures flood and surface drainage are properly addressed, and that Sustainable Drainage Systems (SuDS) are designed in accordance with CIRIA C753 SuDs Manual, to be as 'natural' as possible.

It is advised that the policy makes clear that where a development drains to a protected site(s), an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection may be required to ensure water quality impacts are avoided.

Where SuDS are proposed serving as mitigation for protected sites, development should ensure that appropriate resources are put in place to ensure their long-term (in perpetuity) monitoring, maintenance/replacement, and funding.

Policy CC3: Coastal Change Management Areas (CCMAs)
Sea level rise and coastal change are inevitable and bring both challenges and opportunities for people and nature. Sustainable coastal management needs to embrace long-term change and achieve positive outcomes for both.

Policy CC3 identifies that the North Solent Shoreline Management Plan (SMP) policy for the majority of Fareham Borough's coastline is 'Hold the Line', and identifies two CCMAs between Hook spit and Meon Shore, with an identified coastal management policy of 'No Active Intervention'. The Policy will ensure that development in these areas will appropriately consider coastal change. It also will ensure replacement coastal defence schemes 'are consistent with the relevant Shoreline Management Plan and that there will be no severe adverse impact on the environment, the English Coast Path, and the rights of way network'.

We would advise that the Local Plan should also help facilitate the relocation of valued environmental assets away from areas of risk.

Strategic Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network
Natural England welcomes this policy that sets out clearly the hierarchy of nature conservation and the requirement for development to 'demonstrate clearly that the mitigation hierarchy has been followed' in terms of avoiding, mitigating or compensating (as a last resort) impacts on biodiversity. Natural England welcomes the Local Ecological Network (LEN) approach that has been included in the local plan.

It is helpful that the LEN and the Council's Green Infrastructure Strategy have been suggested as tools to provide opportunity for enhancements across the Borough. Please read our comments below in relation to Policy NE2 that regards the choosing of suitable opportunities for biodiversity enhancement.

Policy NE2: Biodiversity Net Gain
Natural England is fully supportive of the inclusion in the local plan of a Policy for biodiversity net gain. It is welcomed that the policy refers to the benefits to Borough residents from the ecosystem services that being close to nature provides, and outlines an expectation that offsite net gain must be sought as close to the development as possible. However in some instances this may be difficult, and Natural England recommends that consideration is given to developing a suite of projects across the LEN that development within the Borough can contribute to thereby ensuring the biodiversity within the Borough is protected and enhanced. For example, partners that manage Local Nature Reserves and Sites of Importance for Natural Conservation in the Borough could submit projects to the local planning authority to enhance the ecological value of these sites. These projects could be funded by development that requires offsite compensation or additional enhancements to achieve biodiversity net gain. This approach can also be used by development with limited opportunities for biodiversity net gain on-site.

The Policy outlines that the Council may prepare and adopt a Supplementary Planning Document (SPD) for Biodiversity Net Gain. Due to the need to ensure net gain is delivered in a suitably

strategic way, and having regard to the timescales of the legislative requirement for net gain and further national guidance, Natural England would support the development of such an SPD and would encourage Policy NE2 to outline this as a clear intention of the Council, in order to provide further guidance and support to aid sustainable development across the borough. Natural England will be happy to advise further to aid the development of such an SPD.

- *Calculating net gain*

Please note that Biodiversity Metric 3.0 is due to be published early 2021, which will supersede Biodiversity Metric 2.0. We advise that the Policy is updated accordingly and that this metric is used to measure gains and losses to biodiversity resulting from development, and implement development plan policies on biodiversity net gain.

Please note that although the Policy includes 'nesting and roosting features' as suggestions for achieving net gain, it is our advice that features such as bird and bat boxes, swift bricks, bee hotels etc should be classed as general biodiversity enhancements that should be included as part of a wider biodiversity enhancement and mitigation plan. Net gain specifically should derive strictly from habitat enhancement and creation, required as calculated using the metric.

- *Wider environmental gains*

The reference to seeking wider environmental gains, for example to address water/air quality, flooding, climate change etc. is welcomed. Opportunities for environmental gains, including nature based solutions to help adapt to climate chance, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g. by sowing wild flower strips, changing cutting regime of open spaces and road verges*) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g. a hedgerow or stone wall or clearing away an eyesore)
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats

*Please see this paper regarding cost-effective and low-maintenance management for species-rich grassland on road verges and the value it can contribute to biodiversity and ecosystem services.

Please note that Natural England and Defra are developing an Environmental Net Gain/metric for Natural Capital Net Gain that can be used in conjunction with the Biodiversity Metric (but not instead of). Further information will be available in 2021.

- *Monitoring of net gain*

Your plan should include requirements to monitor biodiversity net gain. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

LPAs should work with local partners, including the Local Environmental Record Centre and wildlife trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations and providing as much up front information on monitoring will help to streamline the project stage.

Policy NE3: Recreational Disturbance on the Solent Special Protection Areas (SPAs)

Natural England welcome this policy that will require new residential development to address in-combination effects on the Solent SPAs via recreational disturbance. It is recommended the Policy also outlines that other types of development (such as new hotels, student accommodation, care homes etc.) may also need to address recreational disturbance impacts, both alone and in-combination. Such development should be assessed on a case by case basis.

Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
Natural England welcome this policy that will require new development that propose a net increase in overnight accommodation to address in-combination effects on the Solent designated sites via eutrophication from nutrients in wastewater.

Policy NE5: Solent Wader and Brent Goose Sites
Natural England welcome this policy that will require development to address effects on sites identified by the Solent Wader and Brent Goose Strategy (SWBGS) which serve as functionally linked land to the Solent SPAs.

It is recommended that the following wording within the Policy "*Sites which are used by Solent Waders and/or Brent Geese (as shown on the Policies map)*" is amended to read "*Sites which are used by Solent Waders and/or Brent Geese (as identified within the most up to date version of the Solent Wader and Brent Goose Strategy)*" to take account of any changes to sites and their distribution across the Borough, as these updates can be implemented at irregular times. Any further references to the Policies map should be similarly amended to refer to the SWBGS mapping.

Core Areas – due to their essential function within the SWBG network, it is advised these sites are identified for protection by the Policy. Any development that would result in impacts to a Core Area will need to be carefully assessed on a case-by-case basis. There are limited options where the function of a Core site can be fully replicated elsewhere in terms of its suitability and appropriate locality; where such land is available, an assessment of replicability will need to be undertaken through discussions with Natural England and the Local Planning Authority.

Financial contributions – it is welcomed that the Policy outlines that financial contributions proposed as mitigation will be used for the management and enhancement of an 'agreed suitable identified site for Solent Waders and Brent Geese'. Such proposals should demonstrate how such funds will be used to enhance, manage and monitor sites within the wider Solent Waders and Brent Geese network, in perpetuity. It is suggested that the Council works with relevant partners/stakeholders, including cross-boundary partnerships, to develop a strategic project(s), such as a bird reserve, and/or list of projects to enhance, manage and monitor the wider Solent wader and brent goose ecological network, to which contributions can be directed.

Policy NE6: Trees, Woodland and Hedgerows
Natural England welcomes this Policy that seeks to protect and enhance trees, woodland and hedgerows within the Borough. It is recommended that this Policy requires development proposals that affect ancient woodland, ancient trees and veteran trees, to ensure they are in line with standing advice published by Natural England and the Forestry Commission.

Policy NE8: Air Quality
It is welcomed that the Policy recognises that 'poor levels of air quality can also lead to environmental issues'. The Policy includes a need for planning applications to consider if they will have a 'potential adverse effect on biodiversity, especially where it would affect sites designated for their biodiversity value'.

The Policy outlines that the Local Plan HRA concludes the Plan 'would not have a likely significant effect on the internationally important habitats and species present in the area'. As this issue has

been considered within the HRA appropriate assessment, the wording here should be amended to use the correct terminology under the Habitats Regulations, i.e. the HRA concludes the Plan will not result in an 'adverse effect on integrity' (the term 'likely significant effect' is used at the screening stage of the HRA). See further comments on air quality below in regards to the Local Plan HRA.

Policy NE9: Green Infrastructure
Natural England welcomes this Policy that seeks to fully integrate green infrastructure (GI) into development and maximise opportunities to connect to the wider environment. The provision of enhanced green infrastructure and sites of nature conservation value can not only help address some of the mental and physical health problems that are experienced in the Borough's population, but can also benefit society in other ways including improvements to local air and water quality, reducing the risk of flooding, alleviating noise levels and aiding climate change adaptation.

Policy NE10: Protection and Provision of Open Space
This Policy references protection of public rights of way. Natural England advises that the Policy should also seek to secure enhancement of public rights of way and National Trails, as outlined in paragraph 98 of the NPPF. Recognition should be given to the value of rights of way and access to the natural environment in relation to health and wellbeing and links to the wider green infrastructure network. It is welcomed the plan seeks new access opportunities; it should seek to link existing rights of way where possible. The plan should avoid building on open space of public value as outlined in paragraph 97 of the NPPF.

It is welcomed that the Policy makes provision for appropriate quantity and quality of green space to meet identified local needs (as outlined in paragraph 96 of the NPPF) based on Natural England's work on Accessible Natural Greenspace Standard (ANGSt) in assessing the level of accessible natural greenspace; it is also welcomed that it recognises development may be required to 'provide more open space above what is required by the standards to make the development more acceptable'.

Policy D1: High Quality Design and Place Making
Natural England welcomes this Policy that requires the design of developments to integrate existing and new habitats and biodiversity within a coherent and well managed, connected structure. It is advised that landscaping of developments and open spaces seeks to use appropriate native and locally sourced species as far as possible to cater for local wildlife.

Policy D4: Water Quality and Resources
Natural England welcome this policy that seeks to conserve water and improve its quality.

Southern Water's Water Resources Management Plan (WRMP) 2019, that covers the planning period 2020-2070, projects a significant supply demand deficit during periods of drought in the Western Area, and commits to implementing a long term water resources scheme to restore the supply demand balance whilst avoiding and/or mitigating impacts on European sites, including the River Itchen SAC.

It is Natural England's advice that in advance of any permitting of such a suitable long term scheme, uncertainty remains with regards to water resources and the impacts of abstraction on protected sites.

Although it is welcomed that Policy D4 requires a water consumption for new dwellings of no more than 110 litres per person per day, Natural England strongly recommend all new development within the Southern Water supply area adopt a higher standard of water efficiency of 100 litres/per person/day, including external water use and re-use, in line with Southern Water's Target 100 demand reduction programme which is committed to within their WRMP19. Natural England also recommends that the Policy encourages the wise use of water in conjunction with the water companies, for example by developments incorporating grey water recycling systems and efficient appliances

Please see Natural England advice above in relation to Policies NE4 and Policy CC2 with regards to nutrients and surface water treatment via SuDS.

Neighbourhood Plans
Currently there are no Neighbourhood Plans in the Borough, but the Local Plan provides a 'strategic evidence base' which will inform any future Neighbourhood Plans.

It is recommended that any future Neighbourhood Plans which allocate housing should also identify spaces for environmental enhancement, for the purpose of offsetting environmental impacts, e.g. through the designation of Local Green Spaces. Such a local approach could give communities more ownership over such green spaces and provide a more strategic route to addressing common environmental impacts from development in that area, such as air and water pollution, habitat and species loss and increased carbon emissions, and could deliver biodiversity net gain and nutrient offsetting.

Such spaces could include the development of community orchards and play areas, woodlands and nature reserves, and serve a variety of functions that benefit both nature and the local community, for example providing benefits to health and wellbeing, offsetting nutrient discharges from allocated development and providing further scope for carbon sequestration.

Specific comments on Housing Allocation Policies

- HA9 - Heath Road (70 dwellings)

It is acknowledged this allocation site has resolution to grant permission for 70 dwellings. It is recommended this Policy includes the requirement to secure an appropriate level of offsite compensation to address the loss of secondary woodland on site which may in parts qualify as lowland mixed deciduous woodland habitat.

- HA29 - Land East of Church Road (20 dwellings)

Much of this site shows as Lowland Mixed Deciduous Woodland priority habitat on the Ecological Network mapping for Hampshire. Part of the site is designated as a Site of Importance for Nature Conservation (SINC) according to the Policy map. The Policy outlines a requirement for ecological mitigation for the site-specific construction and operational impacts of a development proposal. It is advised the Policy outlines a requirement to secure an appropriate level of offsite compensation to address any loss of priority habitat on site to ensure compliance with Policy NE1.

- HA31 - Hammond Industrial Estate (64 bed care home)

The Policy should ensure the impact of nutrients in wastewater is addressed to ensure compliance with Policy NE4.

- HA37 - Former Locks Heath Filling Station (30 dwellings)

This site is adjacent to an area of Lowland Mixed Deciduous Woodland priority habitat as shown on the Ecological Network mapping. The Policy should ensure that impacts on priority habitats and protected species are taken into account and appropriately addressed.

- HA38 – 68 Titchfield Park Road (9 dwellings)

The site is adjacent to Sylvan Glade SINC, much of which is ancient semi-natural woodland. The Policy should ensure compliance with standing advice on ancient woodland, ancient trees and veteran trees and that impacts on the SINC and protected species are appropriately addressed.

- HA42 - Land South of Cams Alders (60 sheltered housing)

This allocation site is located on 'Fort Fareham Grassland' SINC that supports woodland and meadow communities. It also lies adjacent to Fort Fareham SINC known for supporting wet woodland communities.

As previously advised in our response to the Supplement to the Reg 18 Local Plan (letter dated 23rd April 2020), allocations and development proposals should ensure they engage the mitigation

hierarchy, where impacts on designated ecological sites/features should first be avoided, and where not possible, adequately mitigated. Where this is not possible, any loss of priority habitat should be appropriately compensated. All residual ecological impacts will need to be addressed before any net gain for biodiversity can be achieved.

Natural England recommends that where loss of SINC habitat cannot be avoided, the policy should make clear how requirements set out within the NPPF, NERC Act 2006 and Local Plan Natural Environment policies will be met. It is advised an appropriate level of offsite compensation should be required to address any loss of priority habitat on site to ensure compliance with Policy NE1 .

- E4: Solent 2 (Employment - 23,500 sq. metres)

This employment allocation is located on Whiteley Meadow - Plot 2184 SINC and Ashley Wood, Fareham SINC. The Hampshire Ecological Network Mapping dataset shows much of this area as Lowland Mixed Deciduous Woodland, a priority habitat listed as required under Section 41 of the Natural Environmental and Rural Communities Act 2006. The site is also situated adjacent to the Gull Coppice (South-West Remnant) SINC which comprises ancient semi-natural woodland.

It is acknowledged that this site is an existing allocation within the adopted Fareham Local Plan Part 2 (2015).The current Policy outlines a requirement for this development to protect existing woodland and avoid habitat severance, and appropriate mitigation and compensation for any loss of protected trees. However, it is our view that a significant area of habitat, including mature woodland, is likely to be lost as a result of development. The Policy should ensure that it is compliant with Strategic Policy NE1 with regards to impacts on the local ecological network in this locality. In line with existing national and local policy and legislation, it is Natural England's advice that the mitigation hierarchy of avoid, mitigate and lastly compensate is employed where considering impacts on these habitats, particularly those designated as SINC. Measures should be sought to protect and enhance the local ecological network. Where impacts cannot be avoided or adequately mitigated, a comprehensive compensation package should be required that addresses the loss of all priority habitat on site (rather than just specifying protected trees), that seeks to enhance and connect habitat in the locality.

Comments on the HRA

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the Local Plan in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

We have the following comments on the HRA:

- *Recreational disturbance – New Forest designated sites*

The Local Plan HRA screening assessment outlines that although the Borough falls within the 25km buffer of the New Forest designated sites (via a straight line), the minimum actual travel distance by car is of approximately 30km travel distance (via the M27). In comparison to the number of visits from residents closer to the New Forest, the assessment states 'visits to the New Forest SAC/SPA/Ramsar associated with increased housing development in Fareham Borough contribute a significantly lower proportion of overall visits to the designated sites and it is not considered likely that significant effects associated with recreational disturbance from Fareham housing development would arise'. The HRA screens this impact pathway out from an appropriate assessment on this basis.

It is understood Footprint Ecology are currently conducting further analysis on several aspects of their latest visitor surveys. This analysis will assist the definition of a robust catchment area for recreational impacts. It will help in the preparation of a strategic, cross-boundary approach with neighbouring competent authorities to deliver habitat mitigation for the New Forest SPA/SAC/Ramsar. This work is due to be completed shortly and will provide a useful update to the evidence base against which such impacts from new development from surrounding local authority areas can be assessed.

Therefore, whilst acknowledging that the level of additional impacts from new residents is known to significantly decrease with distance from the New Forest designated sites, Natural England consider at this time there remains some uncertainty with regard to the evidence confirming the level of additional impacts from new residents of Fareham local plan development. We therefore advise this issue is taken forward to the appropriate assessment stage where further work may be carried out to ascertain the level of impacts as accurately as possible.

Where impacts are identified, suitable and proportionate mitigation should be proposed; we recommend the Council works with the New Forest National Park Authority and the other partner authorities to develop a strategic approach to addressing recreational impacts from new development on the New Forest designated sites. Such an approach should include developer contributions towards the New Forest National Park Authority's Habitat Mitigation Scheme to enable the authority to deliver site specific mitigation measures on behalf of applicants.

Natural England will be happy to provide further advice to the Council on this aspect as the evidence base develops.

- *Air quality*

The Local Plan is supported by an Air Quality Habitats Regulations Assessment (Ricardo, Sept 2020). The conclusions drawn in the Local Plan HRA in regards to air quality impacts are based on those drawn within the Ricardo report. Natural England concurs with the conclusions drawn in the report.

The Ricardo report suggests that the Council regularly reviews the Defra airborne NOx forecast levels. This is welcomed as a way to ensure any changes in forecasting and potential consequential changes to conclusions drawn in the report for this pollutant can be appropriately reviewed and addressed during the local plan period.

- *Water quality – nutrients*

The HRA calculates a nitrogen budget for the local plan of 2536.99 kgTN/yr. Appendix III of the HRA outlines various mitigation schemes that can be utilised or progressed as a means to ensure nutrient neutrality can be delivered by new development.

The HRA states within its Summary of Findings that the sites Chichester and Langstone Harbours SPA/Ramsar, Portsmouth Harbour SPA/Ramsar and Solent and Dorset Coast SPA are screened out of an appropriate assessment in relation to water pollution impacts. Much of development within Fareham borough is served by Peel Common wastewater treatment works (WwTW), which is a coastal WwTW that discharges effluent several kilometres out into the Solent. It is our advice that long-shore outfall pipes are likely to have shifted and widened the distribution of nitrogen loading within the effluent across the Solent SAC and SPAs. It is important to recognise the loading from Peel Common WwTW contributes to a number of estuaries and catchments within the Solent (including Portsmouth Harbour, Langstone Harbour, Chichester Harbour, River Meon, Wootton Creek and the Medina Estuary catchments). It is therefore Natural England's view that, because of this wide distribution of nitrogen loading, all designated sites should be screened in.

- *Other comments on the HRA*

Section 7.7.3 – this paragraph refers to the 'SAC' although it is relating to Portsmouth Harbour SPA and Ramsar.

Comments on the SA

We are broadly satisfied that the objectives and indicators within the Sustainability Appraisal cover our key interests, and welcome the identification of the need to conserve and enhance biodiversity, landscape character, and to reduce pollution. We also welcome the need to address minimise the

effects of climate change, and to minimise impacts on best and most versatile agricultural land. Please see some more specific comments below.

- SA5: To Minimise Carbon Emissions and Promote Adaptation to Climate Change

This SA objective to address the effects of climate change is welcomed. It is suggested a further monitoring parameter(s) is included to monitor the implementation of new GI/habitat that can seek to alleviate the pressures of climate change on species and the ecological network whilst also providing other benefits as described further in our advice above; e.g. percentage of new GI/ extent of priority habitat within the ecological network.

- SA7: To Conserve and Enhance Biodiversity

We advise that this SA objective also seeks to conserve and enhance geodiversity within the Borough, in line with national planning policy.

The SA outlines the Plan 'is predicted to lead to negative impacts to ecological receptors in the short to medium term, but many of these impacts are capable of being mitigated. Long-term effects are likely to be both positive and negative, and highly site-specific'. It is acknowledged these effects can be avoided/mitigated by the implementation of several policies including NE1, NE3, NE4 and NE5. It is advised Local Plan Policy requires relevant development to carry out site-level Habitats Regulations Assessments in order to ensure impacts on European sites are suitably addressed.

It is also suggested that further monitoring parameters are incorporated to ensure impacts on internationally, nationally and locally designated sites are monitored throughout the Plan period, e.g. via the number, extent and condition of sites designated for nature conservation. We would advise the use of a green infrastructure standard as an indicator, such as Natural England's Accessible Natural Greenspace Standard (ANGSt). Parameters for measuring the implementation of net gain should be introduced, see further above for our advice on net gain monitoring.

We would be very happy to comment further as the plan process progresses. If you have any queries relating to the detail in this letter please contact me on [redacted]

Yours faithfully

Rebecca Aziz
Sustainable Development Senior Advisor
Thames Solent Area Team

December 2020 | JG | P20-3154

FAREHAM LOCAL PLAN 2037 REPRESENTATIONS

FORMER POLICY HA2 HOUSING ALLOCATION - LAND AT NEWGATE LANE SOUTH, FAREHAM

ON BEHALF OF
THE HAMMOND FAMILY, MILLER HOMES AND BARGATE HOMES

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

Prepared by: Jeremy Gardiner & Trevor Moody

Pegasus Group

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DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE

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Accompanying Supporting Specialist Representations
(referred to in these representations):

Pegasus Group – Preliminary Landscape and Visual Appraisal

i-Transport – Transport Delivery Technical Note

WYG (part of Tetra Tech) – Ecology Technical Note

1.0 Introduction

1.1 The following representations are by Pegasus Group on behalf of our clients The Hammond Family, Miller Homes and Bargate Homes. Our clients have interests in land at Newgate Lane South, Fareham which was previously proposed to be allocated for about 475 dwellings in the Regulation 18 version of this plan. For the reasons set out in these representations, our clients are strongly of the view that this allocation should be reinstated in the local plan.

1.2 Our clients are important stakeholders within Fareham and are keen to work with the Council to produce a plan which is legally compliant and meets the tests of soundness set out within the National Planning Policy Framework (NPPF). Currently the plan is neither legally compliant nor sound.

1.3 The following representations utilise the same format as the Council's response form. Each area of the Publication Local Plan (PLP) which is deemed to be either not legally compliant or unsound is clearly outlined below. Proposed changes to the plan in relation to policies, supporting text and the proposals map are provided.

	Agent	**Client**
Title	Mr	The Hammond Family, Miller Homes and Bargate Homes c/o Agent
First Name	Jeremy	
Last Name	Gardiner	
Job Title	Senior Director	
Organisation	Pegasus Group	
Address	[redacted]	
Postcode		
Telephone		
Email		

2.0 Plan Overall

B1 Which part of the Local Plan is this representation about?

2.1 The following comments relate to the overall Local Plan.

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan:

2.2 Paragraphs 1.5 - 1.6, 1.14, 1.17,1.37, 2.12, 3.19 - 3.22, 3.43, 3.46, 3.49 – 3.57, 4.1 - 4.20, Appendices B and C.

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan

2.3 Policies H1, HP4, HP5, HP7, DS1, DS2, DS3, E2, E3, NE5, D1.

B1c Which part of the Policies Map

2.4 Former Policy HA2 allocation site Newgate Lane South, Employment allocations Policies E2 and E3.

B2 Do you think the Publication Local Plan is:

Legally compliant - No

Sound - No

Complies with the duty to co-operate - No

2.5 The Fareham Local Plan is not legally compliant and is unsound as it is not consistent with national policy, effective or justified.

B3 Please provide details you have to support your answers above.

B3.1 The Publication Local Plan is not Legally Compliant

2.6 The Publication Local Plan (PLP) has based its housing proposals on the annual housing target derived from the Government's draft Revised Standard Methodology published in August 2020 in its consultation "Planning for the Future". The Government's response to this consultation was published on 16th December 2020.

The Government does not propose to proceed with the changes to assessing local housing need consulted on earlier this year in "Changes to the Current Planning System"; but instead has published a revised approach to the Standard Method, which retains the method in its previous and current form except for London and 19 of the most populated cites and urban centres.

2.7 The key change is to apply a 35% uplift to the Standard Method for Greater London and the 19 most populated cities and urban areas in England – Birmingham, Liverpool, Bristol, Manchester, Sheffield, Leeds, Leicester, Coventry, Bradford, Nottingham, Kingston upon Hull, Newcastle upon Tyne, Stoke on Trent, Southampton, Plymouth, Derby, Reading, Wolverhampton and Brighton and Hove. The minimum housing requirement for Fareham calculated using the amended standard method therefore remains 514hpa.

2.8 The Government's White Paper, "Changes to the Current Planning System" (published in August 2020 alongside the "Planning for the Future" consultation) provided guidance to local planning authorities which were at or close to the Regulation 19 stage of plan-making at paragraph 43:

2.9 *"Transition*

43.The Government is aware that any change in the standard method will have an impact for plans that are currently under development, as authorities expend considerable resources in developing new plans. To enable an orderly transition to the revised standard method, and achieve as much short-term supply as possible while setting the right expectations for early stage plan-making, we propose that from the publication date of the revised guidance, authorities which are already at the second stage of the strategic plan consultation process (Regulation 19) are given 6 months to submit their plan to the Planning Inspectorate for examination. Authorities close to publishing their second stage consultation (Regulation 19), should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan and a further 6 months to submit their plan to the Planning Inspectorate. This is to strike a balance between allowing an appropriate transition period for plans that are nearly through the process, but without causing a significant delay in planning for a higher level of need." (our underlining)

2.10 This transitional arrangement applied to Fareham at the time, such that the previous Standard Method (514hpa) continued to apply for plan-making purposes

in the borough in any event, but the Council chose not to follow this national guidance.

2.11 The National Planning Policy Framework (NPPF) states (paragraph 16 a)) that Plans should "be prepared with the objective of contributing to the achievement of sustainable development". Footnote 10 confirms that this is a legal requirement of local planning authorities in exercising their plan-making functions. Meeting the objectives of sustainable development includes "…meeting the needs of the present…". By preparing a Plan based on the Consultation draft Standard Methodology target of 403 dwellings per annum, the local planning authority is failing to meet its local objectively assessed need for housing, thereby failing to plan to deliver sustainable development.

2.12 The PPG (ID 2a-003-20190220) is clear that the standard method should be used and any other method should only be used in exceptional circumstances. It further explains that:

2.13 *"…Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination."* (PPG ID 2a-015-20190220).

2.14 As discussed above the extant standard method identifies a requirement of 514hpa. The NPPF (paragraph 60) identifies that the current Standard Method provides a minimum requirement. To depart and provide a figure lower than the current Standard Method requires exceptional circumstances and must be justified by clear and robust evidence. This is absent from the Council's evidence base and as such is an unsound approach.

2.15 The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa) – a requirement confirmed by the Government's announcement of 16th December, 2020. As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the Consultation revised Standard Methodology figure of 403 hpa was procedurally flawed, lacking in evidential basis, premature and misleading.

2.16 The NPPF (paragraph 33) also states that plans should be reviewed every 5 years and updated as necessary. The Inspector's Report on the Examination into the Fareham Local Plan Part 2 (dated 12th May 2015) included modifications which were all proposed by the Council. Its first Main Modification was "a commitment to an early review of the local plan (ie. LP1, LP2 and LP3)". This included a timetable for the local plan review between 2016 and 2018 which the Council has failed to adhere to, having previously expressed its commitment to the Inspector.

2.17 The Local Plan Part 3 is the Welborne Plan which was adopted in 2015.The total quantum of housing to be delivered at Welborne has reduced over the years, and the date for its commencement has repeatedly slipped back. The development is currently running about 5 years late. Recently, serious doubts have been expressed over whether it is deliverable at all given the reported funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10. The development is certainly not currently "deliverable" in NPPF terms. Nonetheless, the PLP relies heavily on the delivery of homes at Welborne as by far the most important source of its housing supply - 4,020 homes (just over 48%) out of a total suggested supply of 8,389 homes are timetabled to be completed at Welborne by 2037, and completions are included in the Council's trajectory for the first five years of the plan. Given the heavy reliance placed on a development which, at best, appears to be at serious risk of continuing to be significantly delayed, the Welborne Plan should be reviewed as a matter of urgency.

2.18 Given the importance of the Welborne Plan to housing delivery this is considered an issue of both soundness and legal non-compliance.

B3.2 The Publication Local Plan is not Sound

2.19 Paragraphs 1.5 – 1.6 of the PLP set out the "Tests of Soundness" which require that the Plan has been "positively prepared, justified, effective and consistent with national policy". The PLB fails to meet the Tests of Soundness for the following reasons:

1. It has not been "positively prepared":

2.20 The Plan does not seek to, as a minimum, meet the area's objectively assessed need. Given that the Core Strategy was adopted on 4th August, 2011, it is significantly out of date such that (as advised by paragraph 73 and footnote 32 of

the NPPF) local housing need should be calculated using the current Standard Methodology. On this basis the local housing need target is 514 homes per annum (hpa) plus the appropriate buffer (5% or 20%). Instead, the PLP plans for 403 hpa, thereby failing to plan for the area's objectively assessed need, and failing to contribute to the achievement of sustainable development.

2.21 The lower housing requirement has also not been the subject of sustainability appraisal (SA). Whilst the SA re-assesses sites based upon a lower housing requirement it fails to consider the implications of a lower housing requirement, compared to the current standard method, upon the delivery of the SA objectives. Even if the lower requirement were justified by national policy, which it is not, the retention of the housing requirement at the level previously consulted upon would be a reasonable alternative.

2.22 The Council published an Affordable Housing Strategy in 2019. On page 14 of the Affordable Housing Strategy, it is suggested that there is a need for 3,500 affordable homes to 2036, or circa 220 per annum. This is based on the existing need for 3,000 affordable homes and an allowance of 500 homes to provide for new households and those falling into need. Given that an average of only 76 affordable homes have been built per annum in Fareham Borough since 2011, there is a significant need to boost the supply of additional affordable housing to address needs. Indeed, the delivery of affordable housing needs to almost treble. The provision of affordable housing to address this need is a significant matter.

2.23 It is also unclear whether the PLP has planned to adequately accommodate unmet need from other authorities. The PPG (ID 2a-010-20190220) identifies that meeting unmet needs from neighbouring authorities as set out in a Statement of Common Ground is one reason why local housing need calculated using the current standard should be exceeded. Contrary to the advice within the PPG (ID 2a-010-20190220) there are currently no Statements of Common Ground identifying if the figure of 847 dwellings is adequate or accepted by other authorities. Rather the Council speculates that this contribution would be "ratified" by a subsequent Partnership for South Hampshire Statement of Common Ground (Duty to Co-operate Statement of Compliance, paragraph 4.5). There is, however, no evidence to support this speculation. Indeed, the only evidence presented confirms a request for Fareham to accommodate 1,000 dwellings from a single neighbouring authority. The PLP has been prepared in advance of the publication of Statements of Common Ground –

as such it's preparation is premature.

2.24 At paragraph 4.4 of the PLP it is stated that unmet need in the sub-region over the plan period could be "circa 10,750 dwellings". At paragraph 4.5, Fareham's "immediate neighbours" are considered, and it is confirmed that Portsmouth City Council has requested that Fareham contributes 1,000 dwellings towards its unmet need, and that Gosport is "likely to have an unmet need issue, currently estimated to be in the region of 2,500 dwellings…". The Council's 'Duty to Co-operate Statement of Compliance' identifies at paragraph 4.6 that instead of responding to the request from Portsmouth the Council is proposing to: "…take the approach that the issue of unmet need is not dealt with as specific to any authority, but as a general contribution." It is not clear how this "general contribution" has been calculated but it appears inadequate. Gosport Borough lies between Portsmouth and Fareham. It is clear that Portsmouth cannot accommodate any of Gosport's unmet need so the obvious place to accommodate it is in Fareham Borough, and Fareham East forms part of the Portsmouth Housing Market Area. Therefore, if Fareham plans to deliver the unmet needs of Portsmouth and Gosport, its contribution would be 3,500 homes. However, the PLP (Table 4.1) proposes a contribution of just 847 dwellings to wider unmet need. This figure should be reviewed.

2.25 In relation to unmet need, it should also be remembered that Welborne (previously known as the North of Fareham SDA) was originally conceived by PUSH (now PfSH) as one of two SDAs which were promoted to meet the sub-regional needs of south Hampshire and brought forward in the "South East Plan". The Inspector's Report on the Examination into the Fareham LDF Core Strategy (dated 20th July, 2011) identified five Main Issues, Main Issue 1 being:

"*7. The North of Fareham SDA represents the most significant and controversial element of the Core Strategy. ….While the principle of the SDA"s development is contained in the regional strategy – policy SH2 of the South East Plan (SEP) – the justification for the proposal derives from evidence prepared by South Hampshire local authorities (the Partnership for Urban South Hampshire [PUSH]) during the SEP"s preparation….The advantages of SDAs are seen as threefold: safeguarding existing towns and villages by reducing coalescence; providing more opportunities for planning gain; and achieving a critical mass to deliver sustainability benefits.*

The development now proposed is one of two SDAs proposed by PUSH and brought forward into the SEP. Both are aimed at meeting sub-regional housing needs and, as such, their housing totals are separated from the housing requirement for the remainder of the Boroughs concerned in the sub-regional strategy and SEP." (our underlining)

2.26 However, the Council is now treating Welborne as a source of housing supply for Fareham Borough only, disregarding its planned sub-regional role. This compounds the lack of positive preparation of the PLP and starkly contrasts the Council's current approach to the delivery of housing to meet sub-regional needs with its approach of a decade ago.

2. It is not Justified:

2.27 The PLP's strategy for housing delivery is not appropriate, because it is based on a need figure derived from the draft revised Standard Methodology which was still the subject of public consultation at the time that the Plan was prepared. The Government's response to the consultation is awaited. The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa). As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa is procedurally flawed, lacking in evidential basis, premature and potentially misleading.

3. It is not Effective:

2.28 Fareham has decided to deliberately plan to not meet its local objectively assessed housing need, so fundamentally the plan will not be effective. This, coupled with its apparent failure to plan to contribute appropriately to the unmet housing need of the sub-region, indicates a failure to work effectively with its neighbouring authorities on cross-boundary strategic planning for housing delivery and a failure "to support the Government's objective of significantly boosting the supply of homes" (NPPF, paragraph 59). Rather, the PLP proposes to restrict the supply of homes in the plan period in a way which will exacerbate the local housing crisis.

4. It is not Consistent with National Policy:

2.29 The PLP is not consistent with the NPPF because:

- It will not contribute to the achievement of sustainable development by not, as a minimum, planning to meet its local objectively assessed housing need;
- It is not planning to adequately meet the unmet housing needs of neighbouring authorities in the sub-region;
- It has not based its housing proposals on the current Standard Methodology annual housing need figure of 514 hpa;
- Its strategy lacks a robust evidential justification;
- It's proposed housing land supply includes a majority of housing from sites which are not "deliverable" as defined by the NPPF

B3.3 The Publication Local Plan does not Comply with the Duty to Co-operate

2.30 As stated at B3.1 above, it is unclear whether the PLP has planned to adequately accommodate unmet need from other authorities.

2.31 Against a sub-regional unmet need figure of "circa 10,750 dwellings", and in the context of both neighbouring authorities of Portsmouth City Council and Gosport Borough Council having "unmet need issue(s)", and Havant Borough Council being expressly unable to accommodate any unmet need, the PLP (Table 4.1) proposes a contribution of 847 dwellings to wider unmet need. It is not clear how this has been calculated and it appears inadequate.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

1. Plan to meet, as a minimum, the area's objectively assessed housing need. The current Standard Methodology annual housing need figure is currently 514 hpa.
2. Provide Statements of Common Ground in relation to unmet need from neighbouring and PfSH authorities. Any agreements will need to be included as additional housing to the minimum 514hpa.
3. In any event, plan for a level of housing which contributes to the

achievement of sustainable development.

4. Treat this plan as an interim plan and reaffirm the Council's commitment to undertake an urgent a review of the Welborne Plan for incorporation into a consolidated early review of this plan.

5. The Council has not undertaken SA of all reasonable alternative housing requirements;

6. The Council has not planned to meet current housing needs, opting instead to phase its housing supply in a way which will exacerbate the current significant under-supply problems;

2.32 Consequential to the above, the Council must allocate additional sites for housing in this interim plan (ahead of the urgent review of the Welborne Plan) to meet its confirmed housing target of 514 hpa, including reinstating the allocation of the former Policy HA2 site, Newgate Lane South.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

2.33 The role of plan-making in contributing to the achievement of sustainable development is a legal requirement (Section 39(2) of the Planning and Compulsory Purchase Act 2004).

2.34 Revisions to the plan so that it plans, as a minimum, to meet the local objectively assessed need for housing, meet affordable housing need and adequately contribute to meeting unmet need would assist the PLP to meet the Tests of Soundness.

3.0 Specific Proposed Changes

B4c Suggested revised wording of any policy or text:

Policy H1: Housing provision

3.1 Completely revise the proposed housing target on the basis of the confirmed Standard Methodology figure for the Borough of a minimum of 514 hpa plus an appropriate contribution to meeting sub-regional unmet needs.

3.2 Ensure that the revised housing target includes the delivery of a minimum of 220 affordable homes per annum.

3.3 Plan to deliver the revised housing target including a five year supply of deliverable sites. In this regard, Welborne (the supply of housing from which is relied on heavily by the PLP) cannot currently be regarded as "deliverable" as defined in the NPPF.

3.4 Consequential updates to paragraphs 4.1 – 4.20 including Tables 4.1, 4.2, 4.3.

3.5 Consequential revisions to the list of Housing Allocation Policies under paragraph 4.20 to include allocations sufficient to deliver the revised housing and affordable housing targets, including the re-instatement of HA2 Newgate Lane South for about 500 dwellings.

3.6 Policy H1 also seeks to identify a 'phased' requirement. The overall supply is described as at least 8,389 dwellings - this is just 165 dwellings greater than the requirement when the correct local housing need standard method is applied. Given the need to provide for unmet needs from neighbouring authorities this is clearly insufficient and as such further allocations are required.

3.7 Policy H1 seeks to 'phase' this supply identifying the following:

- Approximately 2,250 dwellings (averaging 450 dwellings per annum) between 2021/22 and 2025/2613,
- Approximately 2,400 dwellings (averaging 480 dwellings per annum) between 2026/27 and 2030/31,

- Approximately 3,750 dwellings (averaging 625 dwellings per annum) between 2031/32 and 2036/2037.

3.8 This phasing clearly will not meet the overall plan requirement. The rationale for this phasing is due to an anticipation that many of the housing allocations will begin to deliver later in the plan period. This is simply a factor of the sites chosen rather than an evidence-based approach to need. The net effect is that in the early part of the plan period the full need will not be met, exacerbating the current significant housing land supply shortfall in the Borough. This will mean households will either be unable to form or will be forced to move elsewhere to find appropriate accommodation. This not only has an impact upon affordability through increased demand but also has implications for social mobility and health for young and old alike.

3.9 The lack of housing to meet needs in the short-term is exacerbated by recent under-delivery of both market and affordable housing. The Council recognises it has under-delivered in recent years due to the reference to the need for a 20% buffer in accordance with NPPF, paragraph 73 (paragraph 4.16, PLP).

3.10 The housing requirement in the PLP should not be phased to manufacture a five-year housing land supply in the short-term. The plan should seek to address housing need now - to do otherwise is not justified or effective.

3.11 The second part of Policy H1 identifies the sources of supply. Whilst our clients do not wish to comment upon individual sites, we do have significant concerns that the sources of supply will not deliver the plan period housing requirement in full. The PLP, paragraph 4.16, acknowledges that many of the chosen sites will not deliver until later in the plan period therefore any slippage in timescale could well push delivery beyond the plan period. Furthermore, the Council is heavily reliant upon delivery at Welborne. Within our comments upon the Plan overall we identify the need for delivery from this site to be reviewed and indeed question whether it is deliverable at all given the funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10.

3.12 Furthermore, the Council cannot currently demonstrate a five-year housing land supply. The Council's most recent assessment of its five-year housing land supply suggests a 4.03-year supply. This assessment appears optimistic given recent

appeal decisions which identify it is closer 2.4 years. Given these shortcomings it is essential that the PLP seeks to address this under-supply in the short-term.

Development Strategy

3.13 This section is substantially focussed on restricting development outside the existing settlement policy boundaries of urban areas. This marks a significant change in approach since the Regulation 18 version of this plan when the emphasis was on a strategy for locating development sustainably. This is in conflict with the NPPF, paragraph 11, which advises that "Plans and decisions should apply a presumption in favour of sustainable development" and that "For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their areas, and be sufficiently flexible to adapt to rapid change".

3.14 The highly restrictive strategic policy approach introduced into the PLP does not accord with this national guidance.

Policy DS1: Development in the Countryside

3.15 For housing development which is brought forward in the absence of a 5 year housing land supply, Policy HP4 applies. This will necessarily introduce new built form onto greenfield sites adjacent or well related to existing urban area boundaries. This will inevitably cause a change to the landscape character of the site and immediately adjacent land. Criteria ii) and iii) require proposals to "conserve and enhance landscapes" and "recognise the intrinsic character and beauty of the countryside". It is not clear which "landscapes" are being referred to – presumably this should be restricted to formally designated landscapes or defined "valued" landscapes because otherwise it could be applied to every area of countryside. It is also not clear how, for example, a housing development can "conserve and enhance" a landscape – relevant measures should be defined. Moreover, it is not clear how the extent to which a proposal has recognised "the intrinsic character of the beauty of the countryside" can be measured. After all, those attributes can be "recognised" but then disregarded. It is true that every area of countryside has a "character" but not that every area of countryside has "beauty".

3.16 Criterion v) should include an exception for development which is brought forward under Policy HP4, where the application of the "tilted balance" would allow the loss of BMVAL.

3.17 Paragraph 3.39 fails to explain how this policy works in relation to housing policies.

Policy DS2: Development in Strategic Gaps

3.18 Strategic Gap 2 "Fareham / Bridgemary and Stubbington / Lee-on-the-Solent" should be redefined to exclude all land to the east of Newgate Lane, between Newgate Lane and the urban settlement boundary of Bridgemary.

3.19 Paragraph 3.46 states:

".Further to the east, retaining the gap will help maintain the separation of Stubbington and Lee-on-the-Solent from Fareham and Bridgemary along with maintaining the separate identity of Peel Common." (our underlining)

3.20 Peel Common is not an urban settlement with a separate identity which merits protection. It has resulted from an evolution of wayside development into ribbon development and even now is, in landscape terms, non-descript as a settlement. The purpose of the gap should be to maintain the separation of Stubbington from Fareham and Lee-on-the-Solent; and the separation of Lee-on-the-Solent from Rowner.

3.21 Paragraph 3.43 refers to "The need to respect settlement boundaries and protect the identity of our key settlements". Peel Common is not a key settlement and it does not have a settlement boundary. The deletion of housing allocation Policy HA2 Newgate Lane South from this version of the local plan has been accompanied by the extension of the Strategic Gap designation across the HA2 site to the settlement boundary of Bridgemary on the Proposals Map. It is suspected that the reference to Peel Common having a "separate identity" in the supporting text has been inserted to attempt to justify the extension of the gap designation over land which has previously been assessed as being suitable for development.

3.22 Paragraph 3.46 states that *"Although no boundary changes are proposed at this time, evidence has shown (that the) boundary of this strategic gap could be redrawn whilst retaining its important function of preventing settlement coalescence.".* This is a key failure of the process at this stage. The Council has a quite recent landscape character assessment as part of the evidence base (2017) and a very recent gap study. There are also two strategic road schemes (one complete, one in construction) that affect the landscape character of this gap. This is surely the time for the Council to redraw the boundaries of this strategic gap and strategically plan for growth.

3.23 In this regard, these representations are accompanied by a Preliminary Landscape and Visual Appraisal prepared by Pegasus Group of the former Policy HA2 site, Newgate Lane South. The Summary and Conclusions of this Appraisal include the following:

"7.7. In summary the site sits within a variable pocket of landscape. In isolation the site comprises remnant agricultural enclosures however it cannot be separated from the extensive urbanising influences which surround and frame it, particularly in the context of the more recent severance of the agricultural land that has arisen from the route of the bypass (Newgate Lane East East)….

7.16. In terms of the Fareham and Stubbington strategic gap, the site (along with its local landscape context), is well placed to accommodate some form of development without undue consequences or impacts on the role and function of the Strategic Gap as a whole. This is on the basis that:

- *A substantial distance will be retained across the wider gap, between the site and Stubbington;*
- *In terms of visibility, the site is physically and visually well contained, placed as the area is within a strong framework of green infrastructure and the settlement edge – furthermore, the site (and potential development) will not be visible across the gap from Stubbington;*
- *The surrounding context and urbanising influences, including the residential areas of Peel Common, Bridgemary and Woodcot which reduce the degree of change as they provide a relevant settlement edge context;*

- *The opportunity to contribute to, and maintain, a strong green infrastructure network and facilitate a strategic green infrastructure connection through the area that will reinforce and connect the linear routes which cross broadly north to south through this area; and*

- *In connection with the green infrastructure provision, the ability to incorporate substantial mitigation that will successfully avoid or minimise landscape and visual effects.*

3.24 These conclusions are consistent with the evidence base in relation to the Strategic Gap which acknowledges that the gap designation does not relate to landscape quality, value or condition; that development can be accommodated within gaps without undermining their function; and that urban influences can detract from the functioning of the gap, to the extent that they present a clear justification for amending the boundaries of the gap. The study concludes that the part of the gap between Peel Common and Bridgemary is weak and under development pressure, particularly with the recently constructed Newgate Lane East now forming such a strong urbanising feature in the local landscape context. The Policy HA2 site is not considered to form part of a priority area which is required to maintain the integrity and function of the Fareham / Stubbington Strategic Gap and it is concluded that the site is well placed to accommodate development that could come forward as a well-connected urban extension without significantly affecting the integrity of the gap and the physical and visual separation of settlements. Indeed, this was the Council's previous conclusion when it proposed to allocate the Policy HA2 site. Its December 2019 SHELAA included commentary on the three land parcels (SHELAA sites 3002, 3028 and 3057) which together make up the Policy HA2 site. The Suitability Comment for sites 3002 and 3028 (the smaller northern and southern parcels) were:

"The site is considered suitable for development as part of the proposed housing allocation. Development could be accommodated without significant effects on the landscape character of the wider area."

3.25 For site 3057 (the larger central parcel) the Suitability Comment was:

> *"Development could be accommodated without significant effects on the landscape character of the wider area (following construction of Newgate Lane South) or the integrity of the Strategic Gap…."*

3.26 All three component parcels of the HA2 site were described as Suitable, Available and Achievable. Nothing has changed in this regard.

Policy DS3: Landscape

3.27 This draft policy designates about a quarter of the land area of the Borough as "Areas of Special Landscape Quality" (as shown on Figure 3.3).

3.28 From the commentary provided in paragraph 3.49, it appears that the Council is equating its 'Areas of Special Landscape Quality' (ASLQ) with 'valued landscapes'. This is questionable. All landscapes are valued at some level by different people. NPPF paragraph 170 triggers a need to consider when landscape value is just a local consideration, or when landscapes are more 'out of the ordinary'. Fundamentally, for a landscape to be a valued landscape, it does not have to be designated - so by designating the ASLQ (or by creating a valued landscape designation) the Council is at risk of creating a policy that is irrelevant, because guidance says that non designated landscapes can be valued, so site-by-site assessments will be required in any event.

3.29 Paragraph 3.55 states that "…all parts of the Borough have some landscape quality and may be sensitive to landscape change". This is ambiguous. All landscape will be of 'a quality' but quality (in GLVIA3 aligned with condition) is only one consideration of landscape sensitivity.

3.30 With regard to "How the policy works", paragraph 3.56 states that *"The criteria within the policy (points a-g) are derived from the Guidelines for Landscape and Visual Impact Assessment (GLVIA 3) published by the Landscape Institute.".* The GLVIA is an extensive and diverse document and, if it is to be used as basis for this policy then a specific reference or explanation should be provided as to how points a-g have been derived.

3.31 Paragraph 3.57 refers to the submission of "…a proportionate Landscape Assessment". This should be amended to require the submission of a 'Landscape and Visual Impact Assessment'. There are many applications of LVIA and several forms of reporting. Reference to LVIA would be specific and clear as to what is required (and incidentally relates better to the approaches set out in GLVIA3).

Policy HP1: New Residential Development

3.32 This policy relates to all new housing proposals. However, it only envisages housing coming forward outside Urban Area boundaries through either the conversion of a non-residential building or as a replacement dwelling. It should also cross-refer to Policy HP4 which allows housing to come forward on land outside Urban Area boundaries if the Council cannot demonstrate a Five Year Housing Land Supply.

3.33 Therefore add:

> **"c) It is for additional housing in circumstances where the Council cannot demonstrate a Five Year Housing Land Supply and Policy HP4 applies."**

Policy HP4: Five-Year Housing Land Supply

3.34 The housing requirement set out in Policy H1 must be re-calculated using the current Standard methodology as described in our comments on draft Policy H1 above.

3.35 Paragraph 5.24 infers that Policy HP4 reproduces Local Plan Part 2 Policy DSP40. However, the third criterion in Policy DSP40 was as follows:

> *"iii) The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;"*

3.36 This has been replaced in Policy HP4 by:

> *"c) The proposal is sensitively designed to reflect the landscape character and setting of the settlement, is of a scale proportionate to its setting and recognises the intrinsic character and beauty of the countryside and, if relevant, does not significantly affect the integrity of a Strategic Gap;"*

3.37 If a five year housing land supply cannot be demonstrated, then in accordance with the NPPF, paragraph 11d, the most relevant policies in the plan would be out of date and the presumption in favour of sustainable development would apply. This policy may therefore be judged to be inappropriate because it adds restrictions which may prevent sustainable sites from coming forward. However,

if such a policy is held to be necessary, then a faithful reproduction of Policy DSP40 iii) is strongly preferred. See our comments on Policy DS1 in this regard.

Policy HP5: Provision of Affordable Housing

3.38 This draft policy states that "affordable housing must be provided" (our underlining) in the following proportions:

i. At least 10% as Social Rent; and

ii. At least 55% as Affordable Rent or Social Rent; and

iii. The remainder, but no less than 10% as Affordable Home Ownership.

iv. The mix of property size and type should reflect the local need and the site characteristics.

3.39 As drafted this policy is not sufficiently flexible. As acknowledged at paragraph 5.36, development viability will be an issue on some sites. As acknowledged at paragraph 5.39, occasionally the tenure mix prescribed by the policy will not be appropriate; and as acknowledged at paragraph 5.34, other exceptional circumstances may arise (such as abnormal costs) which dictate that a non-standard provision of affordable housing is demonstrated to be appropriate.

3.40 Therefore, amend the first part of the policy to read:

"Sites that can accommodate 10 or more dwellings or sites with an area of 0.5 hectares or more shall normally provide: …"

3.41 And amend the second part of the policy to read:

"The affordable housing shall normally be provided in accordance with the following proportions: …"

Policy HP7: Adaptable and Accessible Dwellings

3.42 This draft policy states:

"Development proposals for all new dwellings shall provide:

a) At least 15% of all new dwellings at Category 2 standard; and

b) On schemes of over 100 dwellings (gross), at least 2% of private housing and 5% of affordable housing shall be provided as wheelchair accessible Category 3 properties."

3.43 Similar to Policy HP5 above, as drafted this policy is not sufficiently flexible. It is acknowledged that this policy is based on the requirements of Part M of the Building Regulations but it must allow for circumstances arising which mean that these requirements cannot be delivered (fully or otherwise).

3.44 Therefore, amend the first line of the policy to read:

"Development proposals for all new dwellings shall normally provide: …"

3.45 Paragraph 5.57 of the supporting text states:

"The cost to development for providing Category 2 and 3 is relatively minimal. Flexibility for additional costs have been factored into the viability evidence base and this indicates that the requirements for Category 2 and 3 should have no detrimental impact on the viability of schemes in the Borough..."

3.46 This statement is strongly disputed. In reality, these costs will not be factored into a developer's viability calculations (particularly in relation to Category 3 requirements) because option agreements / conditional contracts will have already been agreed on the sites that the Council want to see come forward, so these costs will not have been anticipated. The Category 3 requirements must be substantiated by quantified evidence of the need for such units in the Borough.

Policy HP9: Self and Custom Build Homes

3.47 This policy requires 10% of dwellings on sites of 40 dwellings or more to be provided for Self and Custom Build Homes. The practical implications of managing self or custom build developments on sites otherwise being constructed by housing developers or housing associations must be carefully considered. There is concern that 40 dwellings is too small a threshold at which to introduce this requirement due to the potentially onerous construction management implications which will arise. It would be preferable for the Council to allocate specific sites for self and custom build developments instead of requiring this element on all housing developments of 40 dwellings or more.

3.48 It is noted that, as stated at paragraph 5.70, only 1% of housing plots at Welborne are required to be provided for self or custom build under the Welborne Plan (2015). Strategic allocations such as Welborne provide the ideal opportunity for parcels of land to be allocated for self or custom build, so that opportunity should not be missed. This should be addressed in the review of the Welborne Plan which is overdue and necessary.

Policy E2: Faraday Business Park

3.49 This draft policy proposes the allocation of land for 65,000 sq. metres of employment development (in addition to the 22,000 sq. metres already consented). The site is designated as a Low Use site for Brent Geese and Waders.

3.50 Criterion e) of the policy states:

> "e) Proposals shall meet the requirements of Policy NE5 given the site's Low Use status for Solent Waders and Brent Geese…"

3.51 The two site-specific reasons for the deletion of housing allocation HA2 Newgate Lane South given in the Fareham SHLAA (in the context of the Council planning for a reduced housing requirement in the PLP) are that the site lies within a Strategic Gap and that the site is designated as a Low Use site for Brent Geese and Waders. Given the proposed allocation at the Faraday Business Park, a site's designation as of Low Use status for Solent Waders and Brent Geese clearly does not prevent a site from being allocated for development.

Policy E3: Swordfish Business Park

3.52 This draft policy proposes the allocation of land for 12,100 sq. metres of employment development (in addition to the 28,000 sq. metres already consented). The site is designated as a Low Use site for Brent Geese and Waders.

3.53 Criterion f) of the policy states:

> "f) Proposals shall meet the requirements of Policy NE5 given the site's Low Use status for Solent Waders and Brent Geese…"

3.54 The two site-specific reasons for the deletion of housing allocation HA2 Newgate Lane South given in the Fareham SHLAA (in the context of the Council planning for a reduced housing requirement in the PLP) are that the site lies within a

Strategic Gap and that the site is designated as a Low Use site for Brent Geese and Waders. Given the proposed allocation at the Swordfish Business Park, a site's designation as of Low Use status for Solent Waders and Brent Geese clearly does not prevent a site from being allocated for development.

Policy NE5: Solent Wader and Brent Goose Sites

3.55 Accompanying these representations is a WYG Technical Note in relation to Ecology and the former Policy HA2 Newgate Lane South housing allocation. This addresses the two proposed options for mitigating the impact of development of Low Use SWBG sites. Policy NE5 limits mitigation solutions to either on-site provision or a financial contribution towards mitigation on a suitable identified site. However, as reported in the Technical Note, an off-site solution has been proposed as part of outline application P/19/1260/OA Land East of Newgate Lane East (that application site being the southern part of the former HA2 allocation), and that solution has been reviewed by the Council's Ecologist and found to be acceptable. This therefore represents a compliant solution which can be replicated for other developments in similar circumstances. Policy NE5 should be amended to include this additional option.

Policy D1: High Quality Design and Place Making

3.56 This is a highly aspirational policy which sets out ten criteria ("key characteristics of high quality design") against which all development proposals will be judged "to ensure the creation of quality places." It is not clear what a "quality place" is – this should be defined. The ten criteria push the "bar" too high – all proposals cannot be expected to "create places that are attractive, memorable, distinctive and of strong character", for example, laudable though those aspirations are. In practice, very few proposals would receive planning permission if assessed against this requirement.

Appendix B: Housing Trajectory

3.57 This appendix must be updated as it does not reflect the quantum of housing required to meet the local needs. It also projects completions of 975 homes in 2023/24 and 961 homes in 2024/5, which are at risk due to the delays to Welborne which continue. Completions from Welborne should be shown separately as previously.

Appendix C:

3.58 The purpose of the inclusion of the Local Ecological Network Map at Appendix C is not understood. It includes the identification of land as "Network Opportunities". This does not appear to have a basis in the policies of the PLP. The former Policy HA2 Newgate Lane South site is identified as a Network Opportunity on this plan. This is not explained. This appendix should be deleted, as happened to a similar plan appended to the Regulation 19 Chichester District Local Plan.

Reinstatement of the Policy HA2: Newgate Lane South housing allocation

3.59 The Council omitted a number of previous housing allocation sites for the Regulation 19 PLP on the basis that the PLP plans for the reduced housing requirement of 403 hpa. We have asserted that this approach fails to comply with legal requirements and is unsound. It is foreseeable that the Council's housing requirement may increase and in such circumstances Policy HA2 should be reintroduced and updated to allocate the site for about 500 dwellings.

3.60 The Policy HA2 site is comprised of three SHELAA sites:

- Copps Field, Newgate Lane, Peel Common (3028);
- Land East of Newgate Lane, Peel Common (3057); and
- Land East of Newgate Lane East, Peel Common (3002).

3.61 In the Council's SHELAA of December 2019, the commentary on each of these sites concluded with a "Suitability" (for allocation for development) Comment. For sites 3002 and 3028 (the smaller northern and southern parcels) the Suitability Comments were:

"The site is considered suitable for development as part of the proposed housing allocation. Development could be accommodated without significant effects on the landscape character of the wider area."

3.62 For site 3057 (the larger central parcel) the Suitability Comment was:

"Development could be accommodated without significant effects on the landscape character of the wider area (following construction of Newgate Lane South) or the integrity of the Strategic Gap…."

3.63 All three component parcels of the HA2 site were described as Suitable, Available and Achievable. Nothing has changed in this regard.

3.64 In omitting Policy HA2 form the PLP, the Council also updated its SHELAA for consistency with the PLP and justified the omission of the HA2 allocation due to the impact of development on the strategic gap, and the fact that the site is a low use SWBG site. Gosport Borough Council also previously objected to the HA2 allocation due to its alleged traffic impact on Newgate Lane East. Taking each of these matters in turn:

Strategic Gap:

3.65 These representations are accompanied by a Preliminary Landscape and Visual Appraisal prepared by Pegasus Group of the former Policy HA2 site, Newgate Lane South. This study concludes that the part of the gap between Peel Common and Bridgemary is weak and under development pressure, particularly with the recently constructed Newgate Lane East now forming such a strong urbanising feature in the local landscape context. The Policy HA2 site is not considered to form part of a priority area which is required to maintain the integrity and function of the Fareham / Stubbington Strategic Gap and it is concluded that the site is well placed to accommodate development that could come forward without significantly affecting the integrity of the gap and the physical and visual separation of settlements. This was the Council's previous conclusion when it proposed to allocate the Policy HA2 site, as evidenced by the quotations from the December 2019 SHELAA above.

Low Use SWBG site:

3.66 It is noted that Employment allocations E2 and E3 are similarly designated. These representations are accompanied by an Ecology Technical Note prepared by WYG which describes the off-site mitigation solution already advanced and agreed by the Council's ecologist in relation to a planning application for housing on the southern part of the HA2 site. Demonstrably, this is not an issue which would prevent development coming forward in principle on this site.

Transport impact:

3.67 These representations are accompanied by a Transport Technical Note prepared by i-Transport. This reports that the Council's transport evidence base was substantially prepared before the Council amended its spatial strategy in response to the draft revised Standard Methodology housing target so it included assessments of the Policy HA2 site, together with other housing allocations since omitted including the two Strategic Growth Areas (SGAs). On this basis the Council's Strategic Transport Assessment concludes that the plan is deliverable and sound from a transport perspective.

3.68 The Transport TN reviews the sustainable transport credentials of the HA2 site. The site is very well served by public transport – it is within a 5-10 minute walk of the South East Hampshire Rapid Transit system, and is close to local bus routes. HCC and its partners have recently submitted funding bids to Government for later stages of the SEHRT which includes a potential extension of the SEHRT to the site and the Solent Enterprise Zone. This will further improve the accessibility of the site to public transport services.

3.69 The site lies in close proximity (comfortable walk or short cycle trip) to major employment areas (Fareham Business Park, Newgate Lane Industrial Estate, Solent EZ) and supermarkets (such as Asda next to the site) for convenience shopping.

3.70 The primary vehicular access to the site will be from a new roundabout on Newgate Lane South. This has been designed to minimise interruptions to traffic flows on Newgate Lane South. The operation of this junction has been modelled, and this confirmed that the greatest queueing delay on any arm during peak periods is about 8 seconds. Thus the roundabout will operate wholly within capacity with a "Level of Service" rating of "A", classified as "Free Flow", such that it will not prejudice the benefits of the recent road project.

3.71 Hampshire County Council has not raised any in principle design or safety concerns with the junction and following substantial dialogue has accepted the junction modelling as a basis to consider the operation of the junction but required consideration of the corridor effects of the junction within the Local Plan evidence base.

3.72 This wider corridor assessment has now been completed with the release of the FBC SRTM Assessment, summarised in Section 4 of the accompanying Transport

TN. In summary this demonstrates that there are no material impacts on the wider Newgate Lane corridor that result from the delivery of an access to the HA2 site from Newgate Lane. Any objection to the allocation of the HA2 site on this basis is therefore not sustainable.

3.73 For all of these reasons, the Council is encouraged to reinstate the Policy HA2 housing allocation for about 500 dwellings. The site is controlled by two highly reputable housing developers – Miller Homes and Bargate Homes – who have a strong local track record of delivery and who are keen to bring it forward for development immediately, such that the site can make a significant contribution to the Council's five year housing land supply.

4.0 Participation at the examination hearing sessions

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session.

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To contribute to testing the legal compliance and soundness of the PLP for the reasons set out in these representations.

December 2020 | JG | P20-3146

FAREHAM LOCAL PLAN 2037 REPRESENTATIONS

LAND ADJACENT TO 75 HOLLY HILL LANE, SARISBURY

ON BEHALF OF
BARGATE HOMES

Pegasus Group

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough

DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE

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APPENDICES:

1.0 Landscape Response prepared by Terra Firma Consultancy including Opportunities and Constraints Plan

1.0 Introduction

1.1 The following representations are prepared by Pegasus Group on behalf of our client, Bargate Homes. Our client has interests in Land adjacent to 75 Holly Hill Lane in Sarisbury.

1.2 The site is irregular in shape and extends to approximately 2.6 hectares. It is accessed via Holly Hill Lane, which adjoins the south-western boundary of the site, and the majority of the site lies to the east (rear) of the properties which front Holly Hill Lane. The southern boundary of the site adjoins Holly Hill Woodland Park and the eastern boundary extends as far as the boundaries of the properties on Mulberry Lane (accessed from Barnes Lane). The site has previously been promoted through Fareham Borough Council's (FBC) Strategic Housing and Employment Land Availability Assessment (SHELAA) – Site ID 1005.

1.3 For the reasons set out in these representations, our client is strongly of the view that this site should be allocated for residential development in the Fareham Local Plan 2037 (hereafter referred to as the Publication Local Plan). It is estimated that the site could accommodate approximately 30 dwellings. These representations also set out our client's position in relation to required amendments to some of the more general policies proposed within the Publication Local Plan (PLP).

1.4 Our client is an important stakeholder within Fareham and is keen to work with the Council to produce a plan which is legally compliant and meets the tests of soundness set out within the National Planning Policy Framework (NPPF). Currently the plan is neither legally compliant nor sound.

1.5 The following representations utilise the same format as the Council's response form. Each area of the PLP which is deemed to be either not legally compliant or unsound is clearly outlined below. Proposed changes to the plan in relation to policies, supporting text and the proposals map are provided.

	Agent	Client
Title	Mr	Bargate Homes c/o Agent
First Name	Jeremy	
Last Name	Gardiner	
Job Title	Senior Director	
Organisation	Pegasus Group	
Address	[redacted]	
Postcode		
Telephone		
Email		

2.0 Plan Overall

B1 Which part of the Local Plan is this representation about?

2.1 The following comments relate to the overall Local Plan.

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan:

2.2 Paragraphs 1.5–1.6, 1.14, 1.17, 1.37, 2.12, 3.19–3.22, 3.49–3.57, 4.1–4.20, Appendix B.

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan

2.3 Policies H1, HP1, HP4, HP5, HP6, HP7, HP9, DS1, DS3, NE8, D1.

B2 Do you think the Publication Local Plan is:

Legally compliant – No
Sound – No
Complies with the duty to co-operate – No

2.4 The Fareham Local Plan is not legally compliant and is unsound as it is not consistent with national policy, effective or justified.

B3 Please provide details you have to support your answers above.

B3.1 The Publication Local Plan is not Legally Compliant

2.5 The Publication Local Plan (PLP) has based its housing proposals on the annual housing target derived from the Government's draft Revised Standard Methodology published in August 2020 in its consultation "Planning for the Future". The Government's response to this consultation was published on 16th December 2020. The Government does not propose to proceed with the changes to assessing local housing need consulted on earlier this year in

"Changes to the Current Planning System"; but instead has published a revised approach to the Standard Method, which retains the method in its previous and current form except for London and 19 of the most populated cites and urban centres.

2.6 The key change is to apply a 35% uplift to the Standard Method for Greater London and the 19 most populated cities and urban areas in England – Birmingham, Liverpool, Bristol, Manchester, Sheffield, Leeds, Leicester, Coventry, Bradford, Nottingham, Kingston upon Hull, Newcastle upon Tyne, Stoke on Trent, Southampton, Plymouth, Derby, Reading, Wolverhampton and Brighton and Hove. The minimum housing requirement for Fareham calculated using the amended standard method therefore remains 514hpa.

2.7 The Government's White Paper, "Changes to the Current Planning System" (published in August 2020 alongside the "Planning for the Future" consultation) provided guidance to local planning authorities which were at or close to the Regulation 19 stage of plan-making at paragraph 43:

"Transition

43.The Government is aware that any change in the standard method will have an impact for plans that are currently under development, as authorities expend considerable resources in developing new plans. To enable an orderly transition to the revised standard method, and achieve as much short-term supply as possible while setting the right expectations for early stage plan-making, we propose that from the publication date of the revised guidance, authorities which are already at the second stage of the strategic plan consultation process (Regulation 19) are given 6 months to submit their plan to the Planning Inspectorate for examination. Authorities close to publishing their second stage consultation (Regulation 19), should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan and a further 6 months to submit their plan to the Planning Inspectorate. This is to strike a balance between allowing an appropriate transition period for plans that are nearly through the process, but without causing a significant delay in planning for a higher level of need."

2.8 This transitional arrangement applies to Fareham at the time, such that the previous Standard Method (514 hpa) continued to apply for plan-making purposes in the borough in any event, but the Council chose not to follow this national guidance.

2.9 The National Planning Policy Framework (NPPF) states (paragraph 16 a)) that Plans should "be prepared with the objective of contributing to the achievement of sustainable development". Footnote 10 confirms that this is a legal requirement of local planning authorities in exercising their plan-making functions. Meeting the objectives of sustainable development includes "…meeting the needs of the present…". By preparing a Plan based on the revised draft Standard Methodology target of 403 dwellings per annum, the local planning authority is failing to meet its local objectively assessed need for housing, thereby failing to plan to deliver sustainable development.

2.10 The PPG (ID 2a-003-20190220) is clear that the standard method should be used and any other method should only be used in exceptional circumstances. It further explains that:

"…Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination." (PPG ID 2a-015-20190220).

2.11 As discussed above the extant standard method identifies a requirement of 514hpa. The NPPF (paragraph 60) identifies that the current standard method provides a minimum requirement. To depart and provide a figure lower than the current Standard Method requires exceptional circumstances and must be justified by clear and robust evidence. This is absent from the Council's evidence base and as such is an unsound approach.

2.12 The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa) – a requirement confirmed by the Government's

announcement of 16th December 2020. As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa was procedurally flawed, lacking in evidential basis, premature and misleading.

2.13 The NPPF (paragraph 33) also states that plans should be reviewed every 5 years and updated as necessary. The Inspector's Report on the Examination into the Fareham Local Plan Part 2 (dated 12th May 2015) included modifications which were all proposed by the Council. Its first Main Modification was "a commitment to an early review of the local plan (ie. LP1, LP2 and LP3)". This included a timetable for the local plan review between 2016 and 2018 which the Council has failed to adhere to, having previously expressed its commitment to the Inspector.

2.14 The Local Plan Part 3 is the Welborne Plan which was adopted in 2015.The total quantum of housing to be delivered at Welborne has reduced over the years, and the date for its commencement has repeatedly slipped back. The development is currently running about 5 years late. Recently, serious doubts have been expressed over whether it is deliverable at all given the reported funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10. The development is certainly not currently "deliverable" in NPPF terms. Nonetheless, the PLP relies heavily on the delivery of homes at Welborne as by far the most important source of its housing supply - 4,020 homes (just over 48%) out of a total suggested supply of 8,389 homes are timetabled to be completed at Welborne by 2037, and completions are included in the Council's trajectory for the first five years of the plan. Given the heavy reliance placed on a development which, at best, appears to be at serious risk of continuing to be significantly delayed, the Welborne Plan should be reviewed as a matter of urgency.

2.15 Given the importance of the Welborne Plan to housing delivery this is considered an issue of both soundness and legal non-compliance.

B3.2 The Publication Local Plan is not Sound

2.16 Paragraphs 1.5 – 1.6 of the PLP set out the "Tests of Soundness" which require

that the Plan has been "positively prepared, justified, effective and consistent with national policy". The PLP fails to meet the Tests of Soundness for the following reasons:

1. It has not been "positively prepared"

2.17 The Plan does not seek to, as a minimum, meet the area's objectively assessed need. Given that the Core Strategy was adopted on 4th August 2011, it is significantly out of date such that (as advised by paragraph 73 and footnote 32 of the NPPF) local housing need should be calculated using the current Standard Methodology. On this basis the local housing need target is 514 homes per annum (hpa) plus the appropriate buffer (5% or 20%). Instead, the PLP plans for 403 hpa, thereby failing to plan for the area's objectively assessed need, and failing to contribute to the achievement of sustainable development.

2.18 The lower housing requirement has also not been the subject of sustainability appraisal (SA). Whilst the SA re-assesses sites based upon a lower housing requirement it fails to consider the implications of a lower housing requirement, compared to the current standard method, upon the delivery of the SA objectives. Even if the lower requirement were justified by national policy, which it is not, the retention of the housing requirement at the level previously consulted upon would be a reasonable alternative.

2.19 The Council published an Affordable Housing Strategy in 2019. On page 14 of the Affordable Housing Strategy, it is suggested that there is a need for 3,500 affordable homes to 2036, or circa 220 per annum. This is based on the existing need for 3,000 affordable homes and an allowance of 500 homes to provide for new households and those falling into need. Given that an average of only 76 affordable homes have been built per annum in Fareham Borough since 2011, there is a significant need to boost the supply of additional affordable housing to address needs. Indeed, the delivery of affordable housing needs to almost treble. The provision of affordable housing to address this need is a significant matter.

2.20 It is also unclear whether the PLP has planned to adequately accommodate unmet need from other authorities. The PPG (ID 2a-010-20190220) identifies

that meeting unmet needs from neighbouring authorities as set out in a Statement of Common Ground is one reason why local housing need calculated using the current standard should be exceeded. Contrary to the advice within the PPG (ID 2a-010-20190220) there are currently no Statements of Common Ground identifying if the figure of 847 dwellings is adequate or accepted by other authorities. Rather the Council speculates that this contribution would be "ratified" by a subsequent Partnership for South Hampshire Statement of Common Ground (Duty to Co-operate Statement of Compliance, paragraph 4.5). There is, however, no evidence to support this speculation. Indeed, the only evidence presented confirms a request for Fareham to accommodate 1,000 dwellings from a single neighbouring authority. The PLP has been prepared in advance of the publication of Statements of Common Ground – as such its preparation is premature.

2.21 At paragraph 4.4 of the PLP it is stated that unmet need in the sub-region over the plan period could be "circa 10,750 dwellings". At paragraph 4.5, Fareham's "immediate neighbours" are considered, and it is confirmed that Portsmouth City Council has requested that Fareham contributes 1,000 dwellings towards its unmet need, and that Gosport is "likely to have an unmet need issue, currently estimated to be in the region of 2,500 dwellings…". The Council's 'Duty to Co-operate Statement of Compliance' identifies at paragraph 4.6 that instead of responding to the request from Portsmouth the Council is proposing to: "…take the approach that the issue of unmet need is not dealt with as specific to any authority, but as a general contribution." It is not clear how this "general contribution" has been calculated but it appears inadequate. Gosport Borough lies between Portsmouth and Fareham. It is clear that Portsmouth cannot accommodate any of Gosport's unmet need so the obvious place to accommodate it is in Fareham Borough. Therefore, if Fareham plans to deliver the unmet needs of Portsmouth and Gosport, its contribution would be 3,500 homes. However, the PLP (Table 4.1) proposes a contribution of just 847 dwellings to wider unmet need. This figure should be reviewed.

2.22 In relation to unmet need, it should also be remembered that Welborne (previously known as the North of Fareham SDA) was originally conceived by PUSH (now PfSH) as one of two SDAs which were promoted to meet the sub-regional needs of south Hampshire and brought forward in the "South East

Plan". The Inspector's Report on the Examination into the Fareham LDF Core Strategy (dated 20th July 2011) identified five Main Issues, Main Issue 1 being:

"*7. The North of Fareham SDA represents the most significant and controversial element of the Core Strategy. ….While the principle of the SDA"s development is contained in the regional strategy – policy SH2 of the South East Plan (SEP) – the justification for the proposal derives from evidence prepared by South Hampshire local authorities (the Partnership for Urban South Hampshire [PUSH]) during the SEP"s preparation….The advantages of SDAs are seen as threefold: safeguarding existing towns and villages by reducing coalescence; providing more opportunities for planning gain; and achieving a critical mass to deliver sustainability benefits. The development now proposed is one of two SDAs proposed by PUSH and brought forward into the SEP. Both are aimed at meeting sub-regional housing needs and, as such, their housing totals are separated from the housing requirement for the remainder of the Boroughs concerned in the sub-regional strategy and SEP."* (our underlining)

2.23 However, the Council is now treating Welborne as a source of housing supply for Fareham Borough only, disregarding its planned sub-regional role. This compounds the lack of positive preparation of the PLP and starkly contrasts the Council's current approach to the delivery of housing to meet sub-regional needs with its approach of a decade ago.

2. It is not "justified":

2.24 The PLP's strategy for housing delivery is not appropriate, because it is based on a need figure derived from the draft revised Standard Methodology which was still the subject of public consultation at the time that the Plan was prepared. Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa) – a requirement confirmed by the Government's announcement of 16th December 2020. As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa is procedurally flawed, lacking in evidential basis, premature and potentially misleading.

3. It is not "effective":

2.25 Fareham has decided to deliberately plan to not meet its local objectively assessed housing need, so fundamentally the plan will not be effective. This, coupled with its apparent failure to plan to contribute appropriately to the unmet housing need of the sub-region, indicates a failure to work effectively with its neighbouring authorities on cross-boundary strategic planning for housing delivery and a failure "to support the Government's objective of significantly boosting the supply of homes" (NPPF, paragraph 59). Rather, the PLP proposes to restrict the supply of homes in the plan period in a way which will exacerbate the local housing crisis.

4. It is not "consistent with national policy":

2.26 The PLP is not consistent with the NPPF because:

- It will not contribute to the achievement of sustainable development by not, as a minimum, planning to meet its local objectively assessed housing need;
- It is not planning to adequately meet the unmet housing needs of neighbouring authorities in the sub-region;
- It has not based its housing proposals on the current Standard Methodology;
- Its strategy lacks a robust evidential justification; and
- Its proposed housing land supply includes a majority of housing from sites which are not "deliverable" as defined by the NPPF.

B3.3 The Publication Local Plan does not Comply with the Duty to Co-operate

2.27 As stated at B3.1 above, it is unclear whether the PLP has planned to adequately accommodate unmet need from other authorities.

2.28 Against a sub-regional unmet need figure of "circa 10,750 dwellings", and in the context of both neighbouring authorities of Portsmouth City Council and

Gosport Borough Council having "unmet need issue(s)", and Havant Borough Council being expressly unable to accommodate any unmet need, the PLP (Table 4.1) proposes a contribution of 847 dwellings to wider unmet need. It is not clear how this has been calculated and it appears inadequate.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

1. Plan to meet, as a minimum, the area's objectively assessed housing need. The current Standard Methodology annual housing need figure is currently 514 hpa.
2. Provide Statements of Common Ground in relation to unmet need from neighbouring and PfSH authorities. Any agreements will need to be included as additional housing to the minimum 514hpa.
3. In any event, plan for a level of housing which contributes to the achievement of sustainable development.
4. Treat this plan as an interim plan and reaffirm the Council's commitment to undertake an urgent a review of the Welborne Plan for incorporation into a consolidated early review of this plan.
5. The Council has not undertaken SA of all reasonable alternative housing requirements.
6. The Council has not planned to meet current housing needs, opting instead to phase its housing supply in a way which will exacerbate the current significant under-supply problems.

2.29 Consequential to the above, the Council must allocate additional sites for housing in this interim plan (ahead of the urgent review of the Welborne Plan) to meet its confirmed housing target of 514 hpa, including the allocation of our client's interest at Land adjacent to 75 Holly Hill Lane, Sarisbury for approximately 30 dwellings.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

2.30 The role of plan-making in contributing to the achievement of sustainable development is a legal requirement (Section 39(2) of the Planning and

Compulsory Purchase Act 2004).

2.31 Revisions to the plan so that it plans, as a minimum, to meet the local objectively assessed need for housing, meet affordable housing need and adequately contribute to meeting unmet need would assist the PLP to meet the Tests of Soundness.

3.0 Specific Proposed Changes

B4c Suggested revised wording of any policy or text

Policy H1: Housing provision

3.1 Completely revise the proposed housing target on the basis of the current Standard Methodology figure for the Borough of a minimum of 514 hpa plus an appropriate contribution to meeting sub-regional unmet needs.

3.2 Ensure that the revised housing target includes the delivery of a minimum of 220 affordable homes per annum.

3.3 Plan to deliver the revised housing target including a five-year supply of deliverable sites. In this regard, Welborne (the supply of housing from which is relied on heavily by the PLP) cannot currently be regarded as "deliverable" as defined in the NPPF.

3.4 Consequential updates to paragraphs 4.1 – 4.20 including Tables 4.1, 4.2, 4.3.

3.5 Consequential revisions to the list of Housing Allocation Policies under paragraph 4.20 to include allocations sufficient to deliver the revised housing and affordable housing targets, including the allocation of Land adjacent to 75 Holly Hill Lane, Sarisbury for approximately 30 dwellings.

3.6 Policy H1 also seeks to identify a 'phased' requirement. The overall supply is described as at least 8,389 dwellings - this is just 165 dwellings greater than the requirement when the correct local housing need standard method is applied. Given the need to provide for unmet needs from neighbouring authorities this is clearly insufficient and as such further allocations are required.

3.7 Policy H1 seeks to 'phase' this supply identifying the following:

- Approximately 2,250 dwellings (averaging 450 dwellings per annum) between 2021/22 and 2025/2613;

- Approximately 2,400 dwellings (averaging 480 dwellings per annum) between 2026/27 and 2030/31; and
- Approximately 3,750 dwellings (averaging 625 dwellings per annum) between 2031/32 and 2036/2037.

3.8 This phasing clearly will not meet the overall plan requirement. The rationale for this phasing is due to an anticipation that many of the housing allocations will begin to deliver later in the plan period. This is simply a factor of the sites chosen rather than an evidence-based approach to need. The net effect is that in the early part of the plan period the full need will not be met, exacerbating the current significant housing land supply shortfall in the Borough. This will mean households will either be unable to form or will be forced to move elsewhere to find appropriate accommodation. This not only has an impact upon affordability through increased demand but also has implications for social mobility and health for young and old alike.

3.9 The lack of housing to meet needs in the short-term is exacerbated by recent under-delivery of both market and affordable housing. The Council recognises it has under-delivered in recent years due to the reference to the need for a 20% buffer in accordance with NPPF, paragraph 73 (paragraph 4.16, PLP).

3.10 The housing requirement in the PLP should not be phased to manufacture a five-year housing land supply in the short-term. The plan should seek to address housing need now – to do otherwise is not justified or effective.

3.11 The second part of Policy H1 identifies the sources of supply. Whilst our client does not wish to comment upon individual sites, we do have significant concerns that the sources of supply will not deliver the plan period housing requirement in full. The PLP, paragraph 4.16, acknowledges that many of the chosen sites will not deliver until later in the plan period therefore any slippage in timescale could well push delivery beyond the plan period. Furthermore, the Council is heavily reliant upon delivery at Welborne. Within our comments upon the Plan overall we identify the need for delivery from this site to be reviewed and indeed question whether it is deliverable at all given the funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10.

3.12 Furthermore, the Council cannot currently demonstrate a five-year housing land supply. The Council's most recent assessment of its five-year housing land supply suggests a 4.03-year supply. This assessment appears optimistic given recent appeal decisions which identify it is closer 2.4 years. Given these shortcomings it is essential that the PLP seeks to address this under-supply in the short-term.

Section 3: Development Strategy

3.13 This section is substantially focussed on restricting development outside the existing settlement policy boundaries of urban areas. This is in conflict with the NPPF, paragraph 11, which advises that "Plans and decisions should apply a presumption in favour of sustainable development" and that "For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their areas, and be sufficiently flexible to adapt to rapid change".

3.14 The highly restrictive strategic policy approach introduced into the PLP does not accord with this national guidance.

3.15 Paragraph 3.9 of the PLP states:

"Recent planning appeal decisions in the Borough have highlighted the need to consider the designation of valued landscapes as part of the Local Plan. Previous Local Plans have included the demarcation of 'Areas of Special Landscape Quality' in the Borough which were used to help shape planning strategy and decisions on planning applications. These areas were the Meon, Hamble and Hook valleys, Portsdown Hill and the Forest of Bere. Both the Landscape Assessment (2017), and the more recent 'Technical Review of Areas of Special Landscape Quality and the Strategic Gaps' (2020) still recognise the intrinsic character and distinctiveness of these relatively undeveloped areas of the Borough and so their locations have been used to shape the development strategy. <u>There is a presumption against major development in these areas, unless it can be demonstrated through a landscape assessment that the quality</u>

and distinctiveness of the landscape character can be conserved. For these reasons there remain no development allocations in these areas." (our underlining)

Our client objects to the identification of the Areas of Special Landscape Quality (ASLQ) in the borough, and particularly to the presumption against development in ASLQ and against allocation any sites for development within these areas. This is discussed in detail in the section relating to Policy DS3: Landscape below.

Policy DS1: Development in the Countryside

3.16 For housing development which is brought forward in the absence of a 5-year housing land supply, Policy HP4 applies. This will necessarily introduce new built form onto greenfield sites adjacent or well related to existing urban area boundaries. This will inevitably cause a change to the landscape character of the site and immediately adjacent land. Criteria ii) and iii) require proposals to "conserve and enhance landscapes" and "recognise the intrinsic character and beauty of the countryside". It is not clear which "landscapes" are being referred to – presumably this should be restricted to formally designated landscapes or defined "valued" landscapes because otherwise it could be applied to every area of countryside. It is also not clear how, for example, a housing development can "conserve and enhance" a landscape – relevant measures should be defined. Moreover, it is not clear how the extent to which a proposal has recognised "the intrinsic character of the beauty of the countryside" can be measured. After all, those attributes can be "recognised" but then disregarded. It is true that every area of countryside has a "character" but not that every area of countryside has "beauty".

3.17 Criterion v) should include an exception for development which is brought forward under Policy HP4, where the application of the "tilted balance" would allow the loss of BMVAL.

3.18 Paragraph 3.39 fails to explain how this policy works in relation to housing policies.

Policy DS3: Landscape

3.19 This draft policy designates about a quarter of the land area of the Borough as "Areas of Special Landscape Quality" (as shown on Figure 3.3).

3.20 From the commentary provided in paragraph 3.49, it appears that the Council is equating its 'Areas of Special Landscape Quality' (ASLQ) with 'valued landscapes'. This is questionable. All landscapes are valued at some level by different people. NPPF paragraph 170 triggers a need to consider when landscape value is just a local consideration, or when landscapes are more 'out of the ordinary'. Fundamentally, for a landscape to be a valued landscape, it does not have to be designated - so by designating the ASLQ (or by creating a valued landscape designation) the Council is at risk of creating a policy that is irrelevant, because guidance says that non-designated landscapes can be valued, so site-by-site assessments will be required in any event. **Given that Policy DS3 is irrelevant, it is unnecessary and it should be deleted.**

3.21 However, if it is held that Policy DS3 should not be deleted, the following comments apply.

3.22 Paragraph 3.55 states that "…all parts of the Borough have some landscape quality and may be sensitive to landscape change". This is ambiguous. All landscape will be of 'a quality' but quality (in GLVIA3 aligned with condition) is only one consideration of landscape sensitivity.

3.23 With regard to "How the policy works", paragraph 3.56 states that "*The criteria within the policy (points a-g) are derived from the Guidelines for Landscape and Visual Impact Assessment (GLVIA 3) published by the Landscape Institute.".* The GLVIA3 is an extensive and diverse document and, if it is to be used as basis for this policy then a specific reference or explanation should be provided as to how points a-g have been derived.

3.24 Paragraph 3.57 refers to the submission of "…a proportionate Landscape Assessment". In the event that Policy DS3 is not deleted, this should be amended to require the submission of a 'Landscape and Visual Impact Assessment'. There are many applications of Landscape Assessment and

several forms of reporting. Reference to LVIA would be specific and clear as to what is required (and incidentally relates better to the approaches set out in GLVIA3).

3.25 Having specific regard to our client's land interest adjacent to 75 Holly Hill Lane in Sarisbury, the site has previously been promoted through FBC's SHELAA dated September 2020 (Site ID 1005) and was discounted solely because it is located within an ASLQ. Consequently, our client has appointed Terra Firma Consultancy to review this matter and a Landscape Response is attached to these representations at Appendix 1, together with an Opportunities and Constraints Plan for the site.

3.26 In summary, it is considered that if Policy DS3 is not deleted, it should better allow for flexibility when it can be proven that parcels of land within the ASLQ, when taken in isolation and studied in depth, can accommodate sensitive small-scale development. It is considered that our client's site has capacity for development without detriment to the wider Landscape Character Area and would also create opportunities for landscape enhancement and protection. Further site-specific details for Land adjacent to 75 Hilly Hill Lane are provided at the end of this section.

Policy HP1: New Residential Development

3.27 This policy relates to all new housing proposals. However, it only envisages housing coming forward outside Urban Area boundaries through either the conversion of a non-residential building or as a replacement dwelling. It should also cross-refer to Policy HP4 which allows housing to come forward on land outside Urban Area boundaries if the Council cannot demonstrate a Five-Year Housing Land Supply.

3.28 Therefore add:

"c) It is for additional housing in circumstances where the Council cannot demonstrate a Five Year Housing Land Supply and Policy HP4 applies."

Policy HP4: Five-Year Housing Land Supply

3.29 The housing requirement set out in Policy H1 must be re-calculated using the current Standard methodology as described in our comments on draft Policy H1 above.

3.30 Paragraph 5.24 infers that Policy HP4 reproduces Local Plan Part 2 Policy DSP40. However, the third criterion in Policy DSP40 was as follows:

"iii) The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;"

3.31 This has been replaced in Policy HP4 by:

"c) The proposal is sensitively designed to reflect the landscape character and setting of the settlement, is of a scale proportionate to its setting and recognises the intrinsic character and beauty of the countryside and, if relevant, does not significantly affect the integrity of a Strategic Gap;"

3.32 If a five-year housing land supply cannot be demonstrated, then in accordance with the NPPF, paragraph 11d, the most relevant polices in the plan would be out of date and the presumption in favour of sustainable development would apply. This policy may therefore be judged to be inappropriate because it adds restrictions which may prevent sustainable sites from coming forward. However, if such a policy is held to be necessary, then a faithful reproduction of Policy DSP40 iii) is strongly preferred. See our comments on Policy DS1 in this regard.

Policy HP5: Provision of Affordable Housing

3.33 This draft policy states that "affordable housing <u>must</u> be provided" (our underlining) in the following proportions:

i. At least 10% as Social Rent; and
ii. At least 55% as Affordable Rent or Social Rent; and

iii. The remainder, but no less than 10% as Affordable Home Ownership.
iv. The mix of property size and type should reflect the local need and the site characteristics.

3.34 As drafted this policy is not sufficiently flexible. As acknowledged at paragraph 5.36, development viability will be an issue on some sites. As acknowledged at paragraph 5.39, occasionally the tenure mix prescribed by the policy will not be appropriate; and as acknowledged at paragraph 5.34, other exceptional circumstances may arise (such as abnormal costs) which dictate that a non-standard provision of affordable housing is demonstrated to be appropriate.

3.35 Therefore, amend the first part of the policy to read:

"Sites that can accommodate 10 or more dwellings or sites with an area of 0.5 hectares or more shall normally provide: ..."

3.36 And amend the second part of the policy to read:

"The affordable housing shall normally be provided in accordance with the following proportions: ..."

Policy HP7: Adaptable and Accessible Dwellings

3.37 This draft policy states:

"Development proposals for all new dwellings shall provide:
a) At least 15% of all new dwellings at Category 2 standard; and
b) On schemes of over 100 dwellings (gross), at least 2% of private housing and 5% of affordable housing shall be provided as wheelchair accessible Category 3 properties."

3.38 Similar to Policy HP5 above, as drafted this policy is not sufficiently flexible. It is acknowledged that this policy is based on the requirements of Part M of the Building Regulations but it must allow for circumstances arising which mean that these requirements cannot be delivered (fully or otherwise).

3.39 Therefore, amend the first line of the policy to read:

"Development proposals for all new dwellings shall normally provide: ..."

3.40 Paragraph 5.57 of the supporting text states:

"The cost to development for providing Category 2 and 3 is relatively minimal. Flexibility for additional costs have been factored into the viability evidence base and this indicates that the requirements for Category 2 and 3 should have no detrimental impact on the viability of schemes in the Borough..."

3.41 This statement is strongly disputed. In reality, these costs will not be factored into a developer's viability calculations (particularly in relation to Category 3 requirements) because option agreements / conditional contracts will have already been agreed on the sites that the Council want to see come forward, so these costs will not have been anticipated. The Category 3 requirements must be substantiated by quantified evidence of the need for such units in the Borough.

Policy HP9: Self and Custom Build Homes

3.42 This policy requires 10% of dwellings on sites of 40 dwellings or more to be provided for Self and Custom Build Homes. The practical implications of managing self or custom build developments on sites otherwise being constructed by housing developers or housing associations must be carefully considered. There is concern that 40 dwellings is too small a threshold at which to introduce this requirement due to the potentially onerous construction management implications which will arise. It would be preferable for the Council to allocate specific sites for self and custom build developments instead of requiring this element on all housing developments of 40 dwellings or more.

3.43 It is noted that, as stated at paragraph 5.70, only 1% of housing plots at Welborne are required to be provided for self or custom build under the Welborne Plan (2015). Strategic allocations such as Welborne provide the ideal opportunity for parcels of land to be allocated for self or custom build, so that

opportunity should not be missed. This should be addressed in the review of the Welborne Plan which is overdue and necessary.

Policy D1: High Quality Design and Place Making

3.44 This is a highly aspirational policy which sets out ten criteria ("key characteristics of high quality design") against which all development proposals will be judged "to ensure the creation of quality places." It is not clear what a "quality place" is – this should be defined. The ten criteria push the "bar" too high – all proposals cannot be expected to "create places that are attractive, memorable, distinctive and of strong character", for example, laudable though those aspirations are. In practice, very few proposals would receive planning permission if assessed against this requirement.

Appendix B: Housing Trajectory

3.45 This appendix must be updated as it does not reflect the quantum of housing required to meet the local needs. It also projects completions of 975 homes in 2023/24 and 961 homes in 2024/5, which are at risk due to the delays to Welborne which continue. Completions from Welborne should be shown separately as previously.

Allocation of Land adjacent to 75 Holly Hill Lane, Sarisbury

3.46 Our client's land interest adjacent to 75 Holly Hill Lane in Sarisbury has previously been promoted through the Council's Strategic Housing and Employment Land Availability Assessment (SHELAA) dated September 2020. The site is discounted solely for the reason that it is located within a SLQA and our client's objection to this is set out above.

3.47 Otherwise, the SHELAA confirms that the principle of highway access to the site is acceptable, subject to allowing for the turning of refuse vehicles within the design of the access road, which could be addressed. It is confirmed that there are no known conservation constraints or noise/air quality constraints, and that the site is not within an identified area of archaeological potential. The SHELAA suggests that there is the potential for moderate to high quality

habitats and ecological interest within the woodland areas, but this could be assessed and appropriately mitigated.

3.48 In terms of its accessibility and sustainability, the SHELAA confirms that the site is located within 800m of accessible green space or play space, within 800m of a community/leisure facility, within 1,200m of a Primary School and within 1,600m of a Secondary School. It is also noted that the site is located 0.5 miles (by road) to the south of the A27 and its associated local facilities and services. There are also bus routes that run along Barnes Lane to the east, and the A27.

3.49 The SHELAA concludes that the site is both available and achievable but that it is not suitable due to its location within an ASLQ.

3.50 The Landscape Response prepared by Terra Firma Consultancy, enclosed at Appendix A, includes an Opportunities and Constraints Plan for the site which identifies an indicative developable area extending to approximately 0.93 hectares. On the basis of a development density of 30-35 dph, this would equate to the provision of between 28-33 dwellings on the site.

3.51 On the basis of the above, the Council is encouraged to allocate Land adjacent to 75 Holly Hill Lane in Sarisbury for approximately 30 dwellings. This site is controlled by a highly reputable local housing developer – Bargate Homes – who has a strong local track record of delivery and is keen to bring it forward for development immediately, such that the site can make an important contribution to the Council's five-year housing land supply.

4.0 Participation at the Examination Hearing Sessions

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

4.1 Yes, we want to take part in a hearing session.

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

4.2 To contribute to testing the legal compliance and soundness of the PLP for the reasons set out in these representations.

APPENDIX 1

Landscape Response prepared by Terra Firma Consultancy and associated Opportunities and Constrains Plan

December 2020 | JG | P20-3153

FAREHAM LOCAL PLAN 2037
REPRESENTATIONS

LAND WEST OF OLD STREET, STUBBINGTON

ON BEHALF OF BARGATE HOMES

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

Prepared by: Jeremy Gardiner & Trevor Moody

Pegasus Group

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough

DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE

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1.0 Introduction

1.1 The following representations are by Pegasus Group on behalf of our client, Bargate Homes. These representations are consistent with and build upon the previous representations submitted to the Council by WYG in relation to this site in response to the Fareham Draft Local Plan 2036 Supplement in February 2020, and we ask that those previous representations are also considered alongside this submission because their content is not repeated here.

1.2 Our client has an interest in **land to the west of Old Street, Stubbington** which was previously the subject of development proposals for up to 160 (reduced to 150) new homes (planning application P/17/1451/OA refused on 23 March 2018, and appeal ref. APP/A1720/W/18/3200409 dismissed on 22 January 2019 refer). Since this appeal decision, and in the light of the Inspector's reasoning, extensive belts of strategic woodland planting have been undertaken at the site which will have the effect of visually detaching part of the site from the Meon Valley and creating a more modest sustainably located site for about 75 new homes on the edge of the urban area of Stubbington. Our client is strongly of the view that these material changes of circumstances at the site, coupled with the need for the Council to meet its local housing target of a minimum of 514 homes per annum, justify the allocation of the site for about 75 dwellings in the local plan.

1.3 Our client is an important stakeholder within Fareham and is keen to work with the Council to produce a plan which is legally compliant and meets the tests of soundness set out within the National Planning Policy Framework (NPPF). Currently the plan is neither legally compliant nor sound.

1.4 The following representations utilise the same format as the Council's response form. Each area of the Publication Local Plan (PLP) which is deemed to be either not legally compliant or unsound is clearly outlined below. Proposed changes to the plan in relation to policies, supporting text and the proposals map are provided.

	Agent	**Client**
Title	Mr	Bargate Homes c/o Agent
First Name	Jeremy	
Last Name	Gardiner	
Job Title	Senior Director	
Organisation	Pegasus Group	
Address	[redacted]	

Postcode
Telephone
Email
[redacted]

2.0 Plan Overall

B1 Which part of the Local Plan is this representation about?

2.1 The following comments relate to the overall Local Plan.

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan:

2.2 Paragraphs 1.5 - 1.6, 1.14, 1.17,1.37, 2.12, 3.19 - 3.22, 3.43, 3.46, 3.49 – 3.57, 4.1 - 4.20, Appendices B and C.

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan

2.3 Policies H1, HP4, HP5, HP7, DS1, DS2, DS3, E2, E3, NE5, D1.

B1c Which part of the Policies Map

2.4 Remove Strategic Gap designation from Land West of Old Street, Stubbington.

B2 Do you think the Publication Local Plan is:

Legally compliant - No

Sound - No

Complies with the duty to co-operate - No

2.5 The Fareham Local Plan is not legally compliant and is unsound as it is not consistent with national policy, effective or justified.

B3 Please provide details you have to support your answers above.

B3.1 The Publication Local Plan is not Legally Compliant

2.6 The Publication Local Plan (PLP) has based its housing proposals on the annual housing target derived from the Government's draft Revised Standard Methodology published in August 2020 in its consultation "Planning for the Future". The Government's response to this consultation was published on 16th December 2020. The Government does not propose to proceed with the changes to assessing local

housing need consulted on earlier this year in "Changes to the Current Planning System"; but instead has published a revised approach to the Standard Method, which retains the method in its previous and current form except for London and 19 of the most populated cites and urban centres.

2.7 The key change is to apply a 35% uplift to the Standard Method for Greater London and the 19 most populated cities and urban areas in England – Birmingham, Liverpool, Bristol, Manchester, Sheffield, Leeds, Leicester, Coventry, Bradford, Nottingham, Kingston upon Hull, Newcastle upon Tyne, Stoke on Trent, Southampton, Plymouth, Derby, Reading, Wolverhampton and Brighton and Hove. The minimum housing requirement for Fareham calculated using the amended standard method therefore remains 514hpa.

2.8 The Government's White Paper, "Changes to the Current Planning System" (published in August 2020 alongside the "Planning for the Future" consultation) provided guidance to local planning authorities which were at or close to the Regulation 19 stage of plan-making at paragraph 43:

2.9 "Transition

43.The Government is aware that any change in the standard method will have an impact for plans that are currently under development, as authorities expend considerable resources in developing new plans. To enable an orderly transition to the revised standard method, and achieve as much short-term supply as possible while setting the right expectations for early stage plan-making, we propose that from the publication date of the revised guidance, authorities which are already at the second stage of the strategic plan consultation process (Regulation 19) are given 6 months to submit their plan to the Planning Inspectorate for examination. Authorities close to publishing their second stage consultation (Regulation 19), should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan and a further 6 months to submit their plan to the Planning Inspectorate. This is to strike a balance between allowing an appropriate transition period for plans that are nearly through the process, but without causing a significant delay in planning for a higher level of need." (our underlining)

2.10 This transitional arrangement applied to Fareham at the time, such that the previous Standard Method (514hpa) continued to apply for plan-making purposes in the borough in any event, but the Council chose not to follow this national

guidance.

2.11 The National Planning Policy Framework (NPPF) states (paragraph 16 a)) that Plans should "be prepared with the objective of contributing to the achievement of sustainable development". Footnote 10 confirms that this is a legal requirement of local planning authorities in exercising their plan-making functions. Meeting the objectives of sustainable development includes "…meeting the needs of the present…". By preparing a Plan based on the Consultation draft Standard Methodology target of 403 dwellings per annum, the local planning authority is failing to meet its local objectively assessed need for housing, thereby failing to plan to deliver sustainable development.

2.12 The PPG (ID 2a-003-20190220) is clear that the standard method should be used and any other method should only be used in exceptional circumstances. It further explains that:

2.13 *"…Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination."* (PPG ID 2a-015-20190220).

2.14 As discussed above the extant standard method identifies a requirement of 514hpa. The NPPF (paragraph 60) identifies that the current Standard Method provides a minimum requirement. To depart and provide a figure lower than the current Standard Method requires exceptional circumstances and must be justified by clear and robust evidence. This is absent from the Council's evidence base and as such is an unsound approach.

2.15 The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa) – a requirement confirmed by the Government's announcement of 16th December, 2020. As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the Consultation revised Standard Methodology figure of 403 hpa was procedurally flawed, lacking in evidential basis, premature

and misleading.

2.16 The NPPF (paragraph 33) also states that plans should be reviewed every 5 years and updated as necessary. The Inspector's Report on the Examination into the Fareham Local Plan Part 2 (dated 12th May 2015) included modifications which were all proposed by the Council. Its first Main Modification was "a commitment to an early review of the local plan (ie. LP1, LP2 and LP3)". This included a timetable for the local plan review between 2016 and 2018 which the Council has failed to adhere to, having previously expressed its commitment to the Inspector.

2.17 The Local Plan Part 3 is the Welborne Plan which was adopted in 2015.The total quantum of housing to be delivered at Welborne has reduced over the years, and the date for its commencement has repeatedly slipped back. The development is currently running about 5 years late. Recently, serious doubts have been expressed over whether it is deliverable at all given the reported funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10. The development is certainly not currently "deliverable" in NPPF terms. Nonetheless, the PLP relies heavily on the delivery of homes at Welborne as by far the most important source of its housing supply - 4,020 homes (just over 48%) out of a total suggested supply of 8,389 homes are timetabled to be completed at Welborne by 2037, and completions are included in the Council's trajectory for the first five years of the plan. Given the heavy reliance placed on a development which, at best, appears to be at serious risk of continuing to be significantly delayed, the Welborne Plan should be reviewed as a matter of urgency.

2.18 Given the importance of the Welborne Plan to housing delivery this is considered an issue of both soundness and legal non-compliance.

B3.2 The Publication Local Plan is not Sound

2.19 Paragraphs 1.5 – 1.6 of the PLP set out the "Tests of Soundness" which require that the Plan has been "positively prepared, justified, effective and consistent with national policy". The PLB fails to meet the Tests of Soundness for the following reasons:

1. It has not been "positively prepared":

2.20 The Plan does not seek to, as a minimum, meet the area's objectively assessed

need. Given that the Core Strategy was adopted on 4th August, 2011, it is significantly out of date such that (as advised by paragraph 73 and footnote 32 of the NPPF) local housing need should be calculated using the current Standard Methodology. On this basis the local housing need target is 514 homes per annum (hpa) plus the appropriate buffer (5% or 20%). Instead, the PLP plans for 403 hpa, thereby failing to plan for the area's objectively assessed need, and failing to contribute to the achievement of sustainable development.

2.21 The lower housing requirement has also not been the subject of sustainability appraisal (SA). Whilst the SA re-assesses sites based upon a lower housing requirement it fails to consider the implications of a lower housing requirement, compared to the current standard method, upon the delivery of the SA objectives. Even if the lower requirement were justified by national policy, which it is not, the retention of the housing requirement at the level previously consulted upon would be a reasonable alternative.

2.22 The Council published an Affordable Housing Strategy in 2019. On page 14 of the Affordable Housing Strategy, it is suggested that there is a need for 3,500 affordable homes to 2036, or circa 220 per annum. This is based on the existing need for 3,000 affordable homes and an allowance of 500 homes to provide for new households and those falling into need. Given that an average of only 76 affordable homes have been built per annum in Fareham Borough since 2011, there is a significant need to boost the supply of additional affordable housing to address needs. Indeed, the delivery of affordable housing needs to almost treble. The provision of affordable housing to address this need is a significant matter.

2.23 It is also unclear whether the PLP has planned to adequately accommodate unmet need from other authorities. The PPG (ID 2a-010-20190220) identifies that meeting unmet needs from neighbouring authorities as set out in a Statement of Common Ground is one reason why local housing need calculated using the current standard should be exceeded. Contrary to the advice within the PPG (ID 2a-010-20190220) there are currently no Statements of Common Ground identifying if the figure of 847 dwellings is adequate or accepted by other authorities. Rather the Council speculates that this contribution would be "ratified" by a subsequent Partnership for South Hampshire Statement of Common Ground (Duty to Co-operate Statement of Compliance, paragraph 4.5). There is, however, no evidence to support this speculation. Indeed, the only evidence presented confirms a request for Fareham

to accommodate 1,000 dwellings from a single neighbouring authority. The PLP has been prepared in advance of the publication of Statements of Common Ground – as such it's preparation is premature.

2.24 At paragraph 4.4 of the PLP it is stated that unmet need in the sub-region over the plan period could be "circa 10,750 dwellings". At paragraph 4.5, Fareham's "immediate neighbours" are considered, and it is confirmed that Portsmouth City Council has requested that Fareham contributes 1,000 dwellings towards its unmet need, and that Gosport is "likely to have an unmet need issue, currently estimated to be in the region of 2,500 dwellings…". The Council's 'Duty to Co-operate Statement of Compliance' identifies at paragraph 4.6 that instead of responding to the request from Portsmouth the Council is proposing to: "…take the approach that the issue of unmet need is not dealt with as specific to any authority, but as a general contribution." It is not clear how this "general contribution" has been calculated but it appears inadequate. Gosport Borough lies between Portsmouth and Fareham. It is clear that Portsmouth cannot accommodate any of Gosport's unmet need so the obvious place to accommodate it is in Fareham Borough, and Fareham East forms part of the Portsmouth Housing Market Area. Therefore, if Fareham plans to deliver the unmet needs of Portsmouth and Gosport, its contribution would be 3,500 homes. However, the PLP (Table 4.1) proposes a contribution of just 847 dwellings to wider unmet need. This figure should be reviewed.

2.25 In relation to unmet need, it should also be remembered that Welborne (previously known as the North of Fareham SDA) was originally conceived by PUSH (now PfSH) as one of two SDAs which were promoted to meet the sub-regional needs of south Hampshire and brought forward in the "South East Plan". The Inspector's Report on the Examination into the Fareham LDF Core Strategy (dated 20th July, 2011) identified five Main Issues, Main Issue 1 being:

"*7. The North of Fareham SDA represents the most significant and controversial element of the Core Strategy. ….While the principle of the SDA"s development is contained in the regional strategy – policy SH2 of the South East Plan (SEP) – the justification for the proposal derives from evidence prepared by South Hampshire local authorities (the Partnership for Urban South Hampshire [PUSH]) during the SEP"s preparation….The advantages of SDAs are seen as threefold: safeguarding existing towns and villages by reducing coalescence; providing more opportunities*

for planning gain; and achieving a critical mass to deliver sustainability benefits. The development now proposed is one of two SDAs proposed by PUSH and brought forward into the SEP. Both are aimed at meeting sub-regional housing needs and, as such, their housing totals are separated from the housing requirement for the remainder of the Boroughs concerned in the sub-regional strategy and SEP." (our underlining)

2.26 However, the Council is now treating Welborne as a source of housing supply for Fareham Borough only, disregarding its planned sub-regional role. This compounds the lack of positive preparation of the PLP and starkly contrasts the Council's current approach to the delivery of housing to meet sub-regional needs with its approach of a decade ago.

2. It is not Justified:

2.27 The PLP's strategy for housing delivery is not appropriate, because it is based on a need figure derived from the draft revised Standard Methodology which was still the subject of public consultation at the time that the Plan was prepared. The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa). As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa was procedurally flawed, lacking in evidential basis, premature and misleading (as confirmed by the Government's announcement on 16 December 2020 that the Council's annual housing target is to remain at 514 homes per annum).

3. It is not Effective:

2.28 The Council has decided to deliberately plan to not meet its local objectively assessed housing need, so fundamentally the plan will not be effective. This, coupled with its apparent failure to plan to contribute appropriately to the unmet housing need of the sub-region, indicates a failure to work effectively with its neighbouring authorities on cross-boundary strategic planning for housing delivery and a failure "to support the Government's objective of significantly boosting the supply of homes" (NPPF, paragraph 59). Rather, the PLP proposes to restrict the supply of homes in the plan period in a way which will exacerbate the local housing crisis.

4. It is not Consistent with National Policy:

The PLP is not consistent with the NPPF because:

- It will not contribute to the achievement of sustainable development by not, as a minimum, planning to meet its local objectively assessed housing need;
- It is not planning to adequately meet the unmet housing needs of neighbouring authorities in the sub-region;
- It has not based its housing proposals on the current Standard Methodology annual housing need figure of 514 hpa;
- Its strategy lacks a robust evidential justification;
- It's proposed housing land supply includes a majority of housing from sites which are not "deliverable" as defined by the NPPF

B3.3 The Publication Local Plan does not Comply with the Duty to Co-operate

2.29 As stated at B3.1 above, it is unclear whether the PLP has planned to adequately accommodate unmet need from other authorities.

2.30 Against a sub-regional unmet need figure of "circa 10,750 dwellings", and in the context of both neighbouring authorities of Portsmouth City Council and Gosport Borough Council having "unmet need issue(s)", and Havant Borough Council being expressly unable to accommodate any unmet need, the PLP (Table 4.1) proposes a contribution of 847 dwellings to wider unmet need. It is not clear how this has been calculated and it appears inadequate.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

1. Plan to meet, as a minimum, the area's objectively assessed housing need. The current Standard Methodology annual housing need figure is currently 514 hpa.
2. Provide Statements of Common Ground in relation to unmet need from neighbouring and PfSH authorities. Any agreements will need to be

included as additional housing to the minimum 514 hpa.

3. In any event, plan for a level of housing which contributes to the achievement of sustainable development.

4. Treat this plan as an interim plan and reaffirm the Council's commitment to undertake an urgent a review of the Welborne Plan for incorporation into a consolidated early review of this plan.

5. The Council has not undertaken SA of all reasonable alternative housing requirements;

6. The Council has not planned to meet current housing needs, opting instead to phase its housing supply in a way which will exacerbate the current significant under-supply problems;

2.31 Consequential to the above, the Council must allocate additional sites for housing in this interim plan (ahead of the urgent review of the Welborne Plan) to meet its confirmed housing target of 514 hpa, including the allocation of Land West of Old Street, Stubbington for about 75 dwellings.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

2.32 The role of plan-making in contributing to the achievement of sustainable development is a legal requirement (Section 39(2) of the Planning and Compulsory Purchase Act 2004).

2.33 Revisions to the plan so that it plans, as a minimum, to meet the local objectively assessed need for housing, meet affordable housing need and adequately contribute to meeting unmet need would assist the PLP to meet the Tests of Soundness.

3.0 Specific Proposed Changes

B4c Suggested revised wording of any policy or text:

Policy H1: Housing provision

3.1 Completely revise the proposed housing target on the basis of the confirmed Standard Methodology figure for the Borough of a minimum of 514 hpa plus an appropriate contribution to meeting sub-regional unmet needs.

3.2 Ensure that the revised housing target includes the delivery of a minimum of 220 affordable homes per annum.

3.3 Plan to deliver the revised housing target including a five year supply of deliverable sites. In this regard, Welborne (the supply of housing from which is relied on heavily by the PLP) cannot currently be regarded as "deliverable" as defined in the NPPF.

3.4 Consequential updates to paragraphs 4.1 – 4.20 including Tables 4.1, 4.2, 4.3.

3.5 Consequential revisions to the list of Housing Allocation Policies under paragraph 4.20 to include allocations sufficient to deliver the revised housing and affordable housing targets, including the allocation of Land West of Old Street, Stubbington for about 75 dwellings.

3.6 Policy H1 also seeks to identify a 'phased' requirement. The overall supply is described as at least 8,389 dwellings - this is just 165 dwellings greater than the requirement when the correct local housing need standard method is applied. Given the need to provide for unmet needs from neighbouring authorities this is clearly insufficient and as such further allocations are required.

3.7 Policy H1 seeks to 'phase' this supply identifying the following:

- Approximately 2,250 dwellings (averaging 450 dwellings per annum) between 2021/22 and 2025/2613,
- Approximately 2,400 dwellings (averaging 480 dwellings per annum) between 2026/27 and 2030/31,

- Approximately 3,750 dwellings (averaging 625 dwellings per annum) between 2031/32 and 2036/2037.

3.8 This phasing clearly will not meet the overall plan requirement. The rationale for this phasing is due to an anticipation that many of the housing allocations will begin to deliver later in the plan period. This is simply a factor of the sites chosen rather than an evidence-based approach to need. The net effect is that in the early part of the plan period the full need will not be met, exacerbating the current significant housing land supply shortfall in the Borough. This will mean households will either be unable to form or will be forced to move elsewhere to find appropriate accommodation. This not only has an impact upon affordability through increased demand but also has implications for social mobility and health for young and old alike.

3.9 The lack of housing to meet needs in the short-term is exacerbated by recent under-delivery of both market and affordable housing. The Council recognises it has under-delivered in recent years due to the reference to the need for a 20% buffer in accordance with NPPF, paragraph 73 (paragraph 4.16, PLP).

3.10 The housing requirement in the PLP should not be phased to manufacture a five-year housing land supply in the short-term. The plan should seek to address housing need now - to do otherwise is not justified or effective.

3.11 The second part of Policy H1 identifies the sources of supply. Whilst our clients do not wish to comment upon individual sites, we do have significant concerns that the sources of supply will not deliver the plan period housing requirement in full. The PLP, paragraph 4.16, acknowledges that many of the chosen sites will not deliver until later in the plan period therefore any slippage in timescale could well push delivery beyond the plan period. Furthermore, the Council is heavily reliant upon delivery at Welborne. Within our comments upon the Plan overall we identify the need for delivery from this site to be reviewed and indeed question whether it is deliverable at all given the funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10.

3.12 Furthermore, the Council cannot currently demonstrate a five-year housing land supply. The Council's most recent assessment of its five-year housing land supply suggests a 4.03-year supply. This assessment appears optimistic given recent

appeal decisions which identify it is closer 2.4 years. Given these shortcomings it is essential that the PLP seeks to address this under-supply in the short-term.

Development Strategy

3.13 This section is substantially focussed on restricting development outside the existing settlement policy boundaries of urban areas. This marks a significant change in approach since the Regulation 18 version of this plan when the emphasis was on a strategy for locating development sustainably. This is in conflict with the NPPF, paragraph 11, which advises that "Plans and decisions should apply a presumption in favour of sustainable development" and that "For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their areas, and be sufficiently flexible to adapt to rapid change".

3.14 The highly restrictive strategic policy approach introduced into the PLP does not accord with this national guidance.

Policy DS1: Development in the Countryside

3.15 For housing development which is brought forward in the absence of a 5 year housing land supply, Policy HP4 applies. This will necessarily introduce new built form onto greenfield sites adjacent or well related to existing urban area boundaries. This will inevitably cause a change to the landscape character of the site and immediately adjacent land. Criteria ii) and iii) require proposals to "conserve and enhance landscapes" and "recognise the intrinsic character and beauty of the countryside". It is not clear which "landscapes" are being referred to – the spatial extent of 'landscapes' should be defined here to avoid ambiguity. While the landscape as a whole could be enhanced by carefully designed development proposals, the principle of landscape change within the site itself should be established. If this requirement to 'conserve and enhance landscapes' is applied to the landscape features and character of a potential development site, then this requirement is excessive and unachievable once the landscape 'change' from an undeveloped site to a developed site is taken into account. Either the spatial extent of 'landscapes' should be defined or the requirement to 'enhance landscapes' be removed from the policy.

3.16 Moreover, it is not clear how the extent to which a proposal has recognised "the intrinsic character of the beauty of the countryside" can be measured. After all, those attributes can be "recognised" but then disregarded. It is true that every area of countryside has a "character" but not that every area of countryside has "beauty".

3.17 Criterion v) should include an exception for development which is brought forward under Policy HP4, where the application of the "tilted balance" would allow the loss of BMVAL.

3.18 Paragraph 3.39 fails to explain how this policy works in relation to housing policies.

Policy DS2: Development in Strategic Gaps

3.19 Under the heading 'Why we need this policy', Paragraph 3.43 of the Publication Local Plan states that "Strategic Gaps do not necessarily have intrinsic landscape value but are important in maintaining the settlement pattern, defining settlement character and providing green infrastructure opportunities". The introduction of 'settlement character' into the policy wording is not consistent with the evidence base which confirms at paragraph 2 in Chapter 4 of the Technical Review of Areas of Special Landscape Quality and Strategic Gaps that the "primary purpose of identifying Strategic Gaps is to prevent the coalescence of separate settlements and help maintain distinct community identities. Strategic Gaps do not necessarily have intrinsic landscape value but are important in maintaining the settlement pattern, protecting settlement identity and providing green infrastructure opportunities".

3.20 Strategic Policy DS2: Development in Strategic Gaps should only apply to land which provides a spatial function to maintain separation of settlements and define settlement pattern rather than defining settlement character. Land west of Old Street, Stubbington does not contribute to the spatial separation of settlements, therefore Strategic Policy DS2 should not be applied to this land.

3.21 This view is supported by the Inspector for the appeal relating to Land west of Old Street, Stubbington APP/A1720/W/18/3200409 who stated that:

"The Meon Gap lies between Fareham/ Stubbington and the Western Wards/Whiteley. Policy CS22 requires the integrity of the gap to be maintained and the physical and visual separation of settlements to be respected. In terms of separation of settlements there is no dispute that there would be no diminution either in physical or visual terms if the development were to go ahead. The policy indicates that the gap boundaries will be reviewed to ensure that no more land than necessary is included in order to maintain gap function". (our underlining)

3.22 The Inspector goes on to state:

"It should be remembered that gap policy is a spatial tool. The Council referred to the role of the gap in maintaining the character or setting of Stubbington. This is considered in the 2017 LCA where the strategic gap designation is reviewed. However, the document makes clear that its purpose is to consider what role the landscape plays within the strategic gaps. It is not intended to examine the designation criteria, or the broad areas identified. This is important to note because it is landscape rather than spatial considerations that are key to settlement character and setting. The character and setting of Stubbington is not pertinent to gap designation or function in policy CS22".

3.23 The Inspector concluded:

"I appreciate that a review of gap boundaries was undertaken in 2012 and that no changes were recommended in relation to the land immediately adjacent to Stubbington. However, for the reasons I have given I do not consider that the proposed development of the appeal site would adversely affect the integrity of the Meon Gap". (our underlining)

3.24 For this reason, Strategic Policy DS2 should not apply to Land west of Old Street, Stubbington, because it has been confirmed that this land does not contribute to the function of the Strategic Gap. The Meon Valley is protected by many environmental designations which prevent development into this area from the Fareham side of the valley. The designated valley floor of the Meon Valley maintains separation of settlements to an extent that an adequate gap is maintained without the inclusion of Land west of Old Street, Stubbington within the Strategic Gap. Fareham Policy CS: 22: Strategic Gaps, states that "In

defining the extent of a gap, no more land than is necessary to prevent the coalescence of settlements should be included having regard to maintaining their physical and visual separation." It is therefore unnecessary for Strategic Policy DS2 to apply Land west of Old Street, Stubbington.

3.25 At paragraph 7 of Chapter 4 of the Technical Review of Areas of Special Landscape Quality and Strategic Gaps states that "Where it is considered that there is capacity to absorb more development within the Fareham-Stubbington Strategic Gap, GI mitigation will be required, to a greater or lesser extent depending on the scale and nature of any development". Again, at paragraph 11 of the chapter 4 summary the Technical Review states "The ability to absorb development into the landscape exists, without compromising the integrity of the Gap function, again on the understanding that the settlement edges must include appropriate Green Infrastructure".

3.26 We submit that there is similar potential within the Meon Gap where the Gap is significantly wider than is the case for the Fareham-Stubbington Strategic Gap. This is particularly the case for Land west of Old Street, Stubbington where advance planting and green infrastructure has already been implemented during 2019 and is establishing well. This will continue to develop and establish a wooded edge to the Meon Valley, providing separation between the Meon Valley and Land west of Old Street, Stubbington. This would reinforce the wooded edge characteristics of settlements which are a feature throughout Fareham Borough, as referred to within the Fareham Borough Gap Review 2012, which states "The edges of new housing are often more visible than older housing stock as a result of garden tree planting, which has helped to screen the older properties adjoining the gap. Properties which back onto woodland have the most robust edge to the gap". In the case of Land west of Old Street, Stubbington the advance planting will create a wooded edge, providing a strong boundary between the site and the Meon Valley (stronger than is the case for the older housing at Hill Head where rear garden boundaries are visible from the Meon Valley) and in so doing it would be more consistent with the character of the settlement edges of the Borough. These green infrastructure enhancements already implemented will bring benefits to the biodiversity of the Meon Valley through enhanced planting and management of the existing farmland.

Policy DS3: Landscape

3.27 This draft policy designates about a quarter of the land area of the Borough as "Areas of Special Landscape Quality" (as shown on Figure 3.3).

3.28 From the commentary provided in paragraph 3.49, it appears that the Council is equating its 'Areas of Special Landscape Quality' (ASLQ) with 'valued landscapes'. This is questionable. All landscapes are valued at some level by different people. NPPF paragraph 170 triggers a need to consider when landscape value is just a local consideration, or when landscapes are more 'out of the ordinary'. Fundamentally, for a landscape to be a valued landscape, it does not have to be designated - so by designating the ASLQ (or by creating a valued landscape designation) the Council has created a policy that is irrelevant, because guidance says that non designated landscapes can be valued, so site-by-site assessments will be required in any event. **Given that Policy DS3 is irrelevant, it is unnecessary and it should be deleted.**

3.29 However, if it is held that Policy DS3 should not be deleted, the following comments apply:

3.30 Paragraph 3.55 states that "…all parts of the Borough have some landscape quality and may be sensitive to landscape change". This is ambiguous. All landscape will be of 'a quality' but quality (in GLVIA3 aligned with condition) is only one consideration of landscape sensitivity.

3.31 With regard to "How the policy works", paragraph 3.56 states that *"The criteria within the policy (points a-g) are derived from the Guidelines for Landscape and Visual Impact Assessment (GLVIA 3) published by the Landscape Institute."*. The GLVIA is an extensive and diverse document and, if it is to be used as basis for this policy then a specific reference or explanation should be provided as to how points a-g have been derived.

3.32 Paragraph 3.57 refers to the submission of "…a proportionate Landscape Assessment". In the event that Policy DS3 is not deleted, this should be amended to require the submission of a 'Landscape and Visual Impact Assessment'. There are many applications of Landscape Assessment and several forms of reporting. Reference to LVIA would be specific and clear as to what is required (and incidentally relates better to the approaches set out in GLVIA3).

3.33 The local plan evidence at page 50 of the Technical Review of Areas of Special Landscape Quality and Strategic Gaps does not include the requirement for the landscape to be "protected and enhanced". The requirement to "protect and enhance" the landscape is ambiguous because it is not clear whether it is intended to refer to the landscape of the ASLQ as a whole or if it would apply to a potential development site, within which the requirement to enhance is excessive and unachievable once the landscape 'change' from an undeveloped site to a developed site is taken into account. As an example, a development could provide enhancement to the ASLQ landscape through restoration of landscape features or new green infrastructure, but at a site scale the landscape 'change' from an undeveloped site to a developed site is unlikely to result in 'enhancement'.

3.34 Each of the Candidate Areas of Special Landscape Quality have been assessed against the GLVIA3 Box 5.1 criteria, which is an accepted tool to assess landscape value. Land west of Old Street, Stubbington is located within ASLQ 4: Meon Valley and in LLCA 6.1c which is described as within the Landscape Assessment (2017) as:

> *"On the eastern side of the valley floor, area 6.1c is occupied by similar land uses but with greater variation in field pattern and enclosure. The area comprises a mosaic of smaller-scale pastures bounded by strong hedgerows and trees (particularly within the northern and southern ends of the area), two small-scale enclosed tributary valleys and some larger fields with a more open, denuded character within the central section around the Crofton Manor Equestrian Centre. Together with the adjacent horticultural glasshouses and other commercial operations, this lends a localised fringe character to the landscape but does not detract significantly from the essentially rural characteristics of the overall area".*

3.35 At Figure 3.3 each of the LCA within Fareham is assessed against the GLVIA3 'valued landscape' criteria. Figure 1.3 explains the criteria in more detail, defining a 'High match', 'Good match', 'Fair match' and 'Partial match'.

3.36 Land west of Old Street, Stubbington is located within LLCA 6.1c which is assessed as a 'good match' for all criteria, except 'Associations' which is a 'partial match'. Figure 3.2 defines a 'Good match' as *"The area's scenic quality and condition are both relatively high. It has a generally unspoilt, intact and coherent character with a good level of topographic and visual unity. It has several*

features of note, including natural and cultural designations, and is valued for its recreational opportunities. There are some detracting influences, but these do not generally intrude".

3.37 We submit that the assessment of LLCA 6.1c has attributed a higher value for the 'Recreational value' criteria than can be justified. The southern half of LLCA 6.1c does not have any means of public access so can not be described as being 'valued for its recreational opportunities'. In the northern half there are infrequent public footpaths and the Crofton Manor Equestrian Centre, neither of which justify the area being defined as 'valued for its recreational opportunities'. Instead, the term 'Recreational value is relatively limited' is a fair reflection of the recreation provision within LLCA 6.1c as a whole, which is the definition applicable to a 'Partial Match'.

3.38 Landscape quality (condition) is also assessed as a 'Good Match', despite the Landscape Assessment (2017) acknowledging its 'denuded character' and 'fringe character'. This character is a feature of LLCA 6.1c, and for this reason the 'Good Match' definition as 'generally unspoilt, intact and coherent character' is not justifiable. A 'Fair Match' is most applicable to LLCA 6.1c, defined as "condition is moderate to good. It is generally intact and coherent with some unspoilt characteristics".

3.39 The criteria of 'Conservation interests' is also assessed as a 'Good Match', defined as "It has a number of features of note, including natural and cultural designations". We submit that 'Fair Match' is a more balanced description of LLCA 6.1c, defined as "some features of note which may include natural or cultural designations".

Policy HP1: New Residential Development

3.40 This policy relates to all new housing proposals. However, it only envisages housing coming forward outside Urban Area boundaries through either the conversion of a non-residential building or as a replacement dwelling. It should also cross-refer to Policy HP4 which allows housing to come forward on land outside Urban Area boundaries if the Council cannot demonstrate a Five Year Housing Land Supply.

3.41 Therefore add:

"c) It is for additional housing in circumstances where the Council cannot demonstrate a Five Year Housing Land Supply and Policy HP4 applies."

Policy HP4: Five-Year Housing Land Supply

3.42 The housing requirement set out in Policy H1 must be re-calculated using the current Standard methodology as described in our comments on draft Policy H1 above.

3.43 Paragraph 5.24 infers that Policy HP4 reproduces Local Plan Part 2 Policy DSP40. However, the third criterion in Policy DSP40 was as follows:

> *"iii) The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;"*

3.44 This has been replaced in Policy HP4 by:

> *"c) The proposal is sensitively designed to reflect the landscape character and setting of the settlement, is of a scale proportionate to its setting and recognises the intrinsic character and beauty of the countryside and, if relevant, does not significantly affect the integrity of a Strategic Gap;"*

3.45 If a five year housing land supply cannot be demonstrated, then in accordance with the NPPF, paragraph 11d, the most relevant policies in the plan would be out of date and the presumption in favour of sustainable development would apply. This policy may therefore be judged to be inappropriate because it adds restrictions which may prevent sustainable sites from coming forward. However, if such a policy is held to be necessary, then a faithful reproduction of Policy DSP40 iii) is strongly preferred. See our comments on Policy DS1 in this regard.

Policy HP5: Provision of Affordable Housing

3.46 This draft policy states that "affordable housing <u>must</u> be provided" (our underlining) in the following proportions:

i. At least 10% as Social Rent; and

ii. At least 55% as Affordable Rent or Social Rent; and

iii. The remainder, but no less than 10% as Affordable Home Ownership.

iv. The mix of property size and type should reflect the local need and the site characteristics.

3.47 As drafted this policy is not sufficiently flexible. As acknowledged at paragraph 5.36, development viability will be an issue on some sites. As acknowledged at paragraph 5.39, occasionally the tenure mix prescribed by the policy will not be appropriate; and as acknowledged at paragraph 5.34, other exceptional circumstances may arise (such as abnormal costs) which dictate that a non-standard provision of affordable housing is demonstrated to be appropriate.

3.48 Therefore, amend the first part of the policy to read:

"Sites that can accommodate 10 or more dwellings or sites with an area of 0.5 hectares or more shall normally provide: ..."

3.49 And amend the second part of the policy to read:

"The affordable housing shall normally be provided in accordance with the following proportions: ..."

Policy HP7: Adaptable and Accessible Dwellings

3.50 This draft policy states:

"Development proposals for all new dwellings shall provide:

a) At least 15% of all new dwellings at Category 2 standard; and

b) On schemes of over 100 dwellings (gross), at least 2% of private housing and 5% of affordable housing shall be provided as wheelchair accessible Category 3 properties."

3.51 Similar to Policy HP5 above, as drafted this policy is not sufficiently flexible. It is acknowledged that this policy is based on the requirements of Part M of the Building Regulations but it must allow for circumstances arising which mean that these requirements cannot be delivered (fully or otherwise).

3.52 Therefore, amend the first line of the policy to read:

"Development proposals for all new dwellings shall normally provide: …"

3.53 Paragraph 5.57 of the supporting text states:

"The cost to development for providing Category 2 and 3 is relatively minimal. Flexibility for additional costs have been factored into the viability evidence base and this indicates that the requirements for Category 2 and 3 should have no detrimental impact on the viability of schemes in the Borough..."

3.54 **This statement is strongly disputed**. In reality, these costs will not be factored into a developer's viability calculations (particularly in relation to Category 3 requirements) because option agreements / conditional contracts will have already been agreed on the sites that the Council want to see come forward, so these costs will not have been anticipated. The Category 3 requirements must be substantiated by quantified evidence of the level of need for such units in the Borough – in the absence of this it is not clear whether the level of provision sought by this policy is appropriate.

Policy HP9: Self and Custom Build Homes

3.55 This policy requires 10% of dwellings on sites of 40 dwellings or more to be provided for Self and Custom Build Homes. The practical implications of managing self or custom build developments on sites otherwise being constructed by housing developers or housing associations must be carefully considered. There is concern that 40 dwellings is too small a threshold at which to introduce this requirement due to the potentially onerous construction management implications which will arise. It would be preferable for the Council to allocate specific sites for self and custom build developments instead of requiring this element on all housing developments of 40 dwellings or more.

3.56 It is noted that, as stated at paragraph 5.70, only 1% of housing plots at Welborne are required to be provided for self or custom build under the Welborne Plan (2015). The total number of homes to be delivered by Welborne has reduced considerably over the last five years so this level of requirement should be reviewed as it will not yield the number of self or custom build homes as was anticipated at the time the Welborne Plan was prepared. Strategic allocations

such as Welborne provide the ideal opportunity for parcels of land to be allocated for self or custom build, so that opportunity should not be missed. This should be addressed in the review of the Welborne Plan which is overdue and necessary.

Policy D1: High Quality Design and Place Making

3.57 This is a highly aspirational policy which sets out ten criteria ("key characteristics of high quality design") against which all development proposals will be judged "to ensure the creation of quality places." It is not clear what a "quality place" is – this should be defined. The ten criteria push the "bar" too high – all proposals cannot be expected to "create places that are attractive, memorable, distinctive and of strong character", for example, laudable though those aspirations are. In practice, very few proposals would receive planning permission if assessed against this requirement.

Appendix B: Housing Trajectory

3.58 This appendix must be updated as it does not reflect the quantum of housing required to meet the local needs. It also projects completions of 975 homes in 2023/24 and 961 homes in 2024/5, which are at risk due to the delays to Welborne which continue. Completions from Welborne should be shown separately as previously.

Proposed housing allocation of Land West of Old Street, Stubbington for about 75 dwellings

3.59 In 2019 the appeal Inspector concluded that the development of the site would not adversely affect the integrity of the Meon Valley Strategic Gap. Clearly, therefore, the site should be excluded from the Strategic Gap boundary. The boundaries of the strategic gap were defined in relation to Core Strategy Policy CS22 and they were drawn in the context of the understanding of development needs at that time – an understanding which no longer reflects current reality, that being a very substantial shortfall in housing land supply and the preparation of the PLP by the Council which plans to under-provide housing against the Council's annual housing requirement of 514 homes per annum. Strategic Gap boundaries must be reviewed as part of the process of allocating additional sites for housing in this local plan, and our client's site west of Old Street, Stubbington should be removed from the Strategic Gap.

3.60 The 2019 appeal Inspector found that the West of Old Street, Stubbington site lay in an area of valued landscape. In this context, the value of the site's landscape has been re-assessed as part of our commentary on Policy DS3 above, against the GLVIA3 'valued landscape' criteria. As described, the site performs no better than as a Fair or Partial match against these criteria. When account is taken of the effect of the structural woodland planting undertaken over time, it is clear that development of the eastern part of the site will only have a minor impact on the wider landscape at most. Lying adjacent to the existing settlement of Stubbington, the introduction of development will appear entirely characteristic within the receiving landscape, while providing a strong, vegetated edge to the countryside in perpetuity. There is no doubt that the character of the developed part of the site would change, but that is no different for any greenfield development. There is no reason to assume that the site's development will be anything other than an attractive extension to Stubbington and one which is entirely congruous with its surroundings. The site's landscape containment has been enhanced through woodland planting which will both screen it from the Meon Valley and enhance its biodiversity.

3.61 Moreover, the western part of the site, beyond the woodland planting belt, is being used to provide mitigation habitat for Solent Waders and Brent Geese, off-setting development impact on low use SWBG sites elsewhere in borough. The segregation of this part of the site acknowledges this function and avoids its disturbance.

3.62 The West of Old Street site is also sustainably located for access to services and facilities and to sustainable transport modes (walking, cycling and public transport).

3.63 For all of these reasons, the Council is encouraged to allocate Land West of Old Street, Stubbington for about 75 dwellings. The site is controlled by a highly reputable local housing developer – Bargate Homes – which has a strong local track record of delivery and is keen to bring it forward for development immediately, such that the site can make an important contribution to the Council's five year housing land supply.

4.0 Participation at the examination hearing session

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session.

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To contribute to testing the legal compliance and soundness of the PLP for the reasons set out in these representations.

December 2020 | JG | P20-2401 & 2402

FAREHAM LOCAL PLAN 2037 REPRESENTATIONS

POLICY HA1 HOUSING ALLOCATION – LAND NORTH AND SOUTH OF GREENAWAY LANE, WARSASH

ON BEHALF OF
BARGATE HOMES

Pegasus Group

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough

DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE

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Appendix 1 - Site Location Plan (Drawing No. FLPR-LP.01 – Rev P1)

1.0 Introduction

1.1 The following representations are prepared by Pegasus Group on behalf of our client, Bargate Homes. Our client has interests in three parcels of land that all form part of the proposed Policy HA1 housing allocation – Land North and South of Greenaway Lane, Warsash, identified within the emerging Fareham Local Plan 2037 (hereafter referred to as the Publication Local Plan).

1.2 The three land interests are as follows: 1. Land South of Greenaway Lane (adjacent to 125 Greenaway Lane); 2. Land East of Brook Lane and West of Lockswood Road (our client controls all but the easternmost part of this site); and 3. Land East of Brook Lane and North of Warsash Road. A Site Location Plan (Drawing No. FLPR-LP.01 – Rev P1) is attached at Appendix 1.

1.3 At the time of writing these representations, all three sites are subject to outline planning applications, which have all been considered by Fareham Borough Council's (FBC) Planning Committee. Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) has a resolution to grant outline planning permission for the construction of up to 100 dwellings (Ref. No. P/19/0402/OA). Land East of Brook Lane and West of Lockswood Road has a resolution to grant outline planning permission for the construction of up to 157 dwellings (Ref. No. P/17/0998/OA). Land East of Brook Lane and North of Warsash Road has a resolution to grant outline planning permission for up to 140 dwellings (Ref. No. P/17/0752/OA).

1.4 For the reasons set out in these representations, our client strongly supports the allocation of their three land interests as part of Policy HA1. However, their view is that amendments are required to the specific wording of this policy. These representations also set out our client's position in relation to required amendments to some of the more general policies proposed within the Publication Local Plan (PLP).

1.5 Our client is an important stakeholder within Fareham and is keen to work with the Council to produce a plan which is legally compliant and meets the tests of soundness set out within the National Planning Policy Framework (NPPF). Currently the plan is neither legally compliant nor sound.

1.6 The following representations utilise the same format as the Council's response form. Each area of the PLP which is deemed to be either not legally compliant or unsound is clearly outlined below. Proposed changes to the plan in relation to policies, supporting text and the proposals map are provided.

	Agent	**Client**
Title	Mr	Bargate Homes c/o Agent
First Name	Jeremy	
Last Name	Gardiner	
Job Title	Senior Director	
Organisation	Pegasus Group	
Address	[redacted]	
Postcode		
Telephone		
Email		

2.0 Plan Overall

B1 Which part of the Local Plan is this representation about?

2.1 The following comments relate to the overall Local Plan.

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan:

2.2 Paragraphs 1.5–1.6, 1.14, 1.17, 1.37, 2.12, 3.19–3.22, 3.49–3.57, 4.1–4.20, Appendix B.

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan

2.3 Policies H1, HA1, HP1, HP4, HP5, HP6, HP7, HP9, DS1, DS3, NE8, D1.

B1c Which part of the Policies Map

2.4 Policy HA1 allocation site – Land North and South of Greenaway Lane, Warsash.

B2 Do you think the Publication Local Plan is:

Legally compliant – No
Sound – No
Complies with the duty to co-operate – No

2.5 The Fareham Local Plan is not legally compliant and is unsound as it is not consistent with national policy, effective or justified.

B3 Please provide details you have to support your answers above.

B3.1 The Publication Local Plan is not Legally Compliant

2.6 The Publication Local Plan (PLP) has based its housing proposals on the annual housing target derived from the Government's draft Revised Standard

Methodology published in August 2020 in its consultation "Planning for the Future". The Government's response to this consultation was published on 16th December 2020. The Government does not propose to proceed with the changes to assessing local housing need consulted on earlier this year in "Changes to the Current Planning System"; but instead has published a revised approach to the Standard Method, which retains the method in its previous and current form except for London and 19 of the most populated cites and urban centres.

2.7 The key change is to apply a 35% uplift to the Standard Method for Greater London and the 19 most populated cities and urban areas in England – Birmingham, Liverpool, Bristol, Manchester, Sheffield, Leeds, Leicester, Coventry, Bradford, Nottingham, Kingston upon Hull, Newcastle upon Tyne, Stoke on Trent, Southampton, Plymouth, Derby, Reading, Wolverhampton and Brighton and Hove. The minimum housing requirement for Fareham calculated using the amended standard method therefore remains 514hpa.

2.8 The Government's White Paper, "Changes to the Current Planning System" (published in August 2020 alongside the "Planning for the Future" consultation) provided guidance to local planning authorities which were at or close to the Regulation 19 stage of plan-making at paragraph 43:

"Transition

43.The Government is aware that any change in the standard method will have an impact for plans that are currently under development, as authorities expend considerable resources in developing new plans. To enable an orderly transition to the revised standard method, and achieve as much short-term supply as possible while setting the right expectations for early stage plan-making, we propose that from the publication date of the revised guidance, authorities which are already at the second stage of the strategic plan consultation process (Regulation 19) are given 6 months to submit their plan to the Planning Inspectorate for examination. Authorities close to publishing their second stage consultation (Regulation 19), should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan and a further 6 months to submit their plan to the Planning

Inspectorate. This is to strike a balance between allowing an appropriate transition period for plans that are nearly through the process, but without causing a significant delay in planning for a higher level of need."

2.9 This transitional arrangement applies to Fareham at the time, such that the previous Standard Method (514 hpa) continued to apply for plan-making purposes in the borough in any event, but the Council chose not to follow this national guidance.

2.10 The National Planning Policy Framework (NPPF) states (paragraph 16 a)) that Plans should "be prepared with the objective of contributing to the achievement of sustainable development". Footnote 10 confirms that this is a legal requirement of local planning authorities in exercising their plan-making functions. Meeting the objectives of sustainable development includes "…meeting the needs of the present…". By preparing a Plan based on the revised draft Standard Methodology target of 403 dwellings per annum, the local planning authority is failing to meet its local objectively assessed need for housing, thereby failing to plan to deliver sustainable development.

2.11 The PPG (ID 2a-003-20190220) is clear that the standard method should be used and any other method should only be used in exceptional circumstances. It further explains that:

"…Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination." (PPG ID 2a-015-20190220).

2.12 As discussed above the extant standard method identifies a requirement of 514hpa. The NPPF (paragraph 60) identifies that the current standard method provides a minimum requirement. To depart and provide a figure lower than the current Standard Method requires exceptional circumstances and must be justified by clear and robust evidence. This is absent from the Council's evidence base and as such is an unsound approach.

2.13 The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa) – a requirement confirmed by the Government's announcement of 16th December 2020. As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa was procedurally flawed, lacking in evidential basis, premature and misleading.

2.14 The NPPF (paragraph 33) also states that plans should be reviewed every 5 years and updated as necessary. The Inspector's Report on the Examination into the Fareham Local Plan Part 2 (dated 12th May 2015) included modifications which were all proposed by the Council. Its first Main Modification was "a commitment to an early review of the local plan (ie. LP1, LP2 and LP3)". This included a timetable for the local plan review between 2016 and 2018 which the Council has failed to adhere to, having previously expressed its commitment to the Inspector.

2.15 The Local Plan Part 3 is the Welborne Plan which was adopted in 2015.The total quantum of housing to be delivered at Welborne has reduced over the years, and the date for its commencement has repeatedly slipped back. The development is currently running about 5 years late. Recently, serious doubts have been expressed over whether it is deliverable at all given the reported funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10. The development is certainly not currently "deliverable" in NPPF terms. Nonetheless, the PLP relies heavily on the delivery of homes at Welborne as by far the most important source of its housing supply - 4,020 homes (just over 48%) out of a total suggested supply of 8,389 homes are timetabled to be completed at Welborne by 2037, and completions are included in the Council's trajectory for the first five years of the plan. Given the heavy reliance placed on a development which, at best, appears to be at serious risk of continuing to be significantly delayed, the Welborne Plan should be reviewed as a matter of urgency.

2.16 Given the importance of the Welborne Plan to housing delivery this is considered an issue of both soundness and legal non-compliance.

B3.2 The Publication Local Plan is not Sound

2.17 Paragraphs 1.5 – 1.6 of the PLP set out the "Tests of Soundness" which require that the Plan has been "positively prepared, justified, effective and consistent with national policy". The PLP fails to meet the Tests of Soundness for the following reasons:

1. It has not been "positively prepared"

2.18 The Plan does not seek to, as a minimum, meet the area's objectively assessed need. Given that the Core Strategy was adopted on 4th August 2011, it is significantly out of date such that (as advised by paragraph 73 and footnote 32 of the NPPF) local housing need should be calculated using the current Standard Methodology. On this basis the local housing need target is 514 homes per annum (hpa) plus the appropriate buffer (5% or 20%). Instead, the PLP plans for 403 hpa, thereby failing to plan for the area's objectively assessed need, and failing to contribute to the achievement of sustainable development.

2.19 The lower housing requirement has also not been the subject of sustainability appraisal (SA). Whilst the SA re-assesses sites based upon a lower housing requirement it fails to consider the implications of a lower housing requirement, compared to the current standard method, upon the delivery of the SA objectives. Even if the lower requirement were justified by national policy, which it is not, the retention of the housing requirement at the level previously consulted upon would be a reasonable alternative.

2.20 The Council published an Affordable Housing Strategy in 2019. On page 14 of the Affordable Housing Strategy, it is suggested that there is a need for 3,500 affordable homes to 2036, or circa 220 per annum. This is based on the existing need for 3,000 affordable homes and an allowance of 500 homes to provide for new households and those falling into need. Given that an average of only 76 affordable homes have been built per annum in Fareham Borough since 2011, there is a significant need to boost the supply of additional affordable housing to address needs. Indeed, the delivery of affordable housing needs to almost treble. The provision of affordable housing to address this need is a

significant matter.

2.21 It is also unclear whether the PLP has planned to adequately accommodate unmet need from other authorities. The PPG (ID 2a-010-20190220) identifies that meeting unmet needs from neighbouring authorities as set out in a Statement of Common Ground is one reason why local housing need calculated using the current standard should be exceeded. Contrary to the advice within the PPG (ID 2a-010-20190220) there are currently no Statements of Common Ground identifying if the figure of 847 dwellings is adequate or accepted by other authorities. Rather the Council speculates that this contribution would be "ratified" by a subsequent Partnership for South Hampshire Statement of Common Ground (Duty to Co-operate Statement of Compliance, paragraph 4.5). There is, however, no evidence to support this speculation. Indeed, the only evidence presented confirms a request for Fareham to accommodate 1,000 dwellings from a single neighbouring authority. The PLP has been prepared in advance of the publication of Statements of Common Ground – as such its preparation is premature.

2.22 At paragraph 4.4 of the PLP it is stated that unmet need in the sub-region over the plan period could be "circa 10,750 dwellings". At paragraph 4.5, Fareham's "immediate neighbours" are considered, and it is confirmed that Portsmouth City Council has requested that Fareham contributes 1,000 dwellings towards its unmet need, and that Gosport is "likely to have an unmet need issue, currently estimated to be in the region of 2,500 dwellings…". The Council's 'Duty to Co-operate Statement of Compliance' identifies at paragraph 4.6 that instead of responding to the request from Portsmouth the Council is proposing to: "…take the approach that the issue of unmet need is not dealt with as specific to any authority, but as a general contribution." It is not clear how this "general contribution" has been calculated but it appears inadequate. Gosport Borough lies between Portsmouth and Fareham. It is clear that Portsmouth cannot accommodate any of Gosport's unmet need so the obvious place to accommodate it is in Fareham Borough. Therefore, if Fareham plans to deliver the unmet needs of Portsmouth and Gosport, its contribution would be 3,500 homes. However, the PLP (Table 4.1) proposes a contribution of just 847 dwellings to wider unmet need. This figure should be reviewed.

2.23 In relation to unmet need, it should also be remembered that Welborne (previously known as the North of Fareham SDA) was originally conceived by PUSH (now PfSH) as one of two SDAs which were promoted to meet the sub-regional needs of south Hampshire and brought forward in the "South East Plan". The Inspector's Report on the Examination into the Fareham LDF Core Strategy (dated 20th July 2011) identified five Main Issues, Main Issue 1 being:

"*7. The North of Fareham SDA represents the most significant and controversial element of the Core Strategy. ….While the principle of the SDA"s development is contained in the regional strategy – policy SH2 of the South East Plan (SEP) – the justification for the proposal derives from evidence prepared by South Hampshire local authorities (the Partnership for Urban South Hampshire [PUSH]) during the SEP"s preparation….The advantages of SDAs are seen as threefold: safeguarding existing towns and villages by reducing coalescence; providing more opportunities for planning gain; and achieving a critical mass to deliver sustainability benefits. The development now proposed is one of two SDAs proposed by PUSH and brought forward into the SEP. <u>Both are aimed at meeting sub-regional housing needs and, as such, their housing totals are separated from the housing requirement for the remainder of the Boroughs concerned</u> in the sub-regional strategy and SEP."* (our underlining)

2.24 However, the Council is now treating Welborne as a source of housing supply for Fareham Borough only, disregarding its planned sub-regional role. This compounds the lack of positive preparation of the PLP and starkly contrasts the Council's current approach to the delivery of housing to meet sub-regional needs with its approach of a decade ago.

<u>2. It is not "justified":</u>

2.25 The PLP's strategy for housing delivery is not appropriate, because it is based on a need figure derived from the draft revised Standard Methodology which was still the subject of public consultation at the time that the Plan was prepared. The Government's response to the consultation is awaited. The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's

case, 514 hpa). As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa is procedurally flawed, lacking in evidential basis, premature and potentially misleading.

3. It is not "effective":

2.26 Fareham has decided to deliberately plan to not meet its local objectively assessed housing need, so fundamentally the plan will not be effective. This, coupled with its apparent failure to plan to contribute appropriately to the unmet housing need of the sub-region, indicates a failure to work effectively with its neighbouring authorities on cross-boundary strategic planning for housing delivery and a failure "to support the Government's objective of significantly boosting the supply of homes" (NPPF, paragraph 59). Rather, the PLP proposes to restrict the supply of homes in the plan period in a way which will exacerbate the local housing crisis.

4. It is not "consistent with national policy":

2.27 The PLP is not consistent with the NPPF because:

- It will not contribute to the achievement of sustainable development by not, as a minimum, planning to meet its local objectively assessed housing need;
- It is not planning to adequately meet the unmet housing needs of neighbouring authorities in the sub-region;
- It has not based its housing proposals on the current Standard Methodology;
- Its strategy lacks a robust evidential justification; and
- Its proposed housing land supply includes a majority of housing from sites which are not "deliverable" as defined by the NPPF.

B3.3 The Publication Local Plan does not Comply with the Duty to Co-operate

2.28 As stated at B3.1 above, it is unclear whether the PLP has planned to

adequately accommodate unmet need from other authorities.

2.29 Against a sub-regional unmet need figure of "circa 10,750 dwellings", and in the context of both neighbouring authorities of Portsmouth City Council and Gosport Borough Council having "unmet need issue(s)", and Havant Borough Council being expressly unable to accommodate any unmet need, the PLP (Table 4.1) proposes a contribution of 847 dwellings to wider unmet need. It is not clear how this has been calculated and it appears inadequate.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

1. Plan to meet, as a minimum, the area's objectively assessed housing need. The current Standard Methodology annual housing need figure is currently 514 hpa.
2. Provide Statements of Common Ground in relation to unmet need from neighbouring and PfSH authorities. Any agreements will need to be included as additional housing to the minimum 514hpa.
3. In any event, plan for a level of housing which contributes to the achievement of sustainable development.
4. Treat this plan as an interim plan and reaffirm the Council's commitment to undertake an urgent a review of the Welborne Plan for incorporation into a consolidated early review of this plan.
5. The Council has not undertaken SA of all reasonable alternative housing requirements.
6. The Council has not planned to meet current housing needs, opting instead to phase its housing supply in a way which will exacerbate the current significant under-supply problems.

2.30 Consequential to the above, the Council must allocate additional sites for housing in this interim plan (ahead of the urgent review of the Welborne Plan) to meet its confirmed housing target of 514 hpa.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

2.31 The role of plan-making in contributing to the achievement of sustainable development is a legal requirement (Section 39(2) of the Planning and Compulsory Purchase Act 2004).

2.32 Revisions to the plan so that it plans, as a minimum, to meet the local objectively assessed need for housing, meet affordable housing need and adequately contribute to meeting unmet need would assist the PLP to meet the Tests of Soundness.

3.0 Specific Proposed Changes

B4c Suggested revised wording of any policy or text

Policy H1: Housing provision

3.1 Completely revise the proposed housing target on the basis of the current Standard Methodology figure for the Borough of a minimum of 514 hpa plus an appropriate contribution to meeting sub-regional unmet needs.

3.2 Ensure that the revised housing target includes the delivery of a minimum of 220 affordable homes per annum.

3.3 Plan to deliver the revised housing target including a five-year supply of deliverable sites. In this regard, Welborne (the supply of housing from which is relied on heavily by the PLP) cannot currently be regarded as "deliverable" as defined in the NPPF.

3.4 Consequential updates to paragraphs 4.1 – 4.20 including Tables 4.1, 4.2, 4.3.

3.5 Consequential revisions to the list of Housing Allocation Policies under paragraph 4.20 to include allocations sufficient to deliver the revised housing and affordable housing targets.

3.6 Policy H1 also seeks to identify a 'phased' requirement. The overall supply is described as at least 8,389 dwellings - this is just 165 dwellings greater than the requirement when the correct local housing need standard method is applied. Given the need to provide for unmet needs from neighbouring authorities this is clearly insufficient and as such further allocations are required.

3.7 Policy H1 seeks to 'phase' this supply identifying the following:

- Approximately 2,250 dwellings (averaging 450 dwellings per annum) between 2021/22 and 2025/2613;
- Approximately 2,400 dwellings (averaging 480 dwellings per annum)

between 2026/27 and 2030/31; and

- Approximately 3,750 dwellings (averaging 625 dwellings per annum) between 2031/32 and 2036/2037.

3.8 This phasing clearly will not meet the overall plan requirement. The rationale for this phasing is due to an anticipation that many of the housing allocations will begin to deliver later in the plan period. This is simply a factor of the sites chosen rather than an evidence-based approach to need. The net effect is that in the early part of the plan period the full need will not be met, exacerbating the current significant housing land supply shortfall in the Borough. This will mean households will either be unable to form or will be forced to move elsewhere to find appropriate accommodation. This not only has an impact upon affordability through increased demand but also has implications for social mobility and health for young and old alike.

3.9 The lack of housing to meet needs in the short-term is exacerbated by recent under-delivery of both market and affordable housing. The Council recognises it has under-delivered in recent years due to the reference to the need for a 20% buffer in accordance with NPPF, paragraph 73 (paragraph 4.16, PLP).

3.10 The housing requirement in the PLP should not be phased to manufacture a five-year housing land supply in the short-term. The plan should seek to address housing need now – to do otherwise is not justified or effective.

3.11 The second part of Policy H1 identifies the sources of supply. Whilst our client does not wish to comment upon individual sites, we do have significant concerns that the sources of supply will not deliver the plan period housing requirement in full. The PLP, paragraph 4.16, acknowledges that many of the chosen sites will not deliver until later in the plan period therefore any slippage in timescale could well push delivery beyond the plan period. Furthermore, the Council is heavily reliant upon delivery at Welborne. Within our comments upon the Plan overall we identify the need for delivery from this site to be reviewed and indeed question whether it is deliverable at all given the funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10.

3.12 Furthermore, the Council cannot currently demonstrate a five-year housing land supply. The Council's most recent assessment of its five-year housing land supply suggests a 4.03-year supply. This assessment appears optimistic given recent appeal decisions which identify it is closer 2.4 years. Given these shortcomings it is essential that the PLP seeks to address this under-supply in the short-term.

Section 3: Development Strategy

3.13 This section is substantially focussed on restricting development outside the existing settlement policy boundaries of urban areas. This is in conflict with the NPPF, paragraph 11, which advises that "Plans and decisions should apply a presumption in favour of sustainable development" and that "For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their areas, and be sufficiently flexible to adapt to rapid change".

3.14 The highly restrictive strategic policy approach introduced into the PLP does not accord with this national guidance.

Policy DS1: Development in the Countryside

3.15 For housing development which is brought forward in the absence of a 5-year housing land supply, Policy HP4 applies. This will necessarily introduce new built form onto greenfield sites adjacent or well related to existing urban area boundaries. This will inevitably cause a change to the landscape character of the site and immediately adjacent land. Criteria ii) and iii) require proposals to "conserve and enhance landscapes" and "recognise the intrinsic character and beauty of the countryside". It is not clear which "landscapes" are being referred to – presumably this should be restricted to formally designated landscapes or defined "valued" landscapes because otherwise it could be applied to every area of countryside. It is also not clear how, for example, a housing development can "conserve and enhance" a landscape – relevant measures should be defined. Moreover, it is not clear how the extent to which a proposal has recognised "the intrinsic character of the beauty of the countryside" can

be measured. After all, those attributes can be "recognised" but then disregarded. It is true that every area of countryside has a "character" but not that every area of countryside has "beauty".

3.16 Criterion v) should include an exception for development which is brought forward under Policy HP4, where the application of the "tilted balance" would allow the loss of BMVAL.

3.17 Paragraph 3.39 fails to explain how this policy works in relation to housing policies.

Policy DS3: Landscape

3.18 This draft policy designates about a quarter of the land area of the Borough as "Areas of Special Landscape Quality" (as shown on Figure 3.3).

3.19 From the commentary provided in paragraph 3.49, it appears that the Council is equating its 'Areas of Special Landscape Quality' (ASLQ) with 'valued landscapes'. This is questionable. All landscapes are valued at some level by different people. NPPF paragraph 170 triggers a need to consider when landscape value is just a local consideration, or when landscapes are more 'out of the ordinary'. Fundamentally, for a landscape to be a valued landscape, it does not have to be designated - so by designating the ASLQ (or by creating a valued landscape designation) the Council is at risk of creating a policy that is irrelevant, because guidance says that non designated landscapes can be valued, so site-by-site assessments will be required in any event. **Given that Policy DS3 is irrelevant, it is unnecessary and it should be deleted.**

3.20 However, if it is held that Policy DS3 should not be deleted, the following comments apply.

3.21 Paragraph 3.55 states that "…all parts of the Borough have some landscape quality and may be sensitive to landscape change". This is ambiguous. All landscape will be of 'a quality' but quality (in GLVIA3 aligned with condition) is only one consideration of landscape sensitivity.

3.22 With regard to "How the policy works", paragraph 3.56 states that "*The criteria within the policy (points a-g) are derived from the Guidelines for Landscape and Visual Impact Assessment (GLVIA 3) published by the Landscape Institute.".* The GLVIA is an extensive and diverse document and, if it is to be used as basis for this policy then a specific reference or explanation should be provided as to how points a-g have been derived.

3.23 Paragraph 3.57 refers to the submission of "…a proportionate Landscape Assessment". This should be amended to require the submission of a 'Landscape and Visual Impact Assessment'. There are many applications of Landscape Assessment and several forms of reporting. Reference to LVIA would be specific and clear as to what is required (and incidentally relates better to the approaches set out in GLVIA3).

Policy HA1: Land North and South of Greenaway Lane

3.24 As set out in the Introduction to these representations, our client has interests in three parcels of land that all form part of the proposed Policy HA1 housing allocation – Land North and South of Greenaway Lane, Warsash. Our client therefore strongly supports Policy HA1 and the identification of their three land interests within this proposed residential allocation.

3.25 The three land interests are as follows: 1. Land South of Greenaway Lane (adjacent to 125 Greenaway Lane); 2. Land East of Brook Lane and West of Lockswood Road; and 3. Land East of Brook Lane and North of Warsash Road.

3.26 At the time of writing these representations, all three sites are subject to outline planning applications, which have all been considered by Fareham Borough Council's (FBC) Planning Committee. Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) has a resolution to grant outline planning permission for the construction of up to 100 dwellings (Ref. No. P/19/0402/OA). Land East of Brook Lane and West of Lockswood Road has a resolution to grant outline planning permission for the construction of up to 157 dwellings (Ref. No. P/17/0998/OA). Land East of Brook Lane and North of Warsash Road has a resolution to grant outline planning permission for up to 140 dwellings (Ref. No. P/17/0752/OA).

3.27 The outstanding matters relating to the outline planning applications are all close to being resolved, especially now that a solution has been agreed in relation to nitrogen deposition into the Solent. It is therefore anticipated that outline planning permission can be granted for all three sites in the near future. Our client then intends to proceed to detailed planning followed by construction stages in a phased but timely manner, such that all three sites are deliverable and can therefore contribute towards the Council's housing land supply position in the short-term.

3.28 Whilst our client supports Policy HA1 and the allocation of their land interests for residential development in principle, in their view the wording of the site-specific requirements contained within the policy requires some amendments, as explained below.

a) <u>The quantum of housing proposed shall be broadly consistent with the indicative site capacity</u>

3.29 Policy HA1 sets out an indicative yield for the allocation as a whole of 824 dwellings. This is supported and no changes are suggested to this site-specific requirement. Our client's three land interests could provide up to 366 dwellings when combined. This includes up to 100 dwellings on Land South of Greenaway Lane (adjacent to 125 Greenaway Lane); approximately 126 dwellings on Land East of Brook Lane and East of Lockswood Road (considering our client does not control the easternmost part of the site so cannot deliver all of the 'up to 157 dwellings' approved at the outline stage); and up to 140 dwellings on Land East of Brook Lane and North of Warsash Road. This represents almost 45% of the indicative yield.

b) <u>Primary highway access should be focused on Brook Lane and Lockswood Road with limited access via Greenaway Lane where necessary, subject to consideration of the impact on the character of Greenaway Lane</u>

3.30 This is not supported, particularly having regard to Land South of Greenaway Lane (adjacent to 125 Greenaway Lane). The wording of this site-specific requirement, including the use of 'limited' and 'where necessary', could be

considered to preclude the provision of a primary vehicular access to the Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) from Greenaway Lane.

3.31 The wording of site-specific requirement b) is inconsistent with Figure 4.1 – Policy HA1 Indicative Framework Plan contained with the PLP. Figure 4.1 identifies 'Indicative Principal Vehicular Access' points into the HA1 allocation, which are indicated by purple arrows and includes the identification of a principal access to the Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) from Greenaway Lane, located in the north-west corner of the site. Figure 4.1 also identifies two further principal accesses further east along Greenaway Lane associated with other parts of the HA1 allocation (outside of our client's control).

3.32 The wording of site-specific requirement b) is also inconsistent with the Illustrative Masterplan that has been approved by the Council as part of the resolution to grant outline planning permission for Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) under Ref. No. P/19/0402/OA. The approved Illustrative Masterplan includes the provision of a primary vehicular access point from Greenaway Lane, located in the north-west corner of the site (in a similar location to the purple arrow shown on Figure 4.1 of the PLP).

3.33 The Committee Report relating to the outline application (dated 16 December 2020), discusses highways matters at paragraphs 8.46 to 8.51. It confirms that from a highway safety perspective, the proposed access from Greenaway Lane is acceptable subject to the imposition of planning conditions (requiring the construction of the access junctions and visibility splays in accordance with the approved plans) and financial contributions towards off-site highways works and a Travel Plan.

3.34 The Committee Report confirms that the Highway Authority is satisfied that a safe means of access can be provided and identifies this as *"…a significant material planning consideration."* In terms of the impact on Greenaway Lane as a result of the physical alterations proposed as part of the development, the Committee Report states that these *"…are not of a level that would adversely detract from the character of Greenaway Lane or justify refusal of outline*

planning permission." The Committee Report then makes reference to the decision of the Planning Inspectorate in relation to a previous scheme for the site (Ref. No. APP/A1720/W/19/3225866 dated 11 December 2019), in which the Inspector confirms at paragraph 42 that *"…it would be possible to secure complementary development of the Greenaway Lane frontage within the scope of the reserved matters. Furthermore, highways works, and any additional traffic generated by the development, would affect only a very short section of the lane which lacks the more rural character seen towards the east."* At paragraph 38 of the Inspector's decision, it is concluded that *"…no necessity for an alternative access has been demonstrated on highways grounds."*

3.35 On the above basis, it is considered that the wording of site-specific requirement b) is inappropriate and misleading in potentially precluding the provision of a primary vehicular access to Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) from Greenaway Lane. This would be inconsistent with the provisions of Figure 4.1 of the PLP, as well as the Council's recent resolution to grant outline planning permission and conclusions of the previous appeal Inspector.

3.36 Accordingly, the wording of site-specific requirement b) should be amended to state:

"b) Primary highways access should be in accordance with the broad locations of the 'Indicative Principal Vehicular Access' points shown on Figure 4.1."

c) <u>The provision of vehicular highway access between development parcels without prejudice to adjacent land in accordance with Policy D3</u>

3.37 This is supported and no changes are suggested to this site-specific requirement. Figure 4.1 – Policy HA1 Indicative Framework Plan of the PLP shows the location of 'indicative secondary vehicular link roads' which are identified by dotted grey arrows. Our client agrees with the indicative location of these secondary access points within the Policy HA1 allocation, insofar as they relate to their three land interests, although it should be noted some of these connections may be bought forwards as pedestrian/cycle links only at

the detailed planning application stage to avoid more than 100 units having direct access onto Greenaway Lane.

d) The provision of a continuous north–south Green Infrastructure Corridor between the northern and southern site boundaries that is of an appropriate scale to accommodate public open space, connected foot and cycle paths, natural greenspace and wildlife habitats that link the two badger setts and other species, and east-west wildlife corridors. Highway cross-over points shall be limited in number and width and include wildlife tunnels where necessary, in accordance with the Framework Plan

3.38 The provisions of this site-specific requirement are supported in principle. The outline illustrative masterplans for the three parts of the HA1 allocation under our client's control incorporate these measures as far as possible and have been agreed with the Council.

3.39 Figure 4.1 – Policy HA1 Indicative Framework Plan of the PLP shows the location of 'indicative wildlife link tunnels'. This includes one running north-south on Land East of Brook Lane and North of Warsash Road which is accepted.

3.40 Figure 4.1 also shows two tunnels on Land South of Greenaway Lane (adjacent to 125 Greenaway Lane), both of which are shown running north-south. Whilst it is acknowledged that these tunnels are only shown indicatively on Figure 4.1, it is noted that the southernmost tunnel on Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) should in fact be shown running east-west, so that it crosses and runs perpendicular (not parallel to) the 'indicative secondary vehicular link road' in this location, and so that it reflects the line of the green corridor running along the southern boundary of the land parcel. Otherwise, the provision of two tunnels within this part of the allocation is accepted, as is the indicative location and orientation of the northernmost tunnel.

e) The provision of pedestrian and cycle connectivity between adjoining land parcels, as well as providing connectivity with Warsash Road and nearby facilities and services

3.41 This site-specific requirement is supported in principle and the outline illustrative masterplans for the three parts of the HA1 allocation under our client's control incorporate these measures as far as possible and have been agreed with the Council.

3.42 It is noted that it is not possible to provide direct connectivity between the land within the HA1 allocation and Warsash Road to the south, as the boundaries do not immediately adjoin the road. However, the outline illustrative masterplans provide pedestrian and cycle linkages to Brook Lane, which in turn leads to Warsash Road and nearby facilities and services.

3.43 In relation to the development proposals for Land East of Brook Lane and North of Warsash Road, it has previously been proposed to provide a pedestrian/cycle link from the southern boundary of the site into the rear car park of The Victory Hall which fronts on to Warsash Road. However, this proposal was not supported by the relevant stakeholders and so has not been carried forward into the illustrative outline masterplan for the site.

f) Building heights should be limited to a maximum of 2.5 storeys, except for buildings which front onto Greenaway Lane and Brook Lane where building heights shall be limited to a maximum of 2 storeys

3.44 The first part of this site-specific requirement is not supported. It is considered that some elements of 3 storey development are appropriate on the allocation site, provided they are located sensitively in the central parts of the site and setback from the site boundaries, allowing them to be appropriately screened and for a buffer to be provided to existing adjoining land uses. This is consistent with the requirement for the efficient use of land as set out in the NPPF.

3.45 The second part of this site-specific requirement for buildings fronting Greenaway Lane and Brook Lane to be limited to a maximum of 2 storeys is accepted.

g) Existing trees subject to a Tree Preservation Order should be retained and incorporated within the design and layout of proposals in a manner that does

not impact on living conditions

3.46 This is not supported. The wording of this site-specific requirement suggests that any tree that is subject to a Tree Preservation Order (TPO) cannot be removed. This is not appropriate and is not justified, particularly in light of the vehicular link required through TPO woodland in the southern most portion of the allocation. It is possible that cases may arise where it is necessary to remove a tree even if it is subject to a TPO, for example if the tree is no longer in a good condition or if it poses a health and safety risk in the future.

3.47 The wording of this site-specific requirement should be amended to provide greater flexibility and should state:

"Where possible, existing trees subject to a Tree Preservation Order should be retained and incorporated within the design and layout of proposals in a manner that does not impact on living conditions, unless agreed in writing with the Local Authority."

h) A Construction Environmental Management Plan to avoid adverse impacts of construction on the Solent designated sites shall be provided

3.48 This is supported and no changes are suggested to this site-specific requirement.

i) Provide future access to the existing underground water and wastewater infrastructure for maintenance and upsizing purposes (included at the request of Southern Water)

3.49 This is supported and no changes are suggested to this site-specific requirement. These measures can be incorporated into the detailed design for the three land parcels controlled by our client to ensure that future access is provided.

j) The site is identified as a mineral safeguarded site (sand and gravel are likely to underlay site). A Minerals Assessment will be required prior to any

development in accordance with the Hampshire Minerals and Waste Plan (2013)

3.50 The justification and evidence in support of this site-specific requirement are unclear. From our review of the information available on Hampshire County Council's (HCC) website, including the HCC Minerals and Waste Plan (adopted 2013) and its associated online Proposals Map, the HCC Minerals and Waste Safeguarding in Hampshire Supplementary Planning Document (adopted February 2016) and the HCC Minerals and Waste Plan Minerals Consultation Area (2015), the land within the Policy HA1 allocation does not appear to be identified as a minerals safeguarded site or as having any potential to be underlain by any mineral resources.

3.51 Furthermore, this matter has not been raised during the outline planning stages for our client's land interests.

3.52 This site-specific requirement is therefore not supported and should be deleted in relation to the Policy HA1 allocation.

k) Infrastructure provision and contributions including but not limited to health, education and transport shall be provided in line with Policy TIN4 and NE3. In addition, the following site-specific infrastructure will be required:
i) Two junior football pitches on-site; and
ii) Off-site improvements to existing sports facilities

3.53 The wording of site-specific requirement k) implies that financial contributions will definitely be required. This wording should be amended to provide more flexibility, in the event that it is agreed between the relevant parties that contributions are not in fact required in relation to one or more of the matters referred to.

3.54 The provision of reasonable financial contributions towards education and transport are accepted in principle where a specific need is identified and at an appropriate level to be agreed between the relevant parties.

3.55 In terms of our client's three land interests, financial contributions towards

education and transport have been agreed in principle through the resolutions to grant outline planning permission, with Section 106 Agreements to secure these being agreed prior to the outline planning permission for each site being issued.

3.56 The reference in site-specific requirement k) to providing contributions towards health is not supported. The Committee Report relating to Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) (Ref. No. P/19/0402/OA dated 16 December 2020) discusses this matter with regard to a request from the University Hospital Southampton NHS Foundation Trust for a financial contribution to provide services needed by the occupants of the proposed new dwellings. The Officer's comments at paragraphs 8.64-8.68 of the Committee Report are as follows:

"In considering the requests it is noted that the construction of houses does not itself lead to population growth. Officers consider that the need for housing is a consequence of population growth. Furthermore, there is no account in the representations, it seems, for the potential for the residents of the new development to be moving locally around the Borough or adjoining boroughs such that their residence locally is already accounted for by the current services and funding commissioned by the hospital…

…The length of time between sites being identified, planning permission being granted, and the houses actually being constructed and subsequently occupied is many years. The amount of residential development coming forward in the Borough which has not been reasonably foreseeable for a period of year is therefore very limited.

In January 2019 the NHS launched its new 10-year plan. This plan sets out how the NHS thinks it can overcome the challenges that the NHS faces, such as staff shortages and growing demand for services. This is to be achieved essentially by doing things differently and at no point does it refer to the need for new developments to provide for healthcare services by means of financial contribution such as that requested by the Trust.

For the reasons set out above, Officers do not consider that the contribution

sought by the Trust is necessary to make the development acceptable in planning terms and thus the tests for planning obligations as set out above are not considered to have been met. Furthermore, given the adopted policy framework it is considered that in the absence of the contribution, the application does not fail as a consequence as this issue alone would not justify a reason for refusal, which it must do in order to make the contribution necessary to make the development acceptable in planning terms and meet the test for a planning obligation."

3.57 The same conclusions should be made in terms of site-specific requirement k) and the reference to health should therefore be deleted.

3.58 Finally, the requirement to provide two junior football pitches on-site is not supported. During the time that developers in the 'Warsash Cluster' have been in discussion with FBC in relation to their land interests, the Council has not been able to justify why on-site provision is needed and appears to have been an aspiration which has not been properly considered. The provision of sports pitches in this location is not appropriate, particularly having regard to the likely noise and traffic implications associated with this use, as well as the presumed need for a complementary pavilion. Site-specific requirement k) i) should therefore be deleted.

3.59 In terms of the requirement to provide off-site improvements to existing sports facilities, this is inconsistent with the financial contributions that have been agreed as part of the resolutions to grant outline planning permission for our client's three land interests and this requirement has not been raised by FBC as part of this process. The wording of site-specific requirement k) should therefore be amended to provide more flexibility, so that it cannot be interpreted that an off-site financial contribution towards sports facilities is required in relation to all land parcels within the Policy HA1 allocation (such as our client's three sites), but so that this can be sought in relation to the other parcels of land if justified and agreed between the relevant parties.

3.60 Taking into account all of the above, the wording of site-specific requirement k) should be amended to state:

"Infrastructure provision or contributions including but not limited to education and transport may be necessary in line with Policy TIN4 and NE3. In addition, contributions towards off-site improvements to existing sports facilities may be required."

Figure 4.1 – Policy HA1 Indicative Framework Plan

3.61 Figure 4.1 includes the identification of areas referred to as 'open space or development options. Development not on both', which are marked by a light green diagonal hatching. The only areas annotated as such on Figure 4.1 relate to our client's interest at Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) – one is shown at the western end of the site frontage with Greenaway Lane and the other running north-south in the centre of the site.

3.62 These annotations are not necessary and should be deleted as their intended purpose is unclear. The agreed illustrative outline masterplan for this site shows that development will be set back from Greenaway Lane with a linear area of public open shown across the entire site frontage, which in turn connects with further public open space shown running north-south through the centre of the site.

Policy HP1: New Residential Development

3.63 This policy relates to all new housing proposals. However, it only envisages housing coming forward outside Urban Area boundaries through either the conversion of a non-residential building or as a replacement dwelling. It should also cross-refer to Policy HP4 which allows housing to come forward on land outside Urban Area boundaries if the Council cannot demonstrate a Five-Year Housing Land Supply.

3.64 Therefore add:

"c) It is for additional housing in circumstances where the Council cannot demonstrate a Five Year Housing Land Supply and Policy HP4 applies."

Policy HP4: Five-Year Housing Land Supply

3.65 The housing requirement set out in Policy H1 must be re-calculated using the current Standard methodology as described in our comments on draft Policy H1 above.

3.66 Paragraph 5.24 infers that Policy HP4 reproduces Local Plan Part 2 Policy DSP40. However, the third criterion in Policy DSP40 was as follows:

"iii) The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;"

3.67 This has been replaced in Policy HP4 by:

"c) The proposal is sensitively designed to reflect the landscape character and setting of the settlement, is of a scale proportionate to its setting and recognises the intrinsic character and beauty of the countryside and, if relevant, does not significantly affect the integrity of a Strategic Gap;"

3.68 If a five-year housing land supply cannot be demonstrated, then in accordance with the NPPF, paragraph 11d, the most relevant polices in the plan would be out of date and the presumption in favour of sustainable development would apply. This policy may therefore be judged to be inappropriate because it adds restrictions which may prevent sustainable sites from coming forward. However, if such a policy is held to be necessary, then a faithful reproduction of Policy DSP40 iii) is strongly preferred. See our comments on Policy DS1 in this regard.

Policy HP5: Provision of Affordable Housing

3.69 This draft policy states that "affordable housing <u>must</u> be provided" (our underlining) in the following proportions:

i. At least 10% as Social Rent; and
ii. At least 55% as Affordable Rent or Social Rent; and

iii. The remainder, but no less than 10% as Affordable Home Ownership.
iv. The mix of property size and type should reflect the local need and the site characteristics.

3.70 As drafted this policy is not sufficiently flexible. As acknowledged at paragraph 5.36, development viability will be an issue on some sites. As acknowledged at paragraph 5.39, occasionally the tenure mix prescribed by the policy will not be appropriate; and as acknowledged at paragraph 5.34, other exceptional circumstances may arise (such as abnormal costs) which dictate that a non-standard provision of affordable housing is demonstrated to be appropriate.

3.71 Therefore, amend the first part of the policy to read:

"Sites that can accommodate 10 or more dwellings or sites with an area of 0.5 hectares or more shall normally provide: ..."

3.72 And amend the second part of the policy to read:

"The affordable housing shall normally be provided in accordance with the following proportions: ..."

Policy HP7: Adaptable and Accessible Dwellings

3.73 This draft policy states:

"Development proposals for all new dwellings shall provide:
a) At least 15% of all new dwellings at Category 2 standard; and
b) On schemes of over 100 dwellings (gross), at least 2% of private housing and 5% of affordable housing shall be provided as wheelchair accessible Category 3 properties."

3.74 Similar to Policy HP5 above, as drafted this policy is not sufficiently flexible. It is acknowledged that this policy is based on the requirements of Part M of the Building Regulations but it must allow for circumstances arising which mean that these requirements cannot be delivered (fully or otherwise).

3.75 Therefore, amend the first line of the policy to read:

"Development proposals for all new dwellings shall normally provide: ..."

3.76 Paragraph 5.57 of the supporting text states:

"The cost to development for providing Category 2 and 3 is relatively minimal. Flexibility for additional costs have been factored into the viability evidence base and this indicates that the requirements for Category 2 and 3 should have no detrimental impact on the viability of schemes in the Borough..."

3.77 This statement is strongly disputed. In reality, these costs will not be factored into a developer's viability calculations (particularly in relation to Category 3 requirements) because option agreements / conditional contracts will have already been agreed on the sites that the Council want to see come forward, so these costs will not have been anticipated. The Category 3 requirements must be substantiated by quantified evidence of the need for such units in the Borough.

Policy HP9: Self and Custom Build Homes

3.78 This policy requires 10% of dwellings on sites of 40 dwellings or more to be provided for Self and Custom Build Homes. The practical implications of managing self or custom build developments on sites otherwise being constructed by housing developers or housing associations must be carefully considered. There is concern that 40 dwellings is too small a threshold at which to introduce this requirement due to the potentially onerous construction management implications which will arise. It would be preferable for the Council to allocate specific sites for self and custom build developments instead of requiring this element on all housing developments of 40 dwellings or more.

3.79 It is noted that, as stated at paragraph 5.70, only 1% of housing plots at Welborne are required to be provided for self or custom build under the Welborne Plan (2015). Strategic allocations such as Welborne provide the ideal opportunity for parcels of land to be allocated for self or custom build, so that

opportunity should not be missed. This should be addressed in the review of the Welborne Plan which is overdue and necessary.

Policy D1: High Quality Design and Place Making

3.80 This is a highly aspirational policy which sets out ten criteria ("key characteristics of high quality design") against which all development proposals will be judged "to ensure the creation of quality places." It is not clear what a "quality place" is – this should be defined. The ten criteria push the "bar" too high – all proposals cannot be expected to "create places that are attractive, memorable, distinctive and of strong character", for example, laudable though those aspirations are. In practice, very few proposals would receive planning permission if assessed against this requirement.

Appendix B: Housing Trajectory

3.81 This appendix must be updated as it does not reflect the quantum of housing required to meet the local needs. It also projects completions of 975 homes in 2023/24 and 961 homes in 2024/5, which are at risk due to the delays to Welborne which continue. Completions from Welborne should be shown separately as previously.

4.0 Participation at the Examination Hearing Sessions

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

4.1 Yes, we want to take part in a hearing session.

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

4.2 To contribute to testing the legal compliance and soundness of the PLP for the reasons set out in these representations.

APPENDIX 1

Site Location Plan (Drawing No. FLPR-LP.01 – Rev P1)

December 2020 | JG | P20-3154

FAREHAM LOCAL PLAN 2037 REPRESENTATIONS

LAND AT BROOK AVENUE, WARSASH

ON BEHALF OF
ANTHONY AND LISA KING AND ANDREW AND MELANIE NORRIS

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

Prepared by: Jeremy Gardiner & Trevor Moody

Pegasus Group

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough

DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE

Pegasus Group is a trading name of Pegasus Planning Group Limited (07277000) registered in England and Wales
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1.0 Introduction

1.1 The following representations are by Pegasus Group on behalf of our clients, Anthony and Lisa King, and Andrew and Melanie Norris, who own a potential housing site at Brook Avenue, Warsash. For the reasons set out in these representations, our clients are strongly of the view that their land should be allocated for housing development in the local plan.

1.2 These representations are consistent with, and build on, the previous representations which were submitted on behalf of Anthony and Lisa King by WYG in relation to the Fareham Draft Local Plan 2036 Supplement in February, 2020. Those previous representations are re-submitted with this representation for ease of reference.

1.3 The following representations utilise the same format as the Council's response form. Each area of the Publication Local Plan (PLP) which is deemed to be either not legally compliant or unsound is clearly outlined below. Proposed changes to the plan in relation to policies, supporting text and the proposals map are provided.

	Agent	**Client**
Title	Mr	Anthony and Lisa King and Andrew and Melanie Norris c/o Agent
First Name	Jeremy	
Last Name	Gardiner	
Job Title	Senior Director	
Organisation	Pegasus Group	
Address	[redacted]	
Postcode		
Telephone		
Email		

2.0 Plan Overall

B1 Which part of the Local Plan is this representation about?

2.1 The following comments relate to the overall Local Plan.

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan:

2.2 Paragraphs 1.5 - 1.6, 1.14, 1.17,1.37, 2.12, 3.19 - 3.22, 3.43, 3.46, 3.49 – 3.57, 4.1 - 4.20, Appendices B and C.

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan

2.3 Policies H1, HP4, HP5, HP7, DS1, DS2, DS3, E2, E3, NE5, D1.

B1c Which part of the Policies Map

2.4 Former Policy HA2 allocation site Newgate Lane South, Employment allocations Policies E2 and E3.

B2 Do you think the Publication Local Plan is:

Legally compliant - No

Sound - No

Complies with the duty to co-operate - No

2.5 The Fareham Local Plan is not legally compliant and is unsound as it is not consistent with national policy, effective or justified.

B3 Please provide details you have to support your answers above.

B3.1 The Publication Local Plan is not Legally Compliant

2.6 The Publication Local Plan (PLP) has based its housing proposals on the annual housing target derived from the Government's draft Revised Standard Methodology published in August 2020 in its consultation "Planning for the Future". The Government's response to this consultation was published on 16th December 2020.

The Government does not propose to proceed with the changes to assessing local housing need consulted on earlier this year in "Changes to the Current Planning System"; but instead has published a revised approach to the Standard Method, which retains the method in its previous and current form except for London and 19 of the most populated cites and urban centres.

2.7 The key change is to apply a 35% uplift to the Standard Method for Greater London and the 19 most populated cities and urban areas in England – Birmingham, Liverpool, Bristol, Manchester, Sheffield, Leeds, Leicester, Coventry, Bradford, Nottingham, Kingston upon Hull, Newcastle upon Tyne, Stoke on Trent, Southampton, Plymouth, Derby, Reading, Wolverhampton and Brighton and Hove. The minimum housing requirement for Fareham calculated using the amended standard method therefore remains 514hpa.

2.8 The Government's White Paper, "Changes to the Current Planning System" (published in August 2020 alongside the "Planning for the Future" consultation) provided guidance to local planning authorities which were at or close to the Regulation 19 stage of plan-making at paragraph 43:

2.9 "Transition

43.The Government is aware that any change in the standard method will have an impact for plans that are currently under development, as authorities expend considerable resources in developing new plans. To enable an orderly transition to the revised standard method, and achieve as much short-term supply as possible while setting the right expectations for early stage plan-making, we propose that from the publication date of the revised guidance, authorities which are already at the second stage of the strategic plan consultation process (Regulation 19) are given 6 months to submit their plan to the Planning Inspectorate for examination. Authorities close to publishing their second stage consultation (Regulation 19), should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan and a further 6 months to submit their plan to the Planning Inspectorate. This is to strike a balance between allowing an appropriate transition period for plans that are nearly through the process, but without causing a significant delay in planning for a higher level of need." (our underlining)

2.10 This transitional arrangement applied to Fareham at the time, such that the previous Standard Method (514hpa) continued to apply for plan-making purposes

in the borough in any event, but the Council chose not to follow this national guidance.

2.11 The National Planning Policy Framework (NPPF) states (paragraph 16 a)) that Plans should "be prepared with the objective of contributing to the achievement of sustainable development". Footnote 10 confirms that this is a legal requirement of local planning authorities in exercising their plan-making functions. Meeting the objectives of sustainable development includes "…meeting the needs of the present…". By preparing a Plan based on the Consultation draft Standard Methodology target of 403 dwellings per annum, the local planning authority is failing to meet its local objectively assessed need for housing, thereby failing to plan to deliver sustainable development.

2.12 The PPG (ID 2a-003-20190220) is clear that the standard method should be used and any other method should only be used in exceptional circumstances. It further explains that:

2.13 *"…Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination."* (PPG ID 2a-015-20190220).

2.14 As discussed above the extant standard method identifies a requirement of 514hpa. The NPPF (paragraph 60) identifies that the current Standard Method provides a minimum requirement. To depart and provide a figure lower than the current Standard Method requires exceptional circumstances and must be justified by clear and robust evidence. This is absent from the Council's evidence base and as such is an unsound approach.

2.15 The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa) – a requirement confirmed by the Government's announcement of 16th December, 2020. As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the Consultation revised Standard Methodology figure of 403 hpa was procedurally flawed, lacking in evidential basis, premature and misleading.

2.16 The NPPF (paragraph 33) also states that plans should be reviewed every 5 years and updated as necessary. The Inspector's Report on the Examination into the Fareham Local Plan Part 2 (dated 12th May 2015) included modifications which were all proposed by the Council. Its first Main Modification was "a commitment to an early review of the local plan (ie. LP1, LP2 and LP3)". This included a timetable for the local plan review between 2016 and 2018 which the Council has failed to adhere to, having previously expressed its commitment to the Inspector.

2.17 The Local Plan Part 3 is the Welborne Plan which was adopted in 2015.The total quantum of housing to be delivered at Welborne has reduced over the years, and the date for its commencement has repeatedly slipped back. The development is currently running about 5 years late. Recently, serious doubts have been expressed over whether it is deliverable at all given the reported funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10. The development is certainly not currently "deliverable" in NPPF terms. Nonetheless, the PLP relies heavily on the delivery of homes at Welborne as by far the most important source of its housing supply - 4,020 homes (just over 48%) out of a total suggested supply of 8,389 homes are timetabled to be completed at Welborne by 2037, and completions are included in the Council's trajectory for the first five years of the plan. Given the heavy reliance placed on a development which, at best, appears to be at serious risk of continuing to be significantly delayed, the Welborne Plan should be reviewed as a matter of urgency.

2.18 Given the importance of the Welborne Plan to housing delivery this is considered an issue of both soundness and legal non-compliance.

B3.2 The Publication Local Plan is not Sound

2.19 Paragraphs 1.5 – 1.6 of the PLP set out the "Tests of Soundness" which require that the Plan has been "positively prepared, justified, effective and consistent with national policy". The PLB fails to meet the Tests of Soundness for the following reasons:

1. It has not been "positively prepared":

2.20 The Plan does not seek to, as a minimum, meet the area's objectively assessed need. Given that the Core Strategy was adopted on 4th August, 2011, it is significantly out of date such that (as advised by paragraph 73 and footnote 32 of

the NPPF) local housing need should be calculated using the current Standard Methodology. On this basis the local housing need target is 514 homes per annum (hpa) plus the appropriate buffer (5% or 20%). Instead, the PLP plans for 403 hpa, thereby failing to plan for the area's objectively assessed need, and failing to contribute to the achievement of sustainable development.

2.21 The lower housing requirement has also not been the subject of sustainability appraisal (SA). Whilst the SA re-assesses sites based upon a lower housing requirement it fails to consider the implications of a lower housing requirement, compared to the current standard method, upon the delivery of the SA objectives. Even if the lower requirement were justified by national policy, which it is not, the retention of the housing requirement at the level previously consulted upon would be a reasonable alternative.

2.22 The Council published an Affordable Housing Strategy in 2019. On page 14 of the Affordable Housing Strategy, it is suggested that there is a need for 3,500 affordable homes to 2036, or circa 220 per annum. This is based on the existing need for 3,000 affordable homes and an allowance of 500 homes to provide for new households and those falling into need. Given that an average of only 76 affordable homes have been built per annum in Fareham Borough since 2011, there is a significant need to boost the supply of additional affordable housing to address needs. Indeed, the delivery of affordable housing needs to almost treble. The provision of affordable housing to address this need is a significant matter.

2.23 It is also unclear whether the PLP has planned to adequately accommodate unmet need from other authorities. The PPG (ID 2a-010-20190220) identifies that meeting unmet needs from neighbouring authorities as set out in a Statement of Common Ground is one reason why local housing need calculated using the current standard should be exceeded. Contrary to the advice within the PPG (ID 2a-010-20190220) there are currently no Statements of Common Ground identifying if the figure of 847 dwellings is adequate or accepted by other authorities. Rather the Council speculates that this contribution would be "ratified" by a subsequent Partnership for South Hampshire Statement of Common Ground (Duty to Co-operate Statement of Compliance, paragraph 4.5). There is, however, no evidence to support this speculation. Indeed, the only evidence presented confirms a request for Fareham to accommodate 1,000 dwellings from a single neighbouring authority. The PLP has been prepared in advance of the publication of Statements of Common Ground –

as such it's preparation is premature.

2.24 At paragraph 4.4 of the PLP it is stated that unmet need in the sub-region over the plan period could be "circa 10,750 dwellings". At paragraph 4.5, Fareham's "immediate neighbours" are considered, and it is confirmed that Portsmouth City Council has requested that Fareham contributes 1,000 dwellings towards its unmet need, and that Gosport is "likely to have an unmet need issue, currently estimated to be in the region of 2,500 dwellings…". The Council's 'Duty to Co-operate Statement of Compliance' identifies at paragraph 4.6 that instead of responding to the request from Portsmouth the Council is proposing to: "…take the approach that the issue of unmet need is not dealt with as specific to any authority, but as a general contribution." It is not clear how this "general contribution" has been calculated but it appears inadequate. Gosport Borough lies between Portsmouth and Fareham. It is clear that Portsmouth cannot accommodate any of Gosport's unmet need so the obvious place to accommodate it is in Fareham Borough, and Fareham East forms part of the Portsmouth Housing Market Area. Therefore, if Fareham plans to deliver the unmet needs of Portsmouth and Gosport, its contribution would be 3,500 homes. However, the PLP (Table 4.1) proposes a contribution of just 847 dwellings to wider unmet need. This figure should be reviewed.

2.25 In relation to unmet need, it should also be remembered that Welborne (previously known as the North of Fareham SDA) was originally conceived by PUSH (now PfSH) as one of two SDAs which were promoted to meet the sub-regional needs of south Hampshire and brought forward in the "South East Plan". The Inspector's Report on the Examination into the Fareham LDF Core Strategy (dated 20th July, 2011) identified five Main Issues, Main Issue 1 being:

"*7. The North of Fareham SDA represents the most significant and controversial element of the Core Strategy. ….While the principle of the SDA"s development is contained in the regional strategy – policy SH2 of the South East Plan (SEP) – the justification for the proposal derives from evidence prepared by South Hampshire local authorities (the Partnership for Urban South Hampshire [PUSH]) during the SEP"s preparation….The advantages of SDAs are seen as threefold: safeguarding existing towns and villages by reducing coalescence; providing more opportunities for planning gain; and achieving a critical mass to deliver sustainability benefits.*

The development now proposed is one of two SDAs proposed by PUSH and brought forward into the SEP. Both are aimed at meeting sub-regional housing needs and, as such, their housing totals are separated from the housing requirement for the remainder of the Boroughs concerned in the sub-regional strategy and SEP." (our underlining)

2.26 However, the Council is now treating Welborne as a source of housing supply for Fareham Borough only, disregarding its planned sub-regional role. This compounds the lack of positive preparation of the PLP and starkly contrasts the Council's current approach to the delivery of housing to meet sub-regional needs with its approach of a decade ago.

2. It is not Justified:

2.27 The PLP's strategy for housing delivery is not appropriate, because it is based on a need figure derived from the draft revised Standard Methodology which was still the subject of public consultation at the time that the Plan was prepared. The Government's response to the consultation is awaited. The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa). As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa is procedurally flawed, lacking in evidential basis, premature and potentially misleading.

3. It is not Effective:

2.28 Fareham has decided to deliberately plan to not meet its local objectively assessed housing need, so fundamentally the plan will not be effective. This, coupled with its apparent failure to plan to contribute appropriately to the unmet housing need of the sub-region, indicates a failure to work effectively with its neighbouring authorities on cross-boundary strategic planning for housing delivery and a failure "to support the Government's objective of significantly boosting the supply of homes" (NPPF, paragraph 59). Rather, the PLP proposes to restrict the supply of homes in the plan period in a way which will exacerbate the local housing crisis.

4. It is not Consistent with National Policy:

2.29 The PLP is not consistent with the NPPF because:

- It will not contribute to the achievement of sustainable development by not, as a minimum, planning to meet its local objectively assessed housing need;
- It is not planning to adequately meet the unmet housing needs of neighbouring authorities in the sub-region;
- It has not based its housing proposals on the current Standard Methodology annual housing need figure of 514 hpa;
- Its strategy lacks a robust evidential justification;
- It's proposed housing land supply includes a majority of housing from sites which are not "deliverable" as defined by the NPPF

B3.3 The Publication Local Plan does not Comply with the Duty to Co-operate

2.30 As stated at B3.1 above, it is unclear whether the PLP has planned to adequately accommodate unmet need from other authorities.

2.31 Against a sub-regional unmet need figure of "circa 10,750 dwellings", and in the context of both neighbouring authorities of Portsmouth City Council and Gosport Borough Council having "unmet need issue(s)", and Havant Borough Council being expressly unable to accommodate any unmet need, the PLP (Table 4.1) proposes a contribution of 847 dwellings to wider unmet need. It is not clear how this has been calculated and it appears inadequate.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

1. Plan to meet, as a minimum, the area's objectively assessed housing need. The current Standard Methodology annual housing need figure is currently 514 hpa.
2. Provide Statements of Common Ground in relation to unmet need from neighbouring and PfSH authorities. Any agreements will need to be included as additional housing to the minimum 514hpa.
3. In any event, plan for a level of housing which contributes to the

achievement of sustainable development.

4. Treat this plan as an interim plan and reaffirm the Council's commitment to undertake an urgent a review of the Welborne Plan for incorporation into a consolidated early review of this plan.

5. The Council has not undertaken SA of all reasonable alternative housing requirements;

6. The Council has not planned to meet current housing needs, opting instead to phase its housing supply in a way which will exacerbate the current significant under-supply problems;

2.32 Consequential to the above, the Council must allocate additional sites for housing in this interim plan (ahead of the urgent review of the Welborne Plan) to meet its confirmed housing target of 514 hpa, including the allocation of our clients' site at Brook Avenue, Warsash.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

2.33 The role of plan-making in contributing to the achievement of sustainable development is a legal requirement (Section 39(2) of the Planning and Compulsory Purchase Act 2004).

2.34 Revisions to the plan so that it plans, as a minimum, to meet the local objectively assessed need for housing, meet affordable housing need and adequately contribute to meeting unmet need would assist the PLP to meet the Tests of Soundness.

3.0 Specific Proposed Changes

B4c Suggested revised wording of any policy or text:

Policy H1: Housing provision

3.1 Completely revise the proposed housing target on the basis of the confirmed Standard Methodology figure for the Borough of a minimum of 514 hpa plus an appropriate contribution to meeting sub-regional unmet needs.

3.2 Ensure that the revised housing target includes the delivery of a minimum of 220 affordable homes per annum.

3.3 Plan to deliver the revised housing target including a five year supply of deliverable sites. In this regard, Welborne (the supply of housing from which is relied on heavily by the PLP) cannot currently be regarded as "deliverable" as defined in the NPPF.

3.4 Consequential updates to paragraphs 4.1 – 4.20 including Tables 4.1, 4.2, 4.3.

3.5 Consequential revisions to the list of Housing Allocation Policies under paragraph 4.20 to include allocations sufficient to deliver the revised housing and affordable housing targets, including the allocation of our clients' land at Brook Avenue, Warsash.

3.6 Policy H1 also seeks to identify a 'phased' requirement. The overall supply is described as at least 8,389 dwellings - this is just 165 dwellings greater than the requirement when the correct local housing need standard method is applied. Given the need to provide for unmet needs from neighbouring authorities this is clearly insufficient and as such further allocations are required.

3.7 Policy H1 seeks to 'phase' this supply identifying the following:

- Approximately 2,250 dwellings (averaging 450 dwellings per annum) between 2021/22 and 2025/2613,
- Approximately 2,400 dwellings (averaging 480 dwellings per annum) between 2026/27 and 2030/31,

- Approximately 3,750 dwellings (averaging 625 dwellings per annum) between 2031/32 and 2036/2037.

3.8 This phasing clearly will not meet the overall plan requirement. The rationale for this phasing is due to an anticipation that many of the housing allocations will begin to deliver later in the plan period. This is simply a factor of the sites chosen rather than an evidence-based approach to need. The net effect is that in the early part of the plan period the full need will not be met, exacerbating the current significant housing land supply shortfall in the Borough. This will mean households will either be unable to form or will be forced to move elsewhere to find appropriate accommodation. This not only has an impact upon affordability through increased demand but also has implications for social mobility and health for young and old alike.

3.9 The lack of housing to meet needs in the short-term is exacerbated by recent under-delivery of both market and affordable housing. The Council recognises it has under-delivered in recent years due to the reference to the need for a 20% buffer in accordance with NPPF, paragraph 73 (paragraph 4.16, PLP).

3.10 The housing requirement in the PLP should not be phased to manufacture a five-year housing land supply in the short-term. The plan should seek to address housing need now - to do otherwise is not justified or effective.

3.11 The second part of Policy H1 identifies the sources of supply. Whilst our clients do not wish to comment upon individual sites, we do have significant concerns that the sources of supply will not deliver the plan period housing requirement in full. The PLP, paragraph 4.16, acknowledges that many of the chosen sites will not deliver until later in the plan period therefore any slippage in timescale could well push delivery beyond the plan period. Furthermore, the Council is heavily reliant upon delivery at Welborne. Within our comments upon the Plan overall we identify the need for delivery from this site to be reviewed and indeed question whether it is deliverable at all given the funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10.

3.12 Furthermore, the Council cannot currently demonstrate a five-year housing land supply. The Council's most recent assessment of its five-year housing land supply suggests a 4.03-year supply. This assessment appears optimistic given recent

appeal decisions which identify it is closer 2.4 years. Given these shortcomings it is essential that the PLP seeks to address this under-supply in the short-term.

Development Strategy

3.13 This section is substantially focussed on restricting development outside the existing settlement policy boundaries of urban areas. This marks a significant change in approach since the Regulation 18 version of this plan when the emphasis was on a strategy for locating development sustainably. This is in conflict with the NPPF, paragraph 11, which advises that "Plans and decisions should apply a presumption in favour of sustainable development" and that "For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their areas, and be sufficiently flexible to adapt to rapid change".

3.14 The highly restrictive strategic policy approach introduced into the PLP does not accord with this national guidance.

Policy DS1: Development in the Countryside

3.15 For housing development which is brought forward in the absence of a 5 year housing land supply, Policy HP4 applies. This will necessarily introduce new built form onto greenfield sites adjacent or well related to existing urban area boundaries. This will inevitably cause a change to the landscape character of the site and immediately adjacent land. Criteria ii) and iii) require proposals to "conserve and enhance landscapes" and "recognise the intrinsic character and beauty of the countryside". It is not clear which "landscapes" are being referred to – presumably this should be restricted to formally designated landscapes or defined "valued" landscapes because otherwise it could be applied to every area of countryside. It is also not clear how, for example, a housing development can "conserve and enhance" a landscape – relevant measures should be defined. Moreover, it is not clear how the extent to which a proposal has recognised "the intrinsic character of the beauty of the countryside" can be measured. After all, those attributes can be "recognised" but then disregarded. It is true that every area of countryside has a "character" but not that every area of countryside has "beauty".

3.16 Criterion v) should include an exception for development which is brought forward under Policy HP4, where the application of the "tilted balance" would allow the loss of BMVAL.

3.17 Paragraph 3.39 fails to explain how this policy works in relation to housing policies.

Policy DS3: Landscape

3.27 This draft policy designates about a quarter of the land area of the Borough as "Areas of Special Landscape Quality" (ASLQ) as shown on Figure 3.3 of the plan. This proposed designation affects our clients' site at Brook Lane, Warsash and all immediately surrounding land except (curiously) the Egmont Nursery site, Brook Avenue, which is a proposed allocation in the PLP and which has outline planning permission for 8 dwellings.

3.28 From the commentary provided in paragraph 3.49, it appears that the Council is equating its 'Areas of Special Landscape Quality' (ASLQ) with 'valued landscapes'. This is questionable. All landscapes are valued at some level by different people. NPPF paragraph 170 triggers a need to consider when landscape value is just a local consideration, or when landscapes are more 'out of the ordinary'. Fundamentally, for a landscape to be a valued landscape, it does not have to be designated - so by designating the ASLQ (or by creating a valued landscape designation) the Council is at risk of creating a policy that is irrelevant, because guidance says that non designated landscapes can be valued, so site-by-site assessments will be required in any event. In our view, **this creation of a potentially irrelevant layer of policy is unnecessary and Policy DS3 should be deleted.**

However, if it is held that Policy DS3 should be retained in the plan, then the following comments apply:

3.29 Paragraph 3.55 states that "…all parts of the Borough have some landscape quality and may be sensitive to landscape change". This is ambiguous. All landscape will be of 'a quality' but quality (in GLVIA3 aligned with condition) is only one consideration of landscape sensitivity.

3.30 With regard to "How the policy works", paragraph 3.56 states that *"The criteria within the policy (points a-g) are derived from the Guidelines for Landscape and Visual Impact Assessment (GLVIA 3) published by the Landscape Institute.".* The GLVIA is an extensive and diverse document and, if it is to be used as basis for this policy then a specific reference or explanation should be provided as to how points a-g have been derived.

3.31 Paragraph 3.57 refers to the submission of "…a proportionate Landscape Assessment". This should be amended to require the submission of a 'Landscape and Visual Impact Assessment'. There are many applications of Landscape Assessment and several forms of reporting. Reference to LVIA would be specific and clear as to what is required (and incidentally relates better to the approaches set out in GLVIA3).

Policy HP1: New Residential Development

3.32 This policy relates to all new housing proposals. However, it only envisages housing coming forward outside Urban Area boundaries through either the conversion of a non-residential building or as a replacement dwelling. It should also cross-refer to Policy HP4 which allows housing to come forward on land outside Urban Area boundaries if the Council cannot demonstrate a Five Year Housing Land Supply.

3.33 Therefore add:

> **"c) It is for additional housing in circumstances where the Council cannot demonstrate a Five Year Housing Land Supply and Policy HP4 applies."**

Policy HP4: Five-Year Housing Land Supply

3.34 The housing requirement set out in Policy H1 must be re-calculated using the current Standard methodology as described in our comments on draft Policy H1 above.

3.35 Paragraph 5.24 infers that Policy HP4 reproduces Local Plan Part 2 Policy DSP40. However, the third criterion in Policy DSP40 was as follows:

> *"iii) The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;"*

3.36 This has been replaced in Policy HP4 by:

> *"c) The proposal is sensitively designed to reflect the landscape character and setting of the settlement, is of a scale proportionate to its setting and recognises the intrinsic character and beauty of the countryside and, if relevant, does not significantly affect the integrity of a Strategic Gap;"*

3.37 If a five year housing land supply cannot be demonstrated, then in accordance with the NPPF, paragraph 11d, the most relevant policies in the plan would be out of date and the presumption in favour of sustainable development would apply. This policy may therefore be judged to be inappropriate because it adds restrictions which may prevent sustainable sites from coming forward. However, if such a policy is held to be necessary, then a faithful reproduction of Policy DSP40 iii) is strongly preferred. See our comments on Policy DS1 in this regard.

Policy HP5: Provision of Affordable Housing

3.38 This draft policy states that "affordable housing <u>must</u> be provided" (our underlining) in the following proportions:

i. At least 10% as Social Rent; and

ii. At least 55% as Affordable Rent or Social Rent; and

iii. The remainder, but no less than 10% as Affordable Home Ownership.

iv. The mix of property size and type should reflect the local need and the site characteristics.

3.39 As drafted this policy is not sufficiently flexible. As acknowledged at paragraph 5.36, development viability will be an issue on some sites. As acknowledged at paragraph 5.39, occasionally the tenure mix prescribed by the policy will not be appropriate; and as acknowledged at paragraph 5.34, other exceptional circumstances may arise (such as abnormal costs) which dictate that a non-standard provision of affordable housing is demonstrated to be appropriate.

3.40 Therefore, amend the first part of the policy to read:

> **"Sites that can accommodate 10 or more dwellings or sites with an area of 0.5 hectares or more shall normally provide: …"**

3.41 And amend the second part of the policy to read:

> **"The affordable housing shall normally be provided in accordance with the following proportions: …"**

Policy HP7: Adaptable and Accessible Dwellings

3.42 This draft policy states:

"Development proposals for all new dwellings shall provide:

a) At least 15% of all new dwellings at Category 2 standard; and

b) On schemes of over 100 dwellings (gross), at least 2% of private housing and 5% of affordable housing shall be provided as wheelchair accessible Category 3 properties."

3.43 Similar to Policy HP5 above, as drafted this policy is not sufficiently flexible. It is acknowledged that this policy is based on the requirements of Part M of the Building Regulations but it must allow for circumstances arising which mean that these requirements cannot be delivered (fully or otherwise).

3.44 Therefore, amend the first line of the policy to read:

"Development proposals for all new dwellings shall normally provide: …"

3.45 Paragraph 5.57 of the supporting text states:

"The cost to development for providing Category 2 and 3 is relatively minimal. Flexibility for additional costs have been factored into the viability evidence base and this indicates that the requirements for Category 2 and 3 should have no detrimental impact on the viability of schemes in the Borough..."

3.46 This statement is strongly disputed. In reality, these costs will not be factored into a developer's viability calculations (particularly in relation to Category 3 requirements) because option agreements / conditional contracts will have already been agreed on many of the sites that the Council want to see come forward, so these costs will not have been anticipated. The Category 3 requirements must be substantiated by quantified evidence of the need for such units in the Borough.

Policy HP9: Self and Custom Build Homes

3.47 This policy requires 10% of dwellings on sites of 40 dwellings or more to be provided for Self and Custom Build Homes. The practical implications of managing self or custom build developments on sites otherwise being constructed by housing developers or housing associations must be carefully considered. There is concern that 40 dwellings is too small a threshold at which to introduce this requirement due to the potentially onerous construction management implications which will arise. It would be preferable for the Council to allocate specific sites for self and custom build developments instead of requiring this element on all housing developments of 40 dwellings or more.

3.48 It is noted that, as stated at paragraph 5.70, only 1% of housing plots at Welborne are required to be provided for self or custom build under the Welborne Plan (2015). Strategic allocations such as Welborne provide the ideal opportunity for parcels of land to be allocated for self or custom build, so that opportunity should not be missed. This should be addressed in the review of the Welborne Plan which is overdue and necessary.

Policy D1: High Quality Design and Place Making

3.56 This is a highly aspirational policy which sets out ten criteria ("key characteristics of high quality design") against which all development proposals will be judged

"to ensure the creation of quality places." It is not clear what a "quality place" is – this should be defined. The ten criteria push the "bar" too high – all proposals cannot be expected to "create places that are attractive, memorable, distinctive and of strong character", for example, laudable though those aspirations are. In practice, very few proposals would receive planning permission if assessed against this requirement.

Appendix B: Housing Trajectory

3.57 This appendix must be updated as it does not reflect the quantum of housing required to meet the local needs. It also projects completions of 975 homes in 2023/24 and 961 homes in 2024/5, which are at risk due to the delays to Welborne which continue. Completions from Welborne should be shown separately as previously.

Appendix C:

3.58 The purpose of the inclusion of the Local Ecological Network Map at Appendix C is not understood. It includes the identification of land as "Network Opportunities". This does not appear to have a basis in the policies of the PLP. The plan is difficult to interpret given its scale but all or part of our clients' site may be identified as a Network Opportunity on this plan. This is not explained. This appendix should be deleted, as happened to a similar plan appended to the Regulation 19 Chichester District Local Plan.

Proposed housing allocation – land at Brook Avenue, Warsash

3.59 Our clients' site is identified at Appendix A of the accompanying February 2020 representations. It is SHELAA Site ID 3050 which is assessed as a "Discounted Housing Site" on page 161 of the Council's most recent SHELAA dated September 2020. Here it is confirmed that the site has a gross area of 2.04ha and an estimated yield of 55 dwellings. The site's "Suitability" (for development) was assessed as follows:

"Constraints: *Agricultural Land Grade 3b, Within 500m of SPA, Within 500m of SAC, Within 500m of Ramsar, Within 500m of SSSI, Countryside.*

Highways / Pedestrian access: *Access from the south would be unacceptable as the link to Brook Lane is narrow. Access from the north onto Brook Avenue is considered feasible. Footway provision along Brook Avenue would be required to Brook Lane.*

Conservation Comments: *No known constraints.*

Noise / Air Quality Assessment: *No issues.*

Archaeology: *Site not within identified area of archaeological potential.*

Ecology Comment: *The site contains an improved grassland field with boundary vegetation, which could be utilised by foraging and commuting bats, reptiles, dormice and breeding birds. Issues arising from increased recreation within the SINC will need to be considered. Protection and enhancement of the boundary vegetation is required.*

Accessible Facility Types 6/10: *Within 1600m of a Secondary School, within 800m of a Convenience Store or Supermarket, within 400m of a High Frequency Bus Stops, within 800m of a Accessible Green or Play Space, within 1200m of a Primary School, within 1600m of a Town/District or Local Centre.*

Reason for Discounting: *Development of scale promoted would not be in keeping with the settlement pattern.*

Is the site suitable? *No*

Is the site available? *Yes*

Is the site considered achievable? *Yes"*

Our comments:

The site is considered to be available and achievable for housing, but not suitable. This appears to be an illogical conclusion from the assessment

provided, particularly when account is taken of other planning permissions and allocations in the immediate area.

Proximity to the SPA/SAC/Ramsar and SSSI are not objections in principle to development in this location – as evidenced by the planning permission for housing at Egmont Nursery to the west of our clients' land (so closer to European designated sites) and the allocation of the "Warsash cluster" of housing sites north and south of Greenaway Lane a short distance to the east.

Access is available from Brook Avenue to the north.

There are no conservation, archaeology, noise or air quality constraints.

The site offers some ecological potential but this can be mitigated.

The site is sustainably located within walking distances of secondary and primary schools, local services and facilities including convenience shopping and a high frequency bus route.

Therefore, it appears that the only reason it was not allocated for housing was because the estimated yield of 55 dwellings was held to be not *"in keeping with the settlement pattern".* The site's area is 2.04ha, so a scheme of 55 dwellings would be at a density of about 27 dwellings per hectare, a relatively low density.

To the east of the site are consolidated frontages of suburban housing fronting Brook Lane and Brook Avenue, but to the west housing along Brook Avenue is of lower density and is more sporadic.

In this context, it is suggested that the density of housing development should reduce east to west across the site, that the site should be allocated for "about 25 dwellings", but that its capacity should be confirmed through a detailed assessment of its constraints and the preparation of a feasibility layout.

For these reasons, the Council is encouraged to allocate our clients' site at Brook Avenue, Warsash for about 25 dwellings. Our clients have received many expressions of interest in their land from housing

developers, such that the site is deliverable in the short term and can make a modest though important contribution to the Council's five year housing land supply.

4.0 Participation at the examination hearing sessions

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session.

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To contribute to testing the legal compliance and soundness of the PLP for the reasons set out in these representations.

Representations towards the Fareham Borough Draft Local Plan 2036 Publication Draft (Regulation 19) Consultation on Behalf of Persimmon Homes (South Coast)

December 2020

PERSIMMON
Together we make a home

1. Introduction

Persimmon welcomes the opportunity to comment on the Fareham Draft Local Plan 2036 (DLP) Publication (Regulation 19) consultation.

This letter is set out in sections as summarised below:

- Section 2 sets out our response to Duty to Cooperate issues
- Section 3 sets out our policy specific responses
- Section 4 sets out our response in relation to Omission Sites

2. Duty to Cooperate

The Duty to Cooperate places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters, including housing.

Planning Practice Guidance recommends that authorities should produce, maintain, and update one or more Statement(s) of Common Ground, throughout the plan-making process. The Council has unilaterally produced a 'Statement of Compliance with the Duty to Co-operate' which sets out how the Council claims to have addressed the duty to cooperate, including in relation to addressing the unmet housing need of its neighbouring authorities. This is not an agreed Statement. It is noted that there is little to no explanation within the Statement as to what cross boundary discussions have taken place since the Council has significantly altered its approach with regards to housing need (as detailed below). In Persimmon's view, this information is absent because neighbouring authorities, in particular Portsmouth and Gosport, will not be supportive of Fareham's approach.

As mentioned above, the Council's Regulation 19 consultation document is significantly different from the Regulation 18 draft in terms of its approach to housing. This is largely as a result of it applying the lower Local Housing Need (LHN) as derived from the Government's proposed new Standard Methodology, which has not been approved. The Regulation 18 version of the Plan included a number of Strategic Growth Areas that were identified, in part, to meet the housing needs of neighbouring authorities of Gosport and Portsmouth. These Areas have now been deleted, and do not feature in the Publication Plan.

The Council's decision to use the new Standard Methodology LHN in order to take advantage of lower housing numbers is premature, and is at odds with the approach being taken by nearly all other Local Planning Authorities developing Local Plans in the sub-region, including Gosport and Portsmouth.

It is understood that the SGAs would met at least 1,000 dwellings from Portsmouth's unmet needs, alongside a proportion of Gosport's (quantum not published). However, the Publication Plan suggests that unmet need accommodated by the Plan will only equate to 847 dwellings. By Fareham choosing to use the draft new Standard Methodology and reducing its housing site allocations as well, the scope for the Plan to pick up the housing needs of these neighbouring council areas has been significantly curtailed.

It is Persimmon's view therefore that, given the significant change in approach by Fareham Council, the joint working that it has undertaken on housing issues to date has been fundamentally undermined to a point where it can only be concluded that Council has failed the duty to cooperate.

2. Policy Specific Comments

DEVELOPMENT STRATEGY

Strategic Policy DS1 Development in the Countryside

Policy DS1 provides the policy basis for the delineation of settlement boundaries. In the context of our comments below, notably in relation to not meeting housing need, omission sites and the delineation of Strategic Gaps, the Council should amend the settlement boundaries to allow additional development to come forward.

With regards to the criterion d) of Policy DS1, an allowance for new or replacement building, conversion and/or extension of a school is welcomed. However, the Policy appears to limit re-provision to existing sites shown on the Policies Map. As set out in greater detail in the our response to Policy DS2 and the Omission Site section, discussions are on-going with the Meoncross school to facilitate expansion of the car park and/or playing fields in the short term. The potential relocation of the school to other land within Persimmon's interest at Cuckoo Lane over the longer-term is also being explored. As currently drafted, by strictly limiting development to within an existing educational facility, the Policy would prevent such future improvements and the possible relocation of Meoncross School.

Strategic Policy DS2 Development in Gaps

The Council has commissioned Hampshire County Council to review its Strategic Gaps. The County's methodology for this review is set out in the Technical Review of Areas of Special Landscape Quality and Strategic Gaps (September 2020). This applies 'Primary Measures' (i.e. physical and visual separation) and 'Secondary Measures' (i.e. Green Infrastructure Provision) to define the gaps. We support the inclusion of physical and visual separation as a means of determining the gap boundary, but we see no justification for including the secondary measures as this is outside of the scope of the role of a gap. In any case, Green Infrastructure is an issue that is dealt with separately under Policy NE9 of the draft Plan.

The following commentary on this policy considers each of the Strategic Gaps before comments are made on the content of Policy DS2 itself.

<u>The Fareham-Stubbington Gap</u>

As set out in the recommendations of the Gap Review paper (Chapter 4: Conclusions and Recommendations, Paragraph 10): *'there exists some opportunities for development to be absorbed within the Stubbington-Fareham Strategic Gap, subject to scale and future detailed design, without compromising its Gap function…'* It is surprising then that the Council has not examined this potential in greater details as part of its Publication draft Local Plan, particularly given that the most recent Regulation 18 Local Plan consultation proposed a Strategic Growth Area (SGA) within this gap as a means of accommodating growth.

It is also surprising that the Gap Review Paper does not adequately consider the influence of the Stubbington by-pass on the Fareham-Stubbington Gap. Paragraph 3 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap states that*: 'As the Bypass is currently under construction and its alignment marked out, it is possible to see how it might affect the sense of separation between Fareham and Stubbington.'* The report also states that it is too early to understand the full impact that Stubbington Bypass will have on the landscape character and development pressures of the Gap. This second assertion is contested. Given that the by-pass construction has progressed significantly, and that by-pass proposal has been subject to landscape assessment (including through the ES associated with the application), there is sufficient information available to allow for a robust assessment of the impact of the by-pass on the gap and the landscape to be carried out. A review of the landscape and gap evidence should be carried out prior to submission of the Plan for examination.

There can be no doubt that the by-pass will have a considerable influence on the Fareham-Stubbington Strategic Gap - effectively splitting it two. Once the by-pass is complete, it will form a strong defensible boundary, which will make the difference in the character between areas north and south even more apparent than it is already. This difference in the character requires considered in the Local Plan and its evidence base.

Land to the north of the bypass route is considerably more open in character, with large open fields with limited boundary planting providing prominent views north from the bypass toward the southern urban edge of Fareham, which is well defined by Rowan Way. This area is characterised by a strong sense of tranquillity, and is a much more sensitive landscape that is more befitting of Gap designation in accordance with the Council's own methodology. Land to the south of the bypass, however, comprises considerably more urban influences as demonstrated by existing development along Ranvilles Lane / Titchfield Road, the cemetery south of Oakcroft Land and development around May's Lane / Peak land (including where the urban area of Stubbington protrudes into the gap). This observation is supported by the detailed analysis of gap study area 7a (see Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap, para 8) which states that:

'There exists the potential to ***make modifications to the settlement boundary of North Stubbington: to extend the boundary to run along Oakcroft Lane****, as the isolated field that sits aside Crofton Cemetery, does not protrude into the landscape beyond the current Northern and Western edges of Stubbington. Largely sitting behind a mature line of Poplars also helps this isolated field absorb some development (subject to detail design),* ***without risking the integrity of the Gap, as a whole****.'*
(Persimmon's emphasis)

Paragraph 11, Bullet 2 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review evidence reconfirms the limited role that the area to the north west of Stubbington, south of Oakcroft Lane and east of Ranvilles Lane plays as a gap. The Gap study states that this area has *'the ability to absorb development into the landscape exists, without compromising the integrity of the Gap function'.* The Council will be aware of the planning application within this part of the gap (LPA Application Reference: P/20/0522/FP). This application comprises 209 new homes a considerable area of land to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1. The application is a resubmission of a planning application that addresses technical and design issues raised by the Council previously. It is understood that the application is due to be considered by planning committee in January 2021.

One key consideration when reviewing the boundary of a gap is the consideration that no more land should be included in the gap than is necessary (see adopted Core Strategy Policy CS22, Fareham Borough Council Gap Review 2012 and South Hampshire Strategy 2012). This concept is reiterated in the Gap Review Paper as 'minimum land take'. In light of the above, it is Persimmon's view that the gap evidence should be reconsidered with areas north and south of the by-pass assessed separately to take account of the by-pass. For reasons set out above, and in accordance with the Gap Review methodology, it is considered that a review of the evidence would indicate that the land north of the by-pass should be retained as gap and land to the south should be deleted from the gap designation. Retaining a gap to the north would preserve a c. 800m gap between the by-pass and the southern urban edge of Fareham, which is described in the Gap Review Paper as being *'moderate-large gap'* of a 'good distance' that *'gives the traveller time to experience the countryside after leaving one settlement before joining another.'* Retaining a gap of adequate width in this location is particularly important given the role Peak Lane plays in providing a well utilised north-south link between Stubbington and Fareham.

With regards to land to the east of Stubbington, Paragraph 11, of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review indicates that there is very little opportunity to absorb development in this corridor but that advanced planting along the eastern edge of the settlement would be beneficial. Persimmon Homes have interests in this area (as discussed in detail later in these representations). In summary, the proposals include new residential development, significant new strategic planting and open space along the eastern edge of the site. Discussion are on-going with the

Meoncross School to facilitate expansion of the car park and playing fields in the short term and the potential relocation of the school to other land within Persimmon's interests over the longer-term.

In light of the our comments set out above It is considered that the Fareham-Stubbington Strategic Gap should be redrawn so that land to the south and west of the by-pass is removed from the gap.

Whilst not a gap issue per se, the emerging and previous Local Plans, have tended to avoid allocating any significant growth on the periphery of Stubbington. Sensitively redrawing the gap boundary as suggested above will allow for much needed sustainable development housing to come forward to support the housing aspirations of those wish to live in or remain living in Stubbington.

The Meon Strategic Gap

As touched upon above, the function of a Strategic Gap is to prevent the coalescence of separate settlements. Land to the west of Stubbington is identified as a gap but there is no settlement to the west of the Stubbington that requires protection from coalescence. With regards to Strategic Gap Study Area 6, it is noted that the Gap Review study states that this gap is provided to ensure there is no coalescence between Stubbington and Titchfield along Titchfield Road. Whilst this northern most extent of this study area may serve this purpose, the central and southern parts of the Study Area 6 play no role whatsoever in preventing coalescence. This is recognised in Paragraph 13 of Chapter 4: Strategic Gaps SG 1: The Meon Gap of the Gap Review Study. Nonetheless, the Study recommends that the Gap is retained in this area due to: high levels of tranquillity, its role in providing separation of Portsmouth and Southampton, and to recognise the potential longer-term settlement expansion southwards from Titchfield and South Westwards from Hook. Based on the Council's Gap Review methodology, these are not adequate reasons to include this land within the gap.

A more logical delineation of the gap, which would ensure that no more land than necessary is included within it, could be to end its southernmost extent at Crofton Manor Equestrian Centre where the transition from countryside to urban (as part of Stubbington) becomes apparent. As recognised in the Gap review study, much of the land to the south of the Equestrian Centre is subject to protection under draft Policy DS3 (as discussed below), and ecological constraints which provide adequate protection against inappropriate development in this area. A gap is therefore not necessary.

General Comments on Policy DS2

Notwithstanding our comments above, in our considered view, Policy DS2 is too restrictive. There may be a point within the plan period, for example where the Council is unable to demonstrate a sufficient five year housing land supply, where additional housing may be required over and above those sites identified in the Plan. The Council has persistently struggled to demonstrate a sufficient five year housing land supply in recent years so flexibility in the Policy is required.

As demonstrated through the Council's Regulation 18 draft Plan, a sustainable location for such development may be in the Strategic Gap between Stubbington and Fareham. As such, the Policy should include additional wording to allow for appropriate and sustainable development in the Strategic Gap in such circumstances where housing supply needs to be increased.

The Policy also seeks to prevent development in Strategic Gaps that may significantly affect its 'integrity' and the 'distinctive nature of settlement characters'. This is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. The reference to 'integrity' and the 'distinctive nature of settlement characters' should be deleted from the Policy. The function of a Strategic Gap is to prevent the coalescence of separate settlements, which can be achieved through assessment of the impact of a proposed development on the physical and visual separation of settlements. The other policy criteria are superfluous.

In light of the above, it is considered that the Strategic Policy DS2 - Development in gaps and delineation of the Gap as shown on the draft Policies Map, should be redrawn as set out above. If this is not the case the Policy cannot be said to either justified or effective and is therefore unsound.

Strategic Policy DS3: Landscape

Policy DS3: Landscape identifies a number of Areas of Special Landscape Quality (ASLQ), including the Meon Valley. This is new Policy that does not form part of the adopted Local Plan. The first part of this Policy seeks to significantly restrict development in the Meon valley area. However, considering that the Council has successfully defended the Meon Valley area from a number of hostile planning applications in the recent past without this Policy in place, the justification for it is questionable. Given the prohibitive nature of Policy DS3, the development potential of Site 5 (Cuckoo Lane) for housing and new school provision, will unlikely be realised unless the site is allocated for development in the Local Plan and/or the site is excluded from the Meon Valley ASLQ designation.

HOUSING POLICIES

Strategic Policy H1 Housing Provision

As mentioned in the Duty to Co-operate section above, the Council is applying the Government's former draft Standard Methodology to arrive at its LHN (403 dpa) as opposed to the current Standard Methodology (514 dpa). The draft Standard Methodology is not Government Policy, it is only a consultation draft. The Government has recently (16th December 2020) released revised LHN figures that indicate that the Council's baseline LHN will increase to 514dpa. This increase LHN to exactly the same figure as per the current Standard Methodology. This newly published data clearly undermines the Councils premature decision to use the lower LHN figure. It is also noted that when the current and new LHN figures for Gosport and Southampton are considered both Councils are facing an increase in LHN of 106 dpa and 315 dpa, respectively. This is significant as both of these Authorities may need to look to Fareham to accommodate unmet housing needs. This will place even greater pressure on Fareham Borough Council to increase its housing requirement set out in Policy H1. For completeness, Portsmouth's LHN remains unchanged between the two data sets.

Notwithstanding, our concerns that the Council has failed the legal test with regards to the duty to cooperate, Policy H1 cannot be assumed to be sound as undershoots current and emerging LHN. The Plan cannot therefore be considered consistent with national policy and it is not positively prepared. Should the Council seek to amend its housing requirement (for example using the current Standard Methodology) and make consequential changes to its supply sites, re-consultation on a revised Regulation 19 Plan will be necessary.

Policy H1 includes an estimated 1,224 windfall dwellings. The Council's Housing Windfall Projections Background Paper (June 2020) does not provide a detailed breakdown of which sites are being considered as windfall. The Council's figures cannot therefore be scrutinised. Until such time as the Council publishes this detail underpinning the windfall allowance, this element of the supply should not be counted towards the Council's housing requirement.

The Policy also looks to implement a stepped housing requirement, which backloads housing delivery towards the latter part of the Plan period. This approach is at odds with the NPPF's objective to boost the supply of housing and appears not be justified by the expected rate of delivery of sites as site out in the summary housing trajectory in Appendix B of the Plan. For example, in the first period (2021/22 and 2025/26) the Council proposes a requirement of 2,250 dwellings (averaging 450 dwellings per annum). However its housing trajectory suggests that 3,085 dwellings will be delivered, which is equivalent to 617dpa. As such, Policy H1 should be expressed as an average requirement; it should not be stepped.

The Policy also sets out that approximately 428 homes will be delivered on specified brownfield sites and/or regeneration opportunities in Fareham Town Centre. In some cases deliverability, viability availability (i.e. in existing use) is not assured (notably sites FTC2-5). Whilst Local Plans should be aspiration, they should also be deliverable. Allied to above, a further 1,327 homes are identified on Housing Allocation sites (i.e. allocation prefixed with a HA reference). However, a number of these sites are rolled forward allocations from the current adopted Local Plan, and in some cases (i.e. HA29 and HA30) are site that formed part of the Western Wards growth are that were originally identified

in the 1970's, but have failed to be delivered. As such, it is questionable whether the Council has properly assessed deliverability / developability of some of the sites comprising its supply. It is advisable therefore that the quantum of housing expected from some of the questionable supply sites should not be counted against the housing requirement in the Plan, and alternative sites (such as those set out in the Omission Sites section) should be identified to ensure the Council's housing requirements are met. In additional to the above, the deliverability issues associated with Welborne are well documented. Recently it is understood that due to delays in the site coming forward, the Council has lost external funding to deliver critical highway improvement works. This further underscores the challenges associated with this site. The Council would be well advised to take a highly cautious approach when seeking to include housing supply from Welborne. The draft Plan currently includes 4,020 dwellings as part of the housing supply. In light of the above, this figure is considered to be highly optimistic and should be revised downwards.

Notwithstanding, our concerns regarding the Council's choice of LHN, this figure should be regarded as the starting point for developing the Plan's housing requirement. Councils are advised through national planning policy/ guidance to consider whether any adjustments should be made to the LHN figure to account for other factors such as economic growth (which appears to be absent from the Plan) and unmet need from neighbouring authorities (as discussed above). With regards to affordable housing, the Council commissioned a Housing Needs Survey as part of its previous Regulation 18consultation draft Plan in 2017. At the time, the Survey suggested that there is a net affordable housing need of 302 dpa (i.e. nearly ¾ of the overall annual requirement). Whilst the Standard Methodology accounts for affordability (or lack thereof in Fareham's case), actual affordable housing need indicates that a further uplift to its LHN may be necessary.

Policy HP4 Five-Year Housing Land Supply

Policy HP4 states that development 'may be' permitted where a development meet all the criteria in policy HP4. The Policy should be reworded to positively state that a development *'will be'* permitted if it meets the policy criteria. When determining planning applications, the decision maker is required to read the Local Plan as a whole; there is no reason for the Policy to be equivocal on this matter.

With regards to criterion (b) the policy states that a development should be '…integrated with the neighbouring settlement'. Does this mean a physical link between the development and the adjoining settlement or that a development should be integrated in design terms? This needs to be clarified.

Criterion c) seeks to prevent development in strategic gaps that may significantly affect its integrity. As per our comments in respect of Policy DS2, this is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. It is also noted that Policy DS2 sets out different policy requirement with regards to the protection of Strategic Gap (i.e. proposals should not affect the physical and visual separation of settlements). This has the potential to create an internal conflict within the Plan as it is unclear which policy requirements (either HP4 or DS2) would take precedent where the Council unable to demonstrate adequate five year supply. It is suggested therefore that the wording for Criterion c) is deleted or replaced with a cross reference to Policy DS2 (including Permission's suggested amendment to this DS2).

Policy HP5 Provision of Affordable Housing

With respect to the percentages of affordable housing sought at sites, Policy HP5 should include a viability review mechanism to provide flexibility. This will assist with the viability of schemes should there be a fall in market over the lifetime of the Plan and/or in circumstance where unknown development costs are introduced (nitrate mitigation costs associated with the HRA requirements are a case in point having seriously affected the viability of schemes over the past year or so).

As set out in the supporting text to this Policy (paragraph 5.32), the Council publishes on its website the identified affordable housing need by area of the Borough. The Council's website shows considerably different housing need for each area. The affordable tenure mix is therefore too prescriptive and does not reflect the Council's own evidence base. It is advisable therefore that the

Council replaces criteria i-ii with a statement confirming that affordable housing mix and tenure will be negotiated with the Council evidence base set out its webpage used as the starting point.

Further underscoring our concerns with the nature of the tenure mix, the Council should be aware of the potential practical challenges associated such a small percentage of Affordable Home Ownership. The Policy could be interpreted by officer so that Affordable Home Ownership is provided at 10%, which would be a challenge for reasons set out below. Registered Providers are becoming ever specialised with some only dealing with the shared ownership side and others the rented side. Requiring such a small percentage of Affordable Home Ownership products through this Policy may create challenges in terms the viability of tender bids for this type of unit. In addition, Affordable Home Ownership, including shared ownership schemes, have been shown to be an effective means of getting people on the property ladder. As the Council's own evidence shows 10% is considerably below what is actually needed.

The final element of Policy HP5 addresses the market rent of Affordable Rented units, which will be judged as 80% of market rent or the relevant Local Housing Allowance (LHA), whichever is lower. The NPPF only make provision for rent to be set at 80% of market. It does not state that market rents should be benchmarked against LHA. The reference to LHA should be deleted to ensure that HP5 is in conformity with national policy.

It is also noted in Paragraph 5.42 of the supporting text to HP5 that the Council may need review the Affordable Housing Supplementary Planning Document (SPD) to address changes to the affordable housing and mix. SPDs should not be used to review issues that have a direct impact on viability. This should be tested through the Local Plan review process.

Policy HP7 Adaptable and Accessible Dwellings

The PPG sets out a number of tests against which Councils should consider when seeking to introduce M4(2) and M4(3) policies into its Local Plans. The Council's Specialist Housing Background Paper (September 2020) has been produced which shows how the Council claims to have met these tests.

In terms of need, the Background Paper sets out the population with Long Term Health Problem or Disability based on census data. However, this measures population, not households, so should not be assumed to an accurate proxy for need. It should also be noted that some people who state that they may have a Long Term Health Problem or Disability as part of a Census response may not have an illness that would affect mobility and would not therefore not necessarily require M4(2) or M4(3) dwellings. The evidence base should be updated to reflect the above.

With regards to the provision of Category 3 specifically, the Council's evidence of need is weak being based on a national wheelchair usage that may not reflect the level of need in Fareham Borough. Furthermore, with regards to Category 3 affordable housing, from a practical point of view, Registered Providers are less willing to take on wheelchair dwellings as they can be difficult to occupy. If there is no suitable occupier then the unit could be sat empty for a significant period while a suitable occupier is found. During this time the unit is not generating any income, and could have been used to house a family that is in need at the time.

As the Council correctly identifies, a large proportion of older homeowners will seek to remain within their own homes with care provided in situ. Should these owner occupiers need to downsize or relocate they will be able to utilise the equity built up within their dwellings to access products which meet their specific. This may be sheltered or extra care accommodation. Within recent years, as this market has developed, the industry has responded with a number of private sheltered accommodation schemes approved within Fareham. In this context, the Local Plan also looks to facilitate the delivery of specialist housing through Policy HP8 and through specific housing allocations made in the Plan (HA42 – HA43). The Background Paper does not appear to have factored in the supply of specialist homes that may come forward be on allocated sites and windfall sites permissible under Policy HP8.

With regards to the second test relating to location of specialist housing, as set out HP8, this type of accommodation is best located in accessible locations. Given the mobility challenges which some older people face, town and district centres, with their conveniently located services such as shops and health facilities, are ideal locations for older persons housing. Fareham town centre is a highly accessible location where a significant quantum of flatted housing is proposed with the benefit of a reduced affordable housing policy requirement. District Centres are also highly accessible locations where there is a potential for older persons housing could be delivered. The Council should therefore consider restricting this Policy requirement to areas of high accessibility.

Policy HP9 Self Build and Custom Homes

Policy HP9 sets out a policy requirement for 10% of all units on sites over 40 dwellings to provide plots for sale to address local self or custom build need. It is noted, however, that at Paragraph 5.8 of the Council's Self and Custom Build Housing Background Paper (September 2020) it is stated that that the Council has met its past and future self-build requirements – this has been achieved without the need for a specific policy. It is also noted that the adopted Welborne Plan requires some 1% of its housing to be for self / custom build. Set against the current identified need of 35 net plots it would seem excessive to require a policy to further increase self / custom build supply. This could result in significant over provision of a product for which there is no clear market demand. In light of the above, the justification for Policy HP9 is therefore questionable. The policy does include provision for plot to be developed for non-self-build ,should they not be taken up, however, this Local Plan has made no assessment about the extent to which this would affect cash flow and the viability of developments. It is Persimmon's view therefore that this Policy should be deleted.

Notwithstanding our overarching concerns regarding the justification for this policy, there are a number of practical considerations that the Plan fails to adequately acknowledge. Criterion a) for example, sets out that self or custom build plots should be serviced. The Policy needs to clarify what is meant by 'serviced'. Does serviced this relate highway access, gas, water, electricity and/or broadband, and to which point should the plots be serviced? Turning to criterion c) it is not clear who would be responsible for setting out the design parameters. Placing a requirement to conform to set parameters could put off some prospective self / custom builders. The requirement to provide self and custom build plots may also have a number of practical and management issue, such as:

- Phasing and completion of the wider site.
- Section 106 contributions due to the exemption that applies to self-build housing.
- Delivery of housing in accordance with paragraph 59 of the NPPF to boost significantly housing supply, where supply on an ad hoc basic by self-builders is likely to be slow compared with the remainder of the site or even not take place at all.
- The reserve matters period running out and needing to be extended.
- Ad-hoc builders turning up outside specified hours of work.
- Storage of materials as there is limited room on plot and storage spills onto the market housing part of the site.
- Purchasers having to stop building due to unemployment/lack of funds.
- Purchaser dissatisfaction where building continues on a site which was expected to finish when they moved in.

<u>CLIMATE CHANGE</u>

Strategic Policy CC1 Climate Change

This Policy states that the 'Council will promote mitigation and adaptation to climate change through…' It is unclear whether the criteria will be sought as part of development proposals, or whether the criteria relate to development delivered by the Council. This requires clarification. If it is the former, the Policy should make clear that the criteria are not requirements but should only be met where it is possible to do so.

Policy CC2 Managing Flood Risk and Sustainable Drainage Systems

Policy CC2 requires all developments to be designed in accordance with the CIRIA C753 SuDs Manual or equivalent national or local guidance. The SuDS manual is, however, only guidance. In Persimmon's experience, strict adherence to the guidance can be problematic as the design of a SUDS system also need to consider design, aesthetics, engineering etc. It is recommended therefore that the wording for this bullet point is prefixed with 'Where possible,' to provide the necessary flexibility.

NATURAL ENVIRONMENT

Policy NE2 Biodiversity Net Gain

Policy NE2 sets out a requirement for site to deliver 10% net gain for biodiversity. The Local Plan viability assessment assumes a cost of £500 per dwelling. This development cost is based on limited evidence and seems low, particularly for greenfield sites (as opposed to brownfield equivalents) which are likely to require significant more extensive measures to achieve a 10% net gain. In many cases, the requirement to achieve BNG is likely to negatively impact on the developable area, resulting in a loss of revenue that negatively impacts on viability, rather than be a cost associated with each individual units per se. In Persimmon's view, the viability evidence to support the introduction of this Policy is inadequate. As mentioned above, meeting BNG at 10% can require considerable land take; on some sites Persimmon has been involved in, BNG has required around 50% of the gross site area. It is not clear whether or to what extend the Council has factored in this 'land hungry' BNG requirement as part of its housing allocations capacity estimates. It is also noted that BNG should be achieved across a site, it is not a requirement to be met at the individual plot level (although this might form part of the BNG solution). As such, supporting text Paragraph 32 is misleading and should be deleted.

Policy NE4 Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent

This is new Policy which sets out Fareham's policy approach to dealing with excessive nutrient (nitrate) loading on protected European sites of ecological importance. However, the Policy is light on detail with insufficient guidance as to how applicants will be able to demonstrate conformity. Given Persimmon's significant experience in dealing with such matters, the Company is aware of how this Policy can be implemented in practice, but for less informed developers/applicants this may be more challenging.

Notwithstanding the above, the Company is aware that the primary means of determining whether a development proposal will be able to demonstrate nutrient neutrality is by producing a nutrient budget using the Natural England Methodology. Given that the Natural England Methodology provides a key evidence base and is fundamental to the implementation of Policy NE4, it is critical that this document is examined in detailed alongside the Local Plan. Of particularly concern is that Natural England's Methodology includes a number of onerous stages that result in significantly more mitigation being required than is actually necessary. These provisions include, but are not limited to, housing occupancy rates, internal migration (particularly those households that are occupying new affordable housing) and default permit levels. Furthermore, despite many of steps set out Natural England Methodology taking a precautionary approach to nitrate assessment, an arbitrary buffer of 20% increase in nitrate loading is added at the end of the calculator. This buffer is not required and will further exacerbate the issue of overproviding mitigation land that is not necessary. Lastly, it is noted that the Partnership for South Hampshire has updated the Integrated Water Management Study (IWMS). The IWMS provides a key evidence base underpinning the nitrate assessment work, but the Natural England Methodology does not take into account this new evidence.

Policy NE5 Solent Wader and Goose Sites

Policy NE5 sets out the Council approach to protecting area which are used by Solent Waders and/or Brent Geese. The Policy makes reference to such area as shown on the Policies Map. These

designations are, however, informed by an interactive GIS map provided on the Solent Bird Aware website, which forms a critical evidence base to the development of Policy NE5. It is therefore concerning that, on the same webpage as the bird habitat GIS mapping, members of the public can download a form to report bird sightings. It is not clear whether or to what extent these reported sighting are authenticated / scrutinised by a qualified ecologist. There appears to be wide scope for land to be incorrectly identified as a bird site leading to unnecessary cost being expended to mitigate site, and in the worst cases complete sterilisation of that land. This is certainly the case with a number of sites that are with Persimmon Homes' interests (as detailed later in these representations). There is a concern therefore that the mapping evidence base underpinning Policy NE5 is flawed.

The Policy also does not set provision with regards to bird surveys. The methodology for bird sites allows sites to be identified as habitat even if they are not actually being used by birds. It would seem logical that the policy makes provision for applicant to undertake ecology survey and assessment of bird sites in order to demonstrate the absence or presence of a species. We would recommend that one year's survey data should be sufficient, with further surveys only required if the some activity has been identified at a site.

The Council will also be aware that it is the Solent Bird Aware mapping (not the Policies Map) that is used by consultees (Natural England and the Council's own in-house ecologist), to determine whether a development will impact on any protected bird habitat areas, to avoid any confusion in the future, and to ensure the Policies Map remains in date, it is suggested the Policy Map deletes these designations.

With regards to the criterion a) 'Core and Primary Support Areas' the Policy requires that development on such sites should result in an overall net gain to the Solent Wader and Brent Geese Network. BNG is a requirement of Policy NE2; the concept for which is established in the NPPF. However, Persimmon are unaware of any such requirement in national policy or the evidence base underpinning this policy, for a net gain for specific species, including protected birds.

Policy NE6 Trees, Woodland and Hedgerows

Point a) of this Policy advises that the 'unnecessary loss' of non-protected trees, hedgerow and woodland should be avoided. It is unclear what 'unnecessary loss' means in practice.

Point b) of the Policy should be a new sentence, and what is meant by the term 'unavoidable' in this context should be clarified.

Policy NE8 Air Quality

Criteria a) of this policy requires electricity charging infrastructure to be provided as part of new development (excluding Welborne). It is unclear why this Policy is not to be applied to Welborne. Presumably this is because of the impact of such provision on viability. Viability issues associated with EV charging provision are, however, not limited to Welborne.

The Local Plan Viability study incudes development cost associated with EV charging as part of £10,000 per plot contingency. Paragraph 5.3.8 of the Study states that, *'it is unclear at stage of writing if or when any of these measures will be required, so [the study takes] a very cautious and conservative approach….'* With regards to the EV charging, Policy NE8 requires such provision; there is no uncertainly as to what is expected of a development proposal. As such, the Viability Study should consider this issue in greater detail and not combine this policy requirement with other unknown cost demands on development. Combining these 'unknowns' a single contingency means that is not possible to scrutinise in detail whether the assumptions made with respect to EV is reliable.

We would highlight that the cost for providing EV charging points is around £500-£600 but this does not include additional costs associated with providing additional sub-stations on lager development sites so that all charging points are capable of being used concurrently (alongside all other energy

demands on a development), and the potential to provide enhanced electricity supply (i.e. off-site upgrades) over and above that required for the units that could challenge a scheme's viability.

As current drafted, this element of the Policy is not justified.

TRANSPORT AND OTHER INFRASTUCTURE

Strategic Policy TIN1 Transport Infrastructure, Policy TIN2 Highway Safety and Road Network and Strategic Policy TIN4: Infrastructure Delivery

These policies concern development contributions to the delivery of new infrastructure. However, it is considered the funding for such infrastructure may, in many instances, be a matter for CIL.

Notwithstanding, the above, if such Infrastructure is a requirement to make the development acceptable in planning terms, then such contribution need to meet the relevant tests set out in the CIL Regulations. It is no longer appropriate for blanket contribution to be sought by planning authorities. The Policy should be clear on this matter.

With specific reference to TIN2 it is unclear why the Council has chosen not to show the alignment of the Stubbington by-pass on the Policies Map given its strategic importance. This Policies map should be updated to show this route.

DESIGN

Policy D1 High Quality Design and Place Making

Policy D1 makes reference to a number of principles of policy and urban design, but also makes reference to guidance contained in the supporting text. For clarity and avoid any confusion over what is policy and what is supporting, text, it is suggested that this cross reference to the supporting text contained in the policy wording is deleted.

The Council should also review the policy to remove any duplication with other policies in the Plan, for example the section relating nature.

Consideration should also be given as whether the policy needs to be so detailed given that the Council has comprehensive guidance on design set out in its adopted Design SPD.

Policy D3: Coordination of Development and Piecemeal Proposal

This Policy seeks to avoid ransom situations. However, The Council will be aware of case law that prevents it from interfering on private property rights with regard to depressing or prevent returns to a landowners.

Policy D4: Water Quality and Resource
The second part of this policy requires developers to meet the Optional Technical Housing Standard for Water Efficiently (i.e. 110L/person/day). Meeting these Standards should be optional, not required. Whilst the Natural England Nutrient Methodology for the Solent area requires development to meet these standards as a means of addressing nitrate loading, there may be instances where nutrient neutrality can be achieved without doing so. The justification for requiring proposals to meet this standard are inadequate.

D5 Space Standards

The housing standards review introduced the optional space standards which local authorities could adopt by way of reference in their local plans. However, a prerequisite to the adoption of the space standards are the following tests set out in the planning practice guidance (Paragraph: 020 Reference ID: 56-020-20150327).

"Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- ***need** – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- ***viability** – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- ***timing** – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.'*

In order to meet the policy test for the inclusion of the space standards there is a requirement for the council to establish the need for the adoption of the national space standard. To this end, the Council has published a Specialist Housing Background Paper (September 2020). Para 6.7 of Background Paper states most dwellings that have been consented or are awaiting determination are consistent with the 2015'Technical housing standards –nationally described space standard. The Background paper, makes references to the larger plots not meeting this standard, with an example being made of site ref 14/19. However, on the whole most dwellings considered in the Council's Background Paper, including large units, are meeting the Optional standards. From a need perceptive, it would seem as though there is little justification for the introduction of this Policy.

In terms of first part of the viability test, the Council's Local Plan Viability Study indicates that development viability would not be negatively impacted by the introduction of the standards. This Study, however, is completed at a relatively high level, which makes it difficult to conclude whether this part of the test has been complied with. With regards to the second part of the test, no assessment has been carried out by the Council to demonstrate that the requirement for new development will not negatively impact affordability within the market.

As set out in paragraph 6.10 of the Background Paper, the Council has decided not to set a transition period for the adoption of the national space standards as it is of the view its introduction would not affect viability. For reasons set out above, we do not concur with this assessment, and suggest that a three year grace period is introduced to allow sites that are under a fixed contract to be brought forward. It is also noted that, the Council are looking to apply the draft policies in this Plan, including the requirement for national space standards prior to the examination or adoption of the plan. This contrary to the approach set out in the planning practice guidance. It is not practical to expect development proposals that are currently being considered to suddenly meet space standards.

In light of the above, Policy DS5 is not justified and should be deleted for reasons of soundness.

Local Plan Appendices

Appendix B set out a summary housing trajectory for the sites identified in the Plan. This is inadequate to properly assess the delivery expectation made by the Council with respect to individual sites. To enable proper scrutiny of the trajectory, the Council's housing trajectory should be broken down by individual sites. This is particularly important because the Council has consistently over-estimated the delivery timescales for key sites. For example, Welborne, which was originally identified in the Core Strategy (2011), was expected to commence delivery in 2014/15. The site has still not achieved an implementable planning persimmon, and commenced of development is still some way off.

4. Omission Sites

The following section provides an overview of the sites in Fareham Borough that are in Persimmon's interests, but have not be identified for allocation. These site are largely located on the periphery Stubbington and are within the ownership of the Dunley Estate. The Table below summarises the Dunley land holdings including capacity. The sites are shown on the enclosed Location Plans provided at Appendix 2.

Site Number	Address	Gross Area Acres (Hectares)	Site Capacity Estimate*
1	Land East of Burnt House Lane	23.53 (9.52)	240 - 320
2	Land West of Peak Lane	46.25 (18.72)	TBC
3	Land North of Titchfield Road	4.83 (1.95)	40 -50
4	Land South of Titchfield Road	2.78 (1.12)	10 - 30
5	Land West of Cuckoo Lane	52.76 (21.35)	150-200
6	Land at Oakcroft Lane	41.04 (16.20)	209
	Total	**171.19 (69.28)**	**649 - 809**

*Based on net developable area, not gross area.

Sites 1-3 and Site 6 fall within the South of Fareham SGA that was identified as part of the most recent Regulation 18 draft Plan. The remaining sites (Sites 4 and 5) are located outside of the SGA. The following section addresses each site in turn.

In support of the Draft Local Plan Regulation 19 Plan, the Council updated its Strategic Housing and Employment Land Availability Assessment (SHELAA) in September 2020. This replaces the previous study which published in December 2019. The conclusion of the SHELAA as related to each of the sites shown in the Table above are considered.

Site 1: Land East of Burnt House Lane

This site is located to the eastern edge of the Stubbington. Persimmon has undertaken some initial capacity testing in relation to Site 1, including an initial highways assessment and masterplanning. The outcome of this work indicates that the site is capable of delivering around 240 to 320 new homes. This accounts for on-site constraints including the provision of a noise attenuation bund, and strategic planting to the eastern and northern boundaries of the site. Adjacent to this site is the Meoncross School, which seeking alternative arrangements for playing pitches close to the school (the existing pitches are currently leased and do not adjoin the school) and additional car parking to avoid parents parking on the nearby residential streets. Persimmon is in discussion with the school about how development at the Burnt House Lane may assist in addressing the school's immediate needs. In the longer term, however, given that the school is unable to expand within its existing site, consideration is being given as to whether the facility could be relocated to the Cuckoo Lane site (Site 5) to the west of Stubbington. Permission are strongly of the view that the site is sustainable and suitable for development and it is capable of being brought forward as a standalone allocation site, or as part of a wider masterplan with the South of Fareham SGA, should the Council seek to revisit this project.

The SHELAA 2019 concluded that Site 1 (SHELAA Ref: 1040) was deliverable housing site. However, in the Council SHELAA 2020 the Council considers the site to be undeliverable due a) to a significant visual impact undermining the integrity of the Strategic Gap, and b) the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The

Council ascribes a capacity of 125 dwellings to the site. It is unclear how the Council has reached the conclusions in the new SHELAA given its assessment of the 2019 SHELAA undertaken just nine months prior. Notwithstanding this, as set in these representations, it is Persimmon's view that the Strategic Gap should be redrawn to exclude this site. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the bird site to development is not unachievable. A strategy of improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 2: Land West of Peak Lane

This site is located to the north of the by-pass and extends across much of the gap towards the urban edge of Fareham in the north. Given its location and context, the development potential of this site is considered to be limited. However, the land could be an effective nitrate mitigation and/or bird protected habitat site that mitigation solution that could be used to address the potential impact development on other sites within Permission interests and/or other sites in the Borough the require mitigation solutions.

Site 3: Land North of Titchfield Road

This site is located to the north-west of Stubbington. Whilst this site formed part of the previous SGA, it is clearly distinct from and separate from it. This site is small scale that is well-contained in landscape terms, surrounded by existing built development and is deliverable in the short-term as stand-alone site that can be brought forward either as part of outside of the SGA masterplanning process should the Council seek to revisit this project. Initial capacity assessments of Site 3 indicates that it is capable of delivering around 40-50 new homes.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3190) was a deliverable housing site. However, in the SHELAA 2020 considers the site to be undeliverable due it being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 20 dwellings to the site. It is unclear how the Council has reached these conclusions regarding the suitability of the site given its assessment of the site undertaken just nine months prior. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the site to development is not unachievable. This approach to improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 4: Land South of Titchfield Road

This small site is located to the north-west of Stubbington. It bounded to the north-east and north-west by existing housing fronting Titchfield Road and the Crofton Equestrian Centre. The site's relationship with the wider Meon Valley landscape is limited by the woodland to the south of the site. The woodland to the south and its associated watercourse (which is also within Dunley Estate ownership) is recognised as an important ecological resource. Sensitive site design, however, could provide a means of ensuring the ecological interests at this adjoining site are protected and enhanced. Initial site capacity assessment indicated that the site is capable of delivering between c. 10-30 new homes. Were the Council minded to allocate the site for residential development, it could provide an important contribution towards its small-medium site housing allowance as required by Paragraph 68 of the NPPF.

Site 5: Land West of Cuckoo Lane

This site adjoins the settlement boundary of Stubbington to its north-eastern boundary. It is characterised by a substantial arable field that is well-contained in the north by the built form of Stubbington and substantial woodland. Initial capacity testing of this site, which has allowed for a substantial ecological buffer to the woodland, strategic planting to contain the site from the wider Meon Valley, land for a new school and new parkland further south, indicates that it is capable of delivering around 150-200 new homes.

This site is assessed in the SHELAA as being undeliverable due to being located within a *'highly sensitive landscape (based on the Fareham Landscape Assessment) and within an Area of Special Landscape Quality. Significant ecological constraints associated with the adjacent SPA/SSSI affect the suitability of the site.'* The SHELAA ascribes a capacity of 240 dwellings to the site. Whilst the ecological and landscape challenges associated with this site are recognised, they are not insurmountable. Although not a consideration for the SHELAA per se, the site provides the opportunity to deliver substantial ecological and recreation benefits, alongside community benefits, including new education provision and allotments.

Site 6: Land at Oakcroft Lane

Similar to Sites 1 and 3, the Oakcroft Lane site can be delivered outside of or as part of the SGA process (should the Council revisit this project). However, as demonstrated through the planning application, the site is deliverable now as a standalone development site. Technical issues associated with the development have been resolved and Persimmon are currently awaiting determination of the application by the Council. The site is capable of delivering 209 new homes alongside a considerable area of space to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3141) was a deliverable housing site. However, in the SHELAA 2020 the Council considers the site to be undeliverable due to the site to be undeliverable due to the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 200 dwellings to the site. It is unclear how the Council has reached these conclusions given its assessment of the site undertaken just nine months prior, and considering the site-specific mitigation strategy for protected birds has the support of Natural England and the Council's ecologist via the planning application process.

Appendix 1: Oakcroft Lane Site Layout

Rev	Date	Revision Details	Dr	Ch
E	22.04.20	Bypass junction amended	br	db
D	25.02.20	see planning cover note	br	db
C	05.11.19	see planning cover note	br	db
B	20.09.19	see planning cover note	br	db
A	22.07.19	see planning cover note dated 23 July	br	db

PERSIMMON
Together, we make a home

Job Title
Oakcroft Lane, Stubbington

Drawing Title
Site Layout

Job No	Drawing No	Rev
220	A-02-015-SL	E
Drawn	Checked	Date
BR	DB	March '19

Scale
1:1000 @ A1 / 1:2000 @ A3

metres 20 40 60 80 100

Status
PLANNING

Persimmon Homes. No dimensions to be scaled from drawing except for the puposes of Planning Applications. The contractor should check all dimensions on site. It is the contractors responsibility to ensure compliance with Building Regulations. No drawings should be copied or modified without permission from Persimmon Homes.

File Location: s:\south coast\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Appendix 2 Omission Site Location Plans

Site 1 Location Plan: Burnt House Lane, Stubbington

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Site 2 Location Plan: West of Peak Lane, Stubbington

TEAM GB

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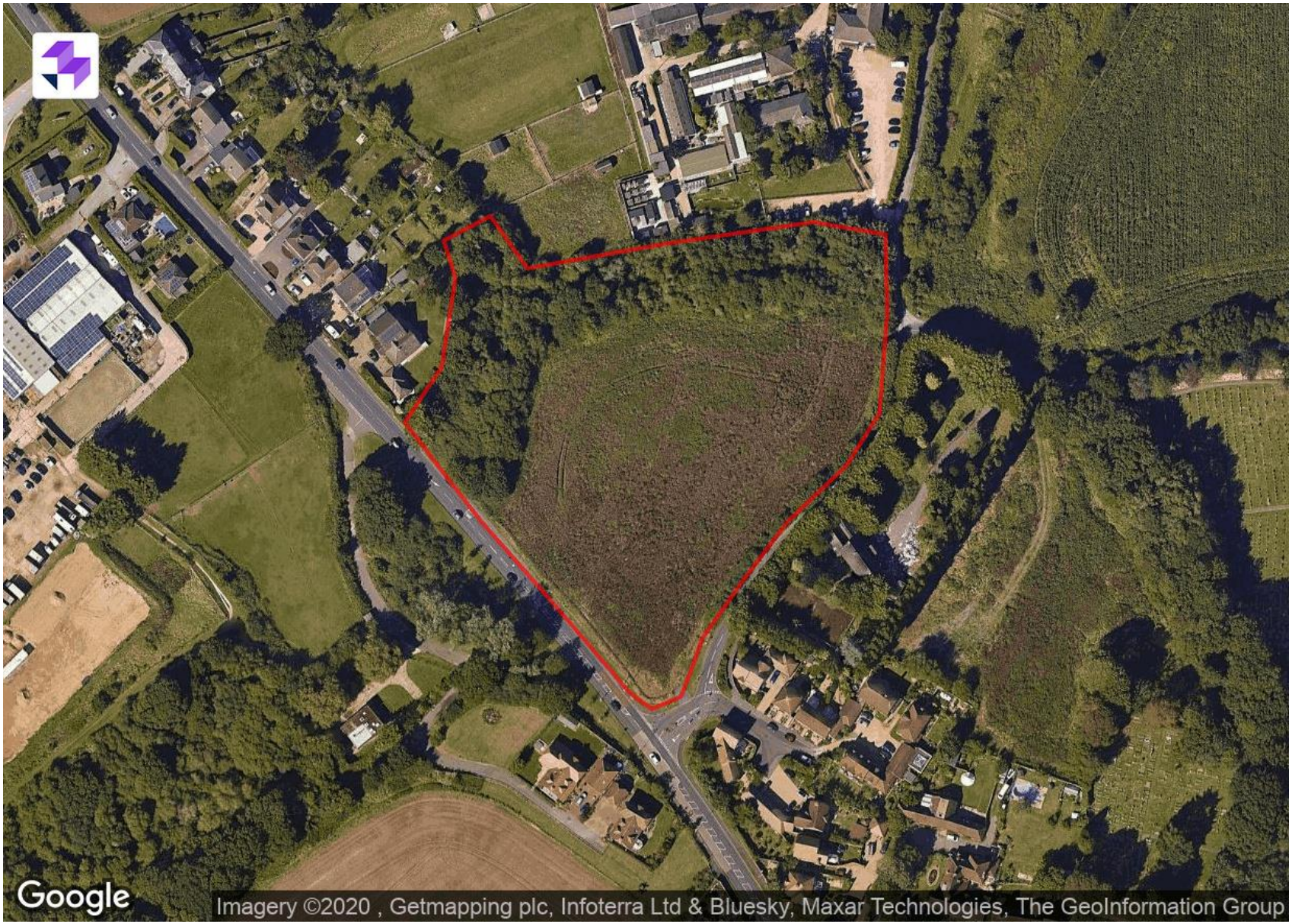

Site 3 Location Plan: North of Titchfield Road, Stubbington

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Site 4 Location Plan: South of Titchfield Road, Stubbington

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Site 5 Location Plan: West of Cuckoo Lane, Stubbington

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OFFICIAL PARTNER

Rev	Date	Revision Details	Dr	Ch
A	22.07.19	see planning cover note dated 23 July	br	db

PERSIMMON
Together, we make a home

Job Title
Oakcroft Lane, Stubbington

Drawing Title
Site Layout

Job No	Drawing No	Rev
220	A-02-015-SL	A
Drawn	**Checked**	**Date**
BR	DB	March '19

Scale
1:1000 @ A1 / 1:2000 @ A3
metres 20 40 60 80 100

Status
PLANNING

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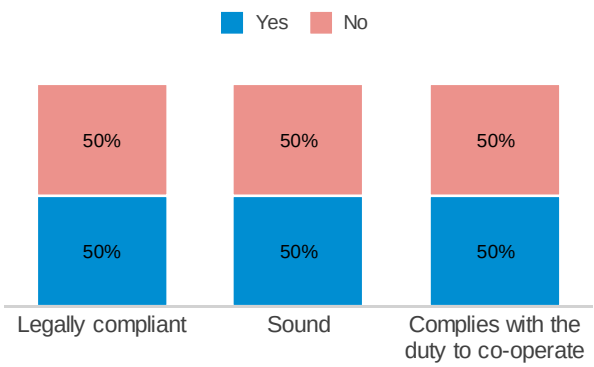
File Location: s:\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Policy | D1 - High Quality Design and Placemaking

2 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	2	2	2
Yes	1 50%	1 50%	1 50%
No	1 50%	1 50%	1 50%



Respondent: Mrs Wendy Ball (2311-221619)

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

All developments of dwellings or employment must be of high-quality and in keeping with the character of the site. Such developments should be accessible by public transport, cycling and walking routes. High-quality in architecture, scale, proportion, material and detailing is important. Spacing should be such as to allow landscaping for the planting of shrubs and trees between.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Respondent: Mrs Samantha Pope CEng BEng (Hons) (1712-1207)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

11.34 The council will support applications where development exceeds Building Regulations however no target has been set, is this 1% better or 10 % . The local plan is therefore is not sound and effective approach to carbon emissions as a borough. 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the carbon reductions promised by the government. The council therefore should set standards much like the London boroughs to ensure developers are designing for sustainable homes. These boroughs are also using new standards of design calculations (SAP10) which are not yet within building regulations which must be adhered too. The Fareham Design guidance do not give any guidance on sustainability.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

11.35 The council will support applications where development exceeds Building Regulations however no target has been set, is this 1% better or 10 % . The local plan is therefore is not sound and effective approach to carbon emissions as a borough. 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the carbon reductions promised by the government. The council therefore should set standards much like the London boroughs to ensure developers are designing for sustainable homes. These boroughs are also using new standards of design calculations (SAP10) which are not yet within building regulations which must be adhered too. The Fareham Design guidance do not give any guidance on sustainability, this should be updated to include potential green technologies that the council would accept as part of a planning proposal.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

The energy strategy provided as supporting documentation only accounts for the Borough. The councils design guidance standard should include an ideal energy strategy that the developers can adopt and modify as part of their planning submission.

Your suggested revised wording of any policy or text:

11.35 The council require the developer to submit plans to see each dwelling be designed to achieve an energy efficiency 20% better then building regulations Part L1A 2013. Update the Fareham design guidance to include sustainable housing design.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

As a professional engineer in this field I will be able to provide further insight and evidence on this subject.

Keely, Lauren

From: [redacted]
Sent: 10 December 2020 15:39
To: Consultation
Subject: Fwd: FBC Continued
Attachments: FBC Continued .docx

For the attention of Katherine Trott

Begin forwarded message:

[redacted]

Dear Katherine,
As discussed with you Friday 4 December I enclose the start of my comments on the consultation document which you said you would be able to put in the appropriate boxes as I am unable to as I found that I could not continue without logging on, each time which was not how the system should've worked.
When we spoke you said that you had not received the second paragraph that I submitted so I am hoping that I will start there, as you have already received my first submission.

As I am not able to view the pro forma I hope you will be able to put them into the correct boxes as obviously with only one iPad that I am using to work on and one for my notes which I have made, it would be too torturous.

So onto matters of legal compliance which I believe is paragraph 1.6

There is no mention of the 2017 unadopted draft plan although it has been confirmed that it was in the previous 2015 plan.
Although there was an overall reduction in the new housing it would appear that Warsash is actually going to take 20% more. HA1 has no joined up thinking. There should be an environmental impact on all of the sites proposed , so that each one is not seen in isolation.

Paragraph 4.19 states that many of the housing policies brackets HE256 811 1416 1820 2125 and no longer considered to be proposed allocations. I should like to know how objectively assessed housing need arrived at the fact that site HA1 was to take the bullet.

It would appear that the developers have taken advantage of the LPA's decision that proposing HA1 would mean that they have carte blanche to submit applications. I believe this is contrary to the publication plan.It would also appear that in order to fit in as many houses as possible into HA1 the boundaries have been adjusted to accommodate them. How does this not look as though the Developers have the upper hand and are actually driving this through.

So onto the Habitats directive which again comes under Matters of legal compliance.
Paragraph 9.10 is about nightrates neutrality strategic policy. I cannot see how the policy which requires designated sites to be protected and enhanced and improved is adhered too. I think the word I am looking for is there should be a net reduction the designated sites in unfavourable conditions. TheLPA's way of adjudging is the exact opposite. It would appear that this is in direct contravention of both the habitats directive and the publication plan policies. The developments contemplated would be negatively impacting theSAC and RAMSAR sites. I cannot see that under these circumstances it would be a valid option.

I am calling it a day at present and wonder if you can reply to acknowledge receipt of this and that I am actually doing the right thing and making comments that you can import into the documentation,

Many thanks,

June Ward
[redacted]

Dear Katherine,
This next part of my document relates to the Test of Soundness

I am not at all happy with the settlement definition.
Policy HA1, which is supposedly a greenfield site is proposed to be changed to an urban area – via the redefinition of settlement boundaries reference WW 17. Greenfield sites are not particularly favourable for development as it says in the forward to the publication plan.
Paragraph 2.10 says that Fareham Borough aims to retain the identity of the amazing valuable landscape and settlement definition, protecting it's natural, built and historic assets. As someone who has lived in Warsash 45 years and been conversant with this area for nearly 10 years before that, ie the late 1960's, is a complete contradiction. What was once a very gentle countryside location seems to have been redesignated giving it up and status. And the change of the settlement boundary to enable this to happen is in my view completely unethical and beyond belief. I take exception to the fact that policy HP1 calls for the efficient use of existing buildings to meet such need on a 1 for 1replacement dwelling basis. This is not applicable for HA1 and it would appear that FBC has managed to redraw the urban boundary.

My next comment on test of soundness is where infrastructure is concerned.

This concerns policy HP4 to be found paragraph 5.24; I think HA1 demonstrably fails to have any thing other than a detrimental effect on the environment, certainly the traffic(witness the two and a half hours to get off the motorway on Friday 4 th December, where all roads in and out of Warsash were snarled up, as we are a peninsula....or has this not occurred to anyone) and amenity has implications. Even now I feel that I cannot venture out too far from Warsash for fear of not getting back at a reasonable time due to the amount of traffic on the few roads in and out of Warsash. Warsash almost appears to be a prison! Don't go anywhere because you can't get back to your house!

This ties in with my next point policy HA1. Page 51 talks about traffic routes. As I have said earlier it almost feels that one is imprisoned in Warsash. I note that there was a recommendation that there should only be six dwellings and Greenaway Lane now I see that the plan proposes for 140 houses and that to enable this to be accessed the lane needs to be widened. I think the clue is in the word Lane. This is a delightful lane to walk through but with that amount of traffic proposed would be considerably dangerous. It is already "take your life in your hands to cross Warsash Road "let alone the impact of trying to walk within what was once considered countryside. As one gets older and appreciates the ability to be able to walk along country lanes. Page 54 suggests there should be seven new accesses onto an incredibly busy Brook lane and LockswoodRoad as well as an additional iaccess at Brook Lane via three entry points from Greenaway Lane. I have already had to change my surgery where I was a patient for 40 odd years as it was impossible to get to the surgery on time due to the amount of traffic. My surgery is now in locks Heath Centre. I note that there was an occasion some time in the last few few weeks that the Air ambulance was unable to land; and ambulance was unable to get there because of the gridlock. My point is very much that the proximity of these access points and the position of such will cause even more gridlock. We are a peninsular we are hemmed in. More traffic will make us feel that we are even more in a cage.

Continuing with my other comments about infrastructure
Paragraph 10.15 where has that been an analysis of roads where the new houses are proposed. If we are considering 830 new dwellings what about the transport assessment for HA1. Although there could be an average of two cars per dwelling I know from experience that at one point, with our daughters coming and going from University, we had five cars in the driveway, which we could accommodate.....many of the new homes will not have this advantage, and extra cars will be accommodated on the roads.. how therefore is there no reference for the mitigation required to reduce congestion by 2037. Plan as presented failed the test of soundness by not being positively prepared in this respect.In this very Rural area one has to have access to a car to get anywhere, unless being confined to one's home is the way forward for FBC. I cannot see that paragraph 10.14 helps any of us.

I have had the pleasure of one of my family is moving closer to live with me in Warsash and the boys are very involved in outdoor activities so it was a joy that I saw there was provision of two junior football pitches however these appear to be missed off of the master plan?

Document 3 for FBC

Dear Katherine,

This relates to Test of soundness-

Housing need methodology

I think there is a disparity CE paragraph 3.27 figure 3.2. The map shows that there are eight possible growth areas when there are actually more than this. Could you confirm which is the correct one.
Again paragraph 3.37 does not align with paragraph 4.13 regarding the definition of small-scale development. In other words, is it sites of less than 1Ha or development of not more than four dwellings.
Again under the same heading; paragraph 4.2 of the publication plan is dubious as it bases housing numbers on the proposed new methodology for calculating need and there is some concern that this may not be adopted by the government. Also page 37 paragraphs 4.12, 4.16 and policy HP13 illustration says that the contingency barrier of 1094 has been made. I think the plan is very dependent that 4858 houses at Welbourne will be delivered.

Occupancy rates
Paragraph 5.41 states that a four or five bed house would have an average occupancy rate of 2.4 with regard to nitrate budget calculations. However it also states that the range of occupancy for affordable homes will be between 4-6 persons. This does not marry up with the claims in the publication plan for what the council needs and requires.

Carbon reduction

Paragraph 8.60 section 8 does not state what the target should be for the requirement of meeting CO2 emission targets. It simply refers to individual developments power generation. I would contend that the plan is not positively prepared.

Paragraph 11.34 does not state what the meeting of CO2 emission reduction targets should be.The plan just refers to individual developments power generation so again I contend that plan is not positively prepared.
Paragraph 11.36 no standards have been set for the developers to design for natural ventilation and green infrastructure. I cannot see how just meeting building regs, allies with the Governments needs to meet the promised carbon reduction. The council should lead by example by setting standards to ensure that developers are designing for sustainability. We need to look to the future using the new standards SA10.

Retail facilities
Paragraph 7.13 if Warsash is to have more houses then there will be additional retail facilities needed and with that will be the need for more parking spaces as many who have lived in this area for decades need to use their own transport for shopping, hairdressers, and many other facilities that this village has provided. It is already a job to cross the road from one side to the other and more cars to the area will make this even more impossible.There would need to be a crossing area to allow children to cross safely to get to the bus stop or to Brookfield School as well as the many elderly people who need to cross from one side to the other.

Paragraph 7.18 although out-of-town shopping is discussed it is not however defined. As one gets older one prefers to take ones custom to the local shops as driving is not so pleasurable. If we are to be encouraged to shop elsewhere this will increase the amount of traffic on our heavily congested roads.

Education

Paragraph 10.26 infrastructure delivery plan section 5.5. I note that education is planned with Hampshire county council however the period of any proposed extensions only covers to 2021. The plan however goes up to 2037. My grandchildren are already in three different schools within the area, two of which need cars. Offering houses to be developed but then not having school places it's not a sound approach to help to realise the dreams of future generations.
Paragraph 10.27 Infrastructure delivery plan table item 83 calls for section 106 provisions of additional early years foundation provision within the western wards. However H a one does not say if there is going to be a nursery or preschool within the proposed development area. There should be a child placement contribution to be allocated as there are over 1000 new houses being proposed for the Warsash area alone. Again If parents need childcare provision they would have to travel out of this immediate area in order to access provision; not at all ideal, adding to traffic chaos, length of time travelling to and from child care setting and not allowing children to make friendships with those who they might be at school with when they reach statutory age.

Healthcare
As regards Paragraph 10.26 the infrastructure delivery plan calls for the expansion of healthcare provision through further GP practices in the western wards. The document however only provides an historic timeline through dating the local plan. This is not a sound approach considering that HA1 will bring in additional 830 houses. It is already impossible to get an appointment at the nearest GP practice within a week.

Complies with duty to cooperate
Housing need methodology

Paragraph 1.28 which agrees to take up the shortfall of homes from Portsmouth, numbering 847, would appear that FBC are taking a risk as the new methodology for calculating housing need has not been signed off by the Government. Also during this time of public consultation the housing delivery test will not be available

Paragraph 3.10 The rewilding of the Stubbington strategic gap was made without consultation with the council offices or elected members. It came via an announcement through a press release after the start of the full council meeting, which was in the process of debating this plan.

Representations | Samantha Pope CEng BEng (Hons)

1712-1207

Respondent details:

Title:	Mrs
First Name:	Samantha
Last Name:	Pope CEng BEng (Hons)
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policy: TIN2 - Highway Safety and Road Network

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

10.15 Transport plan does not include an analysis of streets where the majority of the houses are proposed. Why hasn't more consideration been given to HA1 in the transport assessment? There are 830 dwellings proposed in HA1. With an average of 2 cars per dwelling, an additional 1660 vehicles will be on local roads! Because of the lack of consideration, there is no reference for the mitigation required to reduce congestion by 2036. The Plan fails the Test of Soundness by not being Positively Prepared in this respect. QUOTE 14.6 of Final transport Assessment "In conclusions, based on the work of this Strategic Transport Assessment, it is considered that the quantum and distribution of the development proposed in the Fareham Local Plan, and the resulting transport impacts, are capable of mitigation at the strategic level, and that the plan is therefore deliverable and sound from a transport perspective." This statement doesn't include the area of the local plan with 800 homes isn't assessed within the document Transport plan. 10.27 All developers will provide monies under section 106 to contribute to the Infrastructure Delivery Plan (IDP) . However there is nothing identified within the IDP table as a required contribution to transport and travel or highways in the western wards.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

There is no reference for the mitigation required to reduce congestion by 2036. The Plan fails the Test of Soundness by not being Positively Prepared in this respect. This statement doesn't include the area of the local plan with 800 homes isn't assessed within the document Transport plan. 10.27 All developers will provide monies under section 106 to contribute to the Infrastructure Delivery Plan (IDP) . However there is nothing identified within the IDP table as a required contribution to transport and travel or highways in the western wards.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Complete a transport assessment and include this along with mitigations required to the area of HA1. Include the mitigation within the IDP and itemize the contributions for travel and highways in the western wards

Your suggested revised wording of any policy or text:

The statements and supporting documentation must include the 800 homes proposed in HA1. I can not suggest wording for this as the professionals (transport, highways and infrastructure engineers) should complete the calculations required for HA1 and provide mitigation measures as a result.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

2) Policy: TIN4 - Infrastructure Delivery

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

From the Infrastructure Delivery Plan Section 5.4 Education is planned by Hampshire County Council. However the period of the child placements to extent the local schools only covers up to 2021. Has the council fully engaged with HCC over the houses planned for Warsash and the Western Wards as they will be built over the next five years and the local plan extends up to 2036. Is this a sound approach for the borough and our children's education? The IDP table item 83 Calls for section 106 provisions of additional Early Years Foundation Provision (EYP) within the Western Wards, however HA1 does not show the placement of a nursery or pre-school within the developments area. Where is this contribution of child placement to be allocated as the IDP calls for the addition of 83No placements when there are over 1000 dwellings added to the area. The IDP calls for the expansion for health care in the Western Wards with additional of GP locations in the Western Wards, however within the table provided within the document the timeline of this project and its review is in the past (prior to adoption of the local plan). How is this a sound approach for the borough when addition of 830 dwellings in HA1 alone.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

From the IDP Section 5.4 Education is planned by Hampshire County Council. However the period of the child placements to extent the local schools only covers up to 2021. Has the council fully engaged with HCC over the houses planned for Warsash and the Western Wards as they will be built over the next five years and the local plan extends up to 2036. Is this a sound approach for the borough and our children's education? Extend the schools study to include the duration of the draft plan, or the next five years identified with the majority of growth in the area, especially HA1 The IDP table item 83 Calls for section 106 provisions of additional Early Years Foundation Provision (EYP) within the Western Wards, however HA1 does not show the placement of a nursery or pre-school within the developments area. Where is this contribution of child placement to be allocated as the IDP calls for the addition of 83No placements when there are over 1000 dwellings added to the area. Assign EYP within the area of HA1 with contributions made by each of the developers to ensure the IDP is met for the western wards. The IDP calls for the expansion for health care in the Western Wards with additional of GP locations in the Western Wards, however within the table provided within the document the timeline of this project and its review is in the past (prior to adoption of the local plan). How is this a sound approach for the borough when addition of 830 dwellings in HA1 alone. Complete the review inline with the timeframe set out in this local plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Complete the studies identified in the supporting documentation to ensure the local plan is sound for the provision of education, early years foundation provision and GP surgeries.

Your suggested revised wording of any policy or text:

I can not make a suggestion for wording changes as i am not a professional in these fields. Once the studies have completed the mitigation should be included within the local plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

3) Paragraph: 7.13

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

7.13 Local retail/commercial facilities figures do not cater for the additional houses in Warsash. For example, No convenience goods floor space has been allocated to Warsash

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include convenience goods floor space in Warsash to account for the number of proposed houses in HA1.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Include a retail figure for the western wards.

Your suggested revised wording of any policy or text:

I can not calculate the retail figure for the western wards as i am not a professional in this field. Have the supporting documentation updated and add the figures to the local plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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4) Policy: D1 - High Quality Design and Placemaking

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

11.34 The council will support applications where development exceeds Building Regulations however no target has been set, is this 1% better or 10 % . The local plan is therefore is not sound and effective approach to carbon emissions as a borough. 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the carbon reductions promised by the government. The council therefore should set standards much like the London boroughs to ensure developers are designing for sustainable homes. These boroughs are also using new standards of design calculations (SAP10) which are not yet within building regulations which must be adhered too. The Fareham Design guidance do not give any guidance on sustainability.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

11.35 The council will support applications where development exceeds Building Regulations however no target has been set, is this 1% better or 10 % . The local plan is therefore is not sound and effective approach to carbon emissions as a borough. 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the carbon reductions promised by the government. The council therefore should set standards much like the London boroughs to ensure developers are designing for sustainable homes. These boroughs are also using new standards of design calculations (SAP10) which are not yet within building regulations which must be adhered too. The Fareham Design guidance do not give any guidance on sustainability, this should be updated to include potential green technologies that the council would accept as part of a planning proposal.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

The energy strategy provided as supporting documentation only accounts for the Borough. The councils design guidance standard should include an ideal energy strategy that the developers can adopt and modify as part of their planning submission.

Your suggested revised wording of any policy or text:

11.35 The council require the developer to submit plans to see each dwelling be designed to achieve an energy efficiency 20% better then building regulations Part L1A 2013. Update the Fareham design guidance to include sustainable housing design.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

As a professional engineer in this field I will be able to provide further insight and evidence on this subject.

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5) Policy: CC4 - Renewable and Low Carbon Energy

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Section 8 mentions the requirement of meeting CO2 emission reduction targets, but instead of stating what the targets should be, the Plan simply refers to power generation within the borough and not what each of the development sites should deliver over and above Building Regulations requirements, on this basis it is believed that the plan is not positively prepared

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include targets for the next five, ten and fifteen year periods to ensure the developers have each follow the same targets and guidelines

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Include targets for the next five, ten and fifteen year periods to ensure the developers have each follow the same targets and guidelines. Targets should follow national standards to meet the climate change protocols

Your suggested revised wording of any policy or text:

i can not suggest wording on this.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

---

6) Policy: H1 - Housing Provision

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

The government have had a strategic rethink on how housing numbers are allocated to each area of the UK and issued within the timeframe of these comments. The Fareham local plan has used a now defuncted algorithm used to calculate the number of houses proposed within the area. The 800 plus homes allocated to the western wards should be recalculated using the new formula to ensure the western wards isn't saturated with new homes where it isn't required to meet government targets.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

To ensure the plan is sound and compliant with government requirements. the number of homes required within Fareham should be recalculated. Particular attention should be made to the western wards to ensure it is not saturated with houses and that Fareham as a whole borough is developed according to the latest formula.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

New housing figures mapped on to HA1 in particular.

Your suggested revised wording of any policy or text:

i can not comment without completing the new calculations

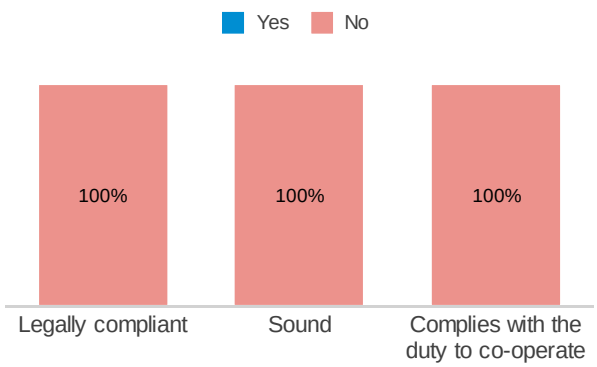
If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Paragraph | 11.34

2 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	2	2	2
Yes	0 0%	0 0%	0 0%
No	2 100%	2 100%	2 100%



Respondent: Mr Richard Jarman (1712-211841)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

The council will support applications where development exceeds Building Regulations but no percentage target for improvement has been set. The Plan is therefore not a Sound and effective approach to carbon emissions reduction in the Borough.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Set targets for exceeding carbon emissions as part of the plan

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It will legally enforce the reduction of carbon in the borough

Your suggested revised wording of any policy or text:

No comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Respondent: Mrs Charlotte Varney (2011-171355)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 11.34 The council will support applications where development exceeds Building Regulations but no percentage target for improvement has been set. The Plan is therefore not a Sound and effective approach to carbon emissions reduction in the Borough

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Para 11.34 The council will support applications where development exceeds Building Regulations but no percentage target for improvement has been set. The Plan is therefore not a Sound and effective approach to carbon emissions reduction in the Borough

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Para 11.34 The council will support applications where development exceeds Building Regulations but no percentage target for improvement has been set. The Plan is therefore not a Sound and effective approach to carbon emissions reduction in the Borough

Your suggested revised wording of any policy or text:

Para 11.34 The council will support applications where development exceeds Building Regulations but no percentage target for improvement has been set. The Plan is therefore not a Sound and effective approach to carbon emissions reduction in the Borough

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Representations | Unknown2 Unknown2

Unknown2

Respondent details:

Title:	
First Name:	Unknown2
Last Name:	Unknown2
Job Title: (where relevant)	
Organisation: (where relevant)	
Address:	
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: 4.2

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 4.2 of the Publication Plan is unsound because it bases housing numbers on a proposed new methodology for calculating need and there is a tangible risk that it may not be adopted by the government. In addition Page 37 Paras 4.12, 4.16 and Policy HP1 Illustrates that whilst a contingency buffer of 1094 homes has been made, the Plan is heavily reliant on the certainty of delivery on 4858 houses at Welborne.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

The LPA should wait until Government has confirmed the methodology for calculating OAHN

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would ensure the Plan is consistent with Government Policy

Your suggested revised wording of any policy or text:

The LPA will defer any allocations until the Government has confirmed the Methodology for calculating OAHN

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

2) Paragraph: 5.41

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Para 5.41 The LPA argues for an average occupancy rate of 2.4 for a 4/5 bed dwelling in regards to Nitrate budget calculations. To the contrary, it is stated here that the spectrum of occupancy for affordable homes will be in the range of 4-6. The claims in the Publication Plan are therefore not reflected in the council's own proposals and requirements.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Review to provide a more reasonable level of occupancy for Dwellings when determining Nitrate budgets

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would make the Plan more realistic in terms of the real average occupancy levels in the Housing proposed locally

Your suggested revised wording of any policy or text:

The Nitrate budget calculations should be undertaken with respect to average occupancy rates in the area (The Council's own figures for Affordable homes is between 4 and 6 people per dwelling and not 2.4 - So the number should probably be in the region of 3-4 at a minimum.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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3) Policy: CC4 - Renewable and Low Carbon Energy

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 8.6 Section 8 mentions the requirement of meeting CO2 emission reduction targets, but instead of stating what the targets should be, the Plan simply refers to individual developments power generation rather than what each should deliver over and above Building Regulations requirements, on this basis the plan is not Positively Prepared Para 11.34 The council will support applications where development exceeds Building Regulations but no percentage target for improvement has been set. The Plan is therefore not a Sound and effective approach to carbon emissions reduction in the Borough. Para 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the Government promised carbon reductions. The council therefore should set standards to ensure developers are designing for sustainability much like the London boroughs that are using new standards of SAP10 which although not yet within building regulations, should be adhered to.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Ensure that the Plan includes emission reduction Targets in order to meet or exceed the levels that can contribute to the Governments overall Carbon reductions.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It is not sufficient to just require Developers to meet/exceed current Building Regulations when their are no specific percentage reductions mentioned

Your suggested revised wording of any policy or text:

The LPA will allow Developments when it has been calculated that the local carbon emissions generated by the site has been reduced by x% and that the site conforms with Government Policy SAP 10

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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4) Paragraph: 7.13

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Para 7.13 Local retail/commercial facilities figures do not cater for the additional houses in Warsash. For example, no additional convenience goods floor space has been allocated to Warsash.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Assessment of LOCAL amenities including Retail floorspace

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would contribute to making the developments Sustainable

Your suggested revised wording of any policy or text:

Any allocation must be justified in terms of the number of Dwellings proposed, by a review of the strain on Local Amenities and Infrastructure. If either is assessed to be inadequate, Allocation will not be approved until such local infrastructure/amenities have satisfied the assessed needs of the community.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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5) Paragraph: 7.18

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 7.18 Out of town shopping is discussed, but not defined; Out of town shopping will take jobs and customers away from local shopping areas and will increase traffic on the routes in and out of Warsash and Locks Heath.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

A review of Local Shopping needs (vs Out of Town) is needed before any allocations are made

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Will contribute to Sustainability by cutting down on vehicular movements and adding to local employment numbers

Your suggested revised wording of any policy or text:

Before any allocation is approved the LPA will assess the Local Retail and Shopping facilities to minimise the need for vehicular trips, provide for local employment and contribute to the Sustainability of such Allocation.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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6) Policy: TIN4 - Infrastructure Delivery

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 10.26 Infrastructure Delivery Plan Section 5.4 Education is planned with HCC but the period of any proposed extensions for child placements is only up to 2021 whereas the Plan covers up to 2037. This is not a sound approach for the education of our children. Education Para 10.27 Infrastructure Delivery Plan Table item 83 calls for section 106 provisions of additional Early Years Foundation Provision (EYP) within the Western Wards however HA1 does not indicate the placement of a nursery or pre-school within the development area. Where is the child placement contribution to be allocated as the IDP calls for the addition of 83 placements whereas there are over 1000 new dwellings being proposed for the Warsash area alone.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include child placements forecast to 2037 (not 2021) and review the EYP numbers for 1000 new dwellings proposed in Warsash

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Would cover the Plan duration and reflect a reasonable demand based on the actual number of new Dwellings (83 placements is obviously too low!)

Your suggested revised wording of any policy or text:

The Child Placements and EYP up to 2037 will be assessed and Schools extensions funded and planned accordingly to accommodate the increased Educational needs of the area.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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7) Policy: TIN4 - Infrastructure Delivery

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Para 10.26 Infrastructure Delivery Plan calls for the expansion of health care provision through the addition of further GP locations in the Western Wards, However the table provided within the document only provides an historic timeline pre-dating the Local Plan. This is not a Sound approach taking into consideration that HA1 alone will bring an additional 830 dwellings.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Need to commit to appropriate increase in local doctors and dentists (healthcare needs)

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Make it relevant to current and future needs (not based on historic data) and be sufficient to support the additional 1000 dwellings proposed for Warsash

Your suggested revised wording of any policy or text:

Local Healthcare facilities will be assessed and committed to, using future predicted demand from over 1000 new dwellings in the Warsash area

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Keely, Lauren

From: June Ward <s[redacted]
Sent: 10 December 2020 15:39
To: Consultation
Subject: Fwd: FBC Continued
Attachments: FBC Continued .docx

For the attention of Katherine Trott

Begin forwarded message:

[redacted]

Subject: FBC Continued

Dear Katherine,
As discussed with you Friday 4 December I enclose the start of my comments on the consultation document which you said you would be able to put in the appropriate boxes as I am unable to as I found that I could not continue without logging on, each time which was not how the system should've worked.
When we spoke you said that you had not received the second paragraph that I submitted so I am hoping that I will start there, as you have already received my first submission.

As I am not able to view the pro forma I hope you will be able to put them into the correct boxes as obviously with only one iPad that I am using to work on and one for my notes which I have made, it would be too torturous.

So onto matters of legal compliance which I believe is paragraph 1.6

There is no mention of the 2017 unadopted draft plan although it has been confirmed that it was in the previous 2015 plan.
Although there was an overall reduction in the new housing it would appear that Warsash is actually going to take 20% more. HA1 has no joined up thinking. There should be an environmental impact on all of the sites proposed , so that each one is not seen in isolation.

Paragraph 4.19 states that many of the housing policies brackets HE256 811 1416 1820 2125 and no longer considered to be proposed allocations. I should like to know how objectively assessed housing need arrived at the fact that site HA1 was to take the bullet.

It would appear that the developers have taken advantage of the LPA's decision that proposing HA1 would mean that they have carte blanche to submit applications. I believe this is contrary to the publication plan.It would also appear that in order to fit in as many houses as possible into HA1 the boundaries have been adjusted to accommodate them. How does this not look as though the Developers have the upper hand and are actually driving this through.

So onto the Habitats directive which again comes under Matters of legal compliance.
Paragraph 9.10 is about nightrates neutrality strategic policy. I cannot see how the policy which requires designated sites to be protected and enhanced and improved is adhered too. I think the word I am looking for is there should be a net reduction the designated sites in unfavourable conditions. TheLPA's way of adjudging is the exact opposite. It would appear that this is in direct contravention of both the habitats directive and the publication plan policies. The developments contemplated would be negatively impacting theSAC and RAMSAR sites. I cannot see that under these circumstances it would be a valid option.

I am calling it a day at present and wonder if you can reply to acknowledge receipt of this and that I am actually doing the right thing and making comments that you can import into the documentation,

Many thanks,

June Ward

[redacted]

Dear Katherine,
This next part of my document relates to the Test of Soundness

I am not at all happy with the settlement definition.
Policy HA1, which is supposedly a greenfield site is proposed to be changed to an urban area – via the redefinition of settlement boundaries reference WW 17. Greenfield sites are not particularly favourable for development as it says in the forward to the publication plan.
Paragraph 2.10 says that Fareham Borough aims to retain the identity of the amazing valuable landscape and settlement definition, protecting it's natural, built and historic assets. As someone who has lived in Warsash 45 years and been conversant with this area for nearly 10 years before that, ie the late 1960's, is a complete contradiction. What was once a very gentle countryside location seems to have been redesignated giving it up and status. And the change of the settlement boundary to enable this to happen is in my view completely unethical and beyond belief. I take exception to the fact that policy HP1 calls for the efficient use of existing buildings to meet such need on a 1 for 1replacement dwelling basis. This is not applicable for HA1 and it would appear that FBC has managed to redraw the urban boundary.

My next comment on test of soundness is where infrastructure is concerned.

This concerns policy HP4 to be found paragraph 5.24; I think HA1 demonstrably fails to have any thing other than a detrimental effect on the environment, certainly the traffic(witness the two and a half hours to get off the motorway on Friday 4 th December, where all roads in and out of Warsash were snarled up, as we are a peninsula....or has this not occurred to anyone) and amenity has implications. Even now I feel that I cannot venture out too far from Warsash for fear of not getting back at a reasonable time due to the amount of traffic on the few roads in and out of Warsash. Warsash almost appears to be a prison! Don't go anywhere because you can't get back to your house!

This ties in with my next point policy HA1. Page 51 talks about traffic routes. As I have said earlier it almost feels that one is imprisoned in Warsash. I note that there was a recommendation that there should only be six dwellings and Greenaway Lane now I see that the plan proposes for 140 houses and that to enable this to be accessed the lane needs to be widened. I think the clue is in the word Lane. This is a delightful lane to walk through but with that amount of traffic proposed would be considerably dangerous. It is already "take your life in your hands to cross Warsash Road "let alone the impact of trying to walk within what was once considered countryside. As one gets older and appreciates the ability to be able to walk along country lanes. Page 54 suggests there should be seven new accesses onto an incredibly busy Brook lane and LockswoodRoad as well as an additional iaccess at Brook Lane via three entry points from Greenaway Lane. I have already had to change my surgery where I was a patient for 40 odd years as it was impossible to get to the surgery on time due to the amount of traffic. My surgery is now in locks Heath Centre. I note that there was an occasion some time in the last few few weeks that the Air ambulance was unable to land; and ambulance was unable to get there because of the gridlock. My point is very much that the proximity of these access points and the position of such will cause even more gridlock. We are a peninsular we are hemmed in. More traffic will make us feel that we are even more in a cage.

Continuing with my other comments about infrastructure
Paragraph 10.15 where has that been an analysis of roads where the new houses are proposed. If we are considering 830 new dwellings what about the transport assessment for HA1. Although there could be an average of two cars per dwelling I know from experience that at one point, with our daughters coming and going from University, we had five cars in the driveway, which we could accommodate.....many of the new homes will not have this advantage, and extra cars will be accommodated on the roads.. how therefore is there no reference for the mitigation required to reduce congestion by 2037. Plan as presented failed the test of soundness by not being positively prepared in this respect.In this very Rural area one has to have access to a car to get anywhere, unless being confined to one's home is the way forward for FBC. I cannot see that paragraph 10.14 helps any of us.

I have had the pleasure of one of my family is moving closer to live with me in Warsash and the boys are very involved in outdoor activities so it was a joy that I saw there was provision of two junior football pitches however these appear to be missed off of the master plan?

Document 3 for FBC

Dear Katherine,

This relates to Test of soundness-

Housing need methodology

I think there is a disparity CE paragraph 3.27 figure 3.2. The map shows that there are eight possible growth areas when there are actually more than this. Could you confirm which is the correct one.
Again paragraph 3.37 does not align with paragraph 4.13 regarding the definition of small-scale development. In other words, is it sites of less than 1Ha or development of not more than four dwellings.
Again under the same heading; paragraph 4.2 of the publication plan is dubious as it bases housing numbers on the proposed new methodology for calculating need and there is some concern that this may not be adopted by the government. Also page 37 paragraphs 4.12, 4.16 and policy HP13 illustration says that the contingency barrier of 1094 has been made. I think the plan is very dependent that 4858 houses at Welbourne will be delivered.

Occupancy rates
Paragraph 5.41 states that a four or five bed house would have an average occupancy rate of 2.4 with regard to nitrate budget calculations. However it also states that the range of occupancy for affordable homes will be between 4-6 persons. This does not marry up with the claims in the publication plan for what the council needs and requires.

Carbon reduction

Paragraph 8.60 section 8 does not state what the target should be for the requirement of meeting CO2 emission targets. It simply refers to individual developments power generation. I would contend that the plan is not positively prepared.

Paragraph 11.34 does not state what the meeting of CO2 emission reduction targets should be.The plan just refers to individual developments power generation so again I contend that plan is not positively prepared.
Paragraph 11.36 no standards have been set for the developers to design for natural ventilation and green infrastructure. I cannot see how just meeting building regs, allies with the Governments needs to meet the promised carbon reduction. The council should lead by example by setting standards to ensure that developers are designing for sustainability. We need to look to the future using the new standards SA10.

Retail facilities
Paragraph 7.13 if Warsash is to have more houses then there will be additional retail facilities needed and with that will be the need for more parking spaces as many who have lived in this area for decades need to use their own transport for shopping, hairdressers, and many other facilities that this village has provided. It is already a job to cross the road from one side to the other and more cars to the area will make this even more impossible.There would need to be a crossing area to allow children to cross safely to get to the bus stop or to Brookfield School as well as the many elderly people who need to cross from one side to the other.

Paragraph 7.18 although out-of-town shopping is discussed it is not however defined. As one gets older one prefers to take ones custom to the local shops as driving is not so pleasurable. If we are to be encouraged to shop elsewhere this will increase the amount of traffic on our heavily congested roads.

Education

Paragraph 10.26 infrastructure delivery plan section 5.5. I note that education is planned with Hampshire county council however the period of any proposed extensions only covers to 2021. The plan however goes up to 2037. My grandchildren are already in three different schools within the area, two of which need cars. Offering houses to be developed but then not having school places it's not a sound approach to help to realise the dreams of future generations.
Paragraph 10.27 Infrastructure delivery plan table item 83 calls for section 106 provisions of additional early years foundation provision within the western wards. However H a one does not say if there is going to be a nursery or preschool within the proposed development area. There should be a child placement contribution to be allocated as there are over 1000 new houses being proposed for the Warsash area alone. Again If parents need childcare provision they would have to travel out of this immediate area in order to access provision; not at all ideal, adding to traffic chaos, length of time travelling to and from child care setting and not allowing children to make friendships with those who they might be at school with when they reach statutory age.

Healthcare
As regards Paragraph 10.26 the infrastructure delivery plan calls for the expansion of healthcare provision through further GP practices in the western wards. The document however only provides an historic timeline through dating the local plan. This is not a sound approach considering that HA1 will bring in additional 830 houses. It is already impossible to get an appointment at the nearest GP practice within a week.

Complies with duty to cooperate
Housing need methodology

Paragraph 1.28 which agrees to take up the shortfall of homes from Portsmouth, numbering 847, would appear that FBC are taking a risk as the new methodology for calculating housing need has not been signed off by the Government. Also during this time of public consultation the housing delivery test will not be available

Paragraph 3.10 The rewilding of the Stubbington strategic gap was made without consultation with the council offices or elected members. It came via an announcement through a press release after the start of the full council meeting, which was in the process of debating this plan.

Representations | Samantha Pope CEng BEng (Hons)

1712-1207

Respondent details:

Title:	Mrs
First Name:	Samantha
Last Name:	Pope CEng BEng (Hons)
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policy: TIN2 - Highway Safety and Road Network

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

10.15 Transport plan does not include an analysis of streets where the majority of the houses are proposed. Why hasn't more consideration been given to HA1 in the transport assessment? There are 830 dwellings proposed in HA1. With an average of 2 cars per dwelling, an additional 1660 vehicles will be on local roads! Because of the lack of consideration, there is no reference for the mitigation required to reduce congestion by 2036. The Plan fails the Test of Soundness by not being Positively Prepared in this respect. QUOTE 14.6 of Final transport Assessment "In conclusions, based on the work of this Strategic Transport Assessment, it is considered that the quantum and distribution of the development proposed in the Fareham Local Plan, and the resulting transport impacts, are capable of mitigation at the strategic level, and that the plan is therefore deliverable and sound from a transport perspective." This statement doesn't include the area of the local plan with 800 homes isn't assessed within the document Transport plan. 10.27 All developers will provide monies under section 106 to contribute to the Infrastructure Delivery Plan (IDP) . However there is nothing identified within the IDP table as a required contribution to transport and travel or highways in the western wards.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

There is no reference for the mitigation required to reduce congestion by 2036. The Plan fails the Test of Soundness by not being Positively Prepared in this respect. This statement doesn't include the area of the local plan with 800 homes isn't assessed within the document Transport plan. 10.27 All developers will provide monies under section 106 to contribute to the Infrastructure Delivery Plan (IDP) . However there is nothing identified within the IDP table as a required contribution to transport and travel or highways in the western wards.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Complete a transport assessment and include this along with mitigations required to the area of HA1. Include the mitigation within the IDP and itemize the contributions for travel and highways in the western wards

Your suggested revised wording of any policy or text:

The statements and supporting documentation must include the 800 homes proposed in HA1. I can not suggest wording for this as the professionals (transport, highways and infrastructure engineers) should complete the calculations required for HA1 and provide mitigation measures as a result.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

2) Policy: TIN4 - Infrastructure Delivery

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

From the Infrastructure Delivery Plan Section 5.4 Education is planned by Hampshire County Council. However the period of the child placements to extent the local schools only covers up to 2021. Has the council fully engaged with HCC over the houses planned for Warsash and the Western Wards as they will be built over the next five years and the local plan extends up to 2036. Is this a sound approach for the borough and our children's education? The IDP table item 83 Calls for section 106 provisions of additional Early Years Foundation Provision (EYP) within the Western Wards, however HA1 does not show the placement of a nursery or pre-school within the developments area. Where is this contribution of child placement to be allocated as the IDP calls for the addition of 83No placements when there are over 1000 dwellings added to the area. The IDP calls for the expansion for health care in the Western Wards with additional of GP locations in the Western Wards, however within the table provided within the document the timeline of this project and its review is in the past (prior to adoption of the local plan). How is this a sound approach for the borough when addition of 830 dwellings in HA1 alone.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

From the IDP Section 5.4 Education is planned by Hampshire County Council. However the period of the child placements to extent the local schools only covers up to 2021. Has the council fully engaged with HCC over the houses planned for Warsash and the Western Wards as they will be built over the next five years and the local plan extends up to 2036. Is this a sound approach for the borough and our children's education? Extend the schools study to include the duration of the draft plan, or the next five years identified with the majority of growth in the area, especially HA1 The IDP table item 83 Calls for section 106 provisions of additional Early Years Foundation Provision (EYP) within the Western Wards, however HA1 does not show the placement of a nursery or pre-school within the developments area. Where is this contribution of child placement to be allocated as the IDP calls for the addition of 83No placements when there are over 1000 dwellings added to the area. Assign EYP within the area of HA1 with contributions made by each of the developers to ensure the IDP is met for the western wards. The IDP calls for the expansion for health care in the Western Wards with additional of GP locations in the Western Wards, however within the table provided within the document the timeline of this project and its review is in the past (prior to adoption of the local plan). How is this a sound approach for the borough when addition of 830 dwellings in HA1 alone. Complete the review inline with the timeframe set out in this local plan.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Complete the studies identified in the supporting documentation to ensure the local plan is sound for the provision of education, early years foundation provision and GP surgeries.

Your suggested revised wording of any policy or text:

I can not make a suggestion for wording changes as i am not a professional in these fields. Once the studies have completed the mitigation should be included within the local plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

3) Paragraph: 7.13

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

7.13 Local retail/commercial facilities figures do not cater for the additional houses in Warsash. For example, No convenience goods floor space has been allocated to Warsash

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include convenience goods floor space in Warsash to account for the number of proposed houses in HA1.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Include a retail figure for the western wards.

Your suggested revised wording of any policy or text:

I can not calculate the retail figure for the western wards as i am not a professional in this field. Have the supporting documentation updated and add the figures to the local plan.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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4) Policy: D1 - High Quality Design and Placemaking

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

11.34 The council will support applications where development exceeds Building Regulations however no target has been set, is this 1% better or 10 % . The local plan is therefore is not sound and effective approach to carbon emissions as a borough. 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the carbon reductions promised by the government. The council therefore should set standards much like the London boroughs to ensure developers are designing for sustainable homes. These boroughs are also using new standards of design calculations (SAP10) which are not yet within building regulations which must be adhered too. The Fareham Design guidance do not give any guidance on sustainability.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

11.35 The council will support applications where development exceeds Building Regulations however no target has been set, is this 1% better or 10 % . The local plan is therefore is not sound and effective approach to carbon emissions as a borough. 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the carbon reductions promised by the government. The council therefore should set standards much like the London boroughs to ensure developers are designing for sustainable homes. These boroughs are also using new standards of design calculations (SAP10) which are not yet within building regulations which must be adhered too. The Fareham Design guidance do not give any guidance on sustainability, this should be updated to include potential green technologies that the council would accept as part of a planning proposal.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

The energy strategy provided as supporting documentation only accounts for the Borough. The councils design guidance standard should include an ideal energy strategy that the developers can adopt and modify as part of their planning submission.

Your suggested revised wording of any policy or text:

11.35 The council require the developer to submit plans to see each dwelling be designed to achieve an energy efficiency 20% better then building regulations Part L1A 2013. Update the Fareham design guidance to include sustainable housing design.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

As a professional engineer in this field I will be able to provide further insight and evidence on this subject.

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5) Policy: CC4 - Renewable and Low Carbon Energy

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Section 8 mentions the requirement of meeting CO2 emission reduction targets, but instead of stating what the targets should be, the Plan simply refers to power generation within the borough and not what each of the development sites should deliver over and above Building Regulations requirements, on this basis it is believed that the plan is not positively prepared

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Include targets for the next five, ten and fifteen year periods to ensure the developers have each follow the same targets and guidelines

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Include targets for the next five, ten and fifteen year periods to ensure the developers have each follow the same targets and guidelines. Targets should follow national standards to meet the climate change protocols

Your suggested revised wording of any policy or text:

i can not suggest wording on this.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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6) Policy: H1 - Housing Provision

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

The government have had a strategic rethink on how housing numbers are allocated to each area of the UK and issued within the timeframe of these comments. The Fareham local plan has used a now defuncted algorithm used to calculate the number of houses proposed within the area. The 800 plus homes allocated to the western wards should be recalculated using the new formula to ensure the western wards isn't saturated with new homes where it isn't required to meet government targets.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

To ensure the plan is sound and compliant with government requirements. the number of homes required within Fareham should be recalculated. Particular attention should be made to the western wards to ensure it is not saturated with houses and that Fareham as a whole borough is developed according to the latest formula.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

New housing figures mapped on to HA1 in particular.

Your suggested revised wording of any policy or text:

i can not comment without completing the new calculations

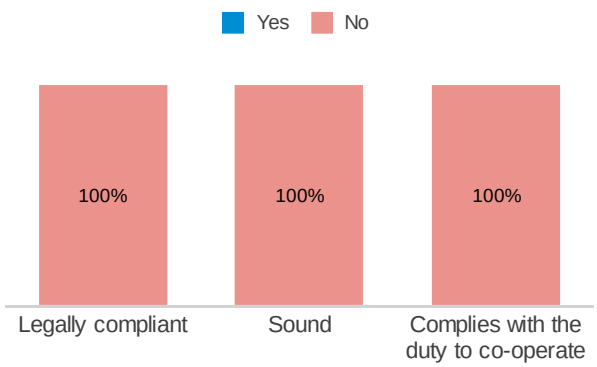
If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Paragraph | 11.36

1 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	1	1	1
Yes	0 0%	0 0%	0 0%
No	1 100%	1 100%	1 100%



Respondent: Mrs Charlotte Varney (2011-171355)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

ara 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the Government promised carbon reductions. The council therefore should set standards to ensure developers are designing for sustainability much like the London boroughs that are using new standards of SAP10 which although not yet within building regulations, should be adhered to

What modification(s) is necessary to make the Local Plan legally compliant or sound?

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How would the modification(s) you propose make the Local Plan legally compliant or sound?

ara 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the Government promised carbon reductions. The council therefore should set standards to ensure developers are designing for sustainability much like the London boroughs that are using new standards of SAP10 which although not yet within building regulations, should be adhered to

Your suggested revised wording of any policy or text:

ara 11.36 Developers are encouraged to design for natural ventilation and green infrastructure but no standards are set. Just meeting building regulations will not see the country meet the Government promised carbon reductions. The council therefore should set standards to ensure developers are designing for sustainability much like the London boroughs that are using new standards of SAP10 which although not yet within building regulations, should be adhered to

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Representations towards the Fareham Borough Draft Local Plan 2036 Publication Draft (Regulation 19) Consultation on Behalf of Persimmon Homes (South Coast)

December 2020

PERSIMMON
Together we make a home

1. Introduction

Persimmon welcomes the opportunity to comment on the Fareham Draft Local Plan 2036 (DLP) Publication (Regulation 19) consultation.

This letter is set out in sections as summarised below:

- Section 2 sets out our response to Duty to Cooperate issues
- Section 3 sets out our policy specific responses
- Section 4 sets out our response in relation to Omission Sites

2. Duty to Cooperate

The Duty to Cooperate places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters, including housing.

Planning Practice Guidance recommends that authorities should produce, maintain, and update one or more Statement(s) of Common Ground, throughout the plan-making process. The Council has unilaterally produced a 'Statement of Compliance with the Duty to Co-operate' which sets out how the Council claims to have addressed the duty to cooperate, including in relation to addressing the unmet housing need of its neighbouring authorities. This is not an agreed Statement. It is noted that there is little to no explanation within the Statement as to what cross boundary discussions have taken place since the Council has significantly altered its approach with regards to housing need (as detailed below). In Persimmon's view, this information is absent because neighbouring authorities, in particular Portsmouth and Gosport, will not be supportive of Fareham's approach.

As mentioned above, the Council's Regulation 19 consultation document is significantly different from the Regulation 18 draft in terms of its approach to housing. This is largely as a result of it applying the lower Local Housing Need (LHN) as derived from the Government's proposed new Standard Methodology, which has not been approved. The Regulation 18 version of the Plan included a number of Strategic Growth Areas that were identified, in part, to meet the housing needs of neighbouring authorities of Gosport and Portsmouth. These Areas have now been deleted, and do not feature in the Publication Plan.

The Council's decision to use the new Standard Methodology LHN in order to take advantage of lower housing numbers is premature, and is at odds with the approach being taken by nearly all other Local Planning Authorities developing Local Plans in the sub-region, including Gosport and Portsmouth.

It is understood that the SGAs would met at least 1,000 dwellings from Portsmouth's unmet needs, alongside a proportion of Gosport's (quantum not published). However, the Publication Plan suggests that unmet need accommodated by the Plan will only equate to 847 dwellings. By Fareham choosing to use the draft new Standard Methodology and reducing its housing site allocations as well, the scope for the Plan to pick up the housing needs of these neighbouring council areas has been significantly curtailed.

It is Persimmon's view therefore that, given the significant change in approach by Fareham Council, the joint working that it has undertaken on housing issues to date has been fundamentally undermined to a point where it can only be concluded that Council has failed the duty to cooperate.

2. Policy Specific Comments

DEVELOPMENT STRATEGY

Strategic Policy DS1 Development in the Countryside

Policy DS1 provides the policy basis for the delineation of settlement boundaries. In the context of our comments below, notably in relation to not meeting housing need, omission sites and the delineation of Strategic Gaps, the Council should amend the settlement boundaries to allow additional development to come forward.

With regards to the criterion d) of Policy DS1, an allowance for new or replacement building, conversion and/or extension of a school is welcomed. However, the Policy appears to limit re-provision to existing sites shown on the Policies Map. As set out in greater detail in the our response to Policy DS2 and the Omission Site section, discussions are on-going with the Meoncross school to facilitate expansion of the car park and/or playing fields in the short term. The potential relocation of the school to other land within Persimmon's interest at Cuckoo Lane over the longer-term is also being explored. As currently drafted, by strictly limiting development to within an existing educational facility, the Policy would prevent such future improvements and the possible relocation of Meoncross School.

Strategic Policy DS2 Development in Gaps

The Council has commissioned Hampshire County Council to review its Strategic Gaps. The County's methodology for this review is set out in the Technical Review of Areas of Special Landscape Quality and Strategic Gaps (September 2020). This applies 'Primary Measures' (i.e. physical and visual separation) and 'Secondary Measures' (i.e. Green Infrastructure Provision) to define the gaps. We support the inclusion of physical and visual separation as a means of determining the gap boundary, but we see no justification for including the secondary measures as this is outside of the scope of the role of a gap. In any case, Green Infrastructure is an issue that is dealt with separately under Policy NE9 of the draft Plan.

The following commentary on this policy considers each of the Strategic Gaps before comments are made on the content of Policy DS2 itself.

<u>The Fareham-Stubbington Gap</u>

As set out in the recommendations of the Gap Review paper (Chapter 4: Conclusions and Recommendations, Paragraph 10): *'there exists some opportunities for development to be absorbed within the Stubbington-Fareham Strategic Gap, subject to scale and future detailed design, without compromising its Gap function…'* It is surprising then that the Council has not examined this potential in greater details as part of its Publication draft Local Plan, particularly given that the most recent Regulation 18 Local Plan consultation proposed a Strategic Growth Area (SGA) within this gap as a means of accommodating growth.

It is also surprising that the Gap Review Paper does not adequately consider the influence of the Stubbington by-pass on the Fareham-Stubbington Gap. Paragraph 3 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap states that*: 'As the Bypass is currently under construction and its alignment marked out, it is possible to see how it might affect the sense of separation between Fareham and Stubbington.'* The report also states that it is too early to understand the full impact that Stubbington Bypass will have on the landscape character and development pressures of the Gap. This second assertion is contested. Given that the by-pass construction has progressed significantly, and that by-pass proposal has been subject to landscape assessment (including through the ES associated with the application), there is sufficient information available to allow for a robust assessment of the impact of the by-pass on the gap and the landscape to be carried out. A review of the landscape and gap evidence should be carried out prior to submission of the Plan for examination.

There can be no doubt that the by-pass will have a considerable influence on the Fareham-Stubbington Strategic Gap - effectively splitting it two. Once the by-pass is complete, it will form a strong defensible boundary, which will make the difference in the character between areas north and south even more apparent than it is already. This difference in the character requires considered in the Local Plan and its evidence base.

Land to the north of the bypass route is considerably more open in character, with large open fields with limited boundary planting providing prominent views north from the bypass toward the southern urban edge of Fareham, which is well defined by Rowan Way. This area is characterised by a strong sense of tranquillity, and is a much more sensitive landscape that is more befitting of Gap designation in accordance with the Council's own methodology. Land to the south of the bypass, however, comprises considerably more urban influences as demonstrated by existing development along Ranvilles Lane / Titchfield Road, the cemetery south of Oakcroft Land and development around May's Lane / Peak land (including where the urban area of Stubbington protrudes into the gap). This observation is supported by the detailed analysis of gap study area 7a (see Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap, para 8) which states that:

'There exists the potential to ***make modifications to the settlement boundary of North Stubbington: to extend the boundary to run along Oakcroft Lane****, as the isolated field that sits aside Crofton Cemetery, does not protrude into the landscape beyond the current Northern and Western edges of Stubbington. Largely sitting behind a mature line of Poplars also helps this isolated field absorb some development (subject to detail design),* ***without risking the integrity of the Gap, as a whole****.'*
(Persimmon's emphasis)

Paragraph 11, Bullet 2 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review evidence reconfirms the limited role that the area to the north west of Stubbington, south of Oakcroft Lane and east of Ranvilles Lane plays as a gap. The Gap study states that this area has *'the ability to absorb development into the landscape exists, without compromising the integrity of the Gap function'.* The Council will be aware of the planning application within this part of the gap (LPA Application Reference: P/20/0522/FP). This application comprises 209 new homes a considerable area of land to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1. The application is a resubmission of a planning application that addresses technical and design issues raised by the Council previously. It is understood that the application is due to be considered by planning committee in January 2021.

One key consideration when reviewing the boundary of a gap is the consideration that no more land should be included in the gap than is necessary (see adopted Core Strategy Policy CS22, Fareham Borough Council Gap Review 2012 and South Hampshire Strategy 2012). This concept is reiterated in the Gap Review Paper as 'minimum land take'. In light of the above, it is Persimmon's view that the gap evidence should be reconsidered with areas north and south of the by-pass assessed separately to take account of the by-pass. For reasons set out above, and in accordance with the Gap Review methodology, it is considered that a review of the evidence would indicate that the land north of the by-pass should be retained as gap and land to the south should be deleted from the gap designation. Retaining a gap to the north would preserve a c. 800m gap between the by-pass and the southern urban edge of Fareham, which is described in the Gap Review Paper as being *'moderate-large gap'* of a 'good distance' that *'gives the traveller time to experience the countryside after leaving one settlement before joining another.'* Retaining a gap of adequate width in this location is particularly important given the role Peak Lane plays in providing a well utilised north-south link between Stubbington and Fareham.

With regards to land to the east of Stubbington, Paragraph 11, of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review indicates that there is very little opportunity to absorb development in this corridor but that advanced planting along the eastern edge of the settlement would be beneficial. Persimmon Homes have interests in this area (as discussed in detail later in these representations). In summary, the proposals include new residential development, significant new strategic planting and open space along the eastern edge of the site. Discussion are on-going with the

Meoncross School to facilitate expansion of the car park and playing fields in the short term and the potential relocation of the school to other land within Persimmon's interests over the longer-term.

In light of the our comments set out above It is considered that the Fareham-Stubbington Strategic Gap should be redrawn so that land to the south and west of the by-pass is removed from the gap.

Whilst not a gap issue per se, the emerging and previous Local Plans, have tended to avoid allocating any significant growth on the periphery of Stubbington. Sensitively redrawing the gap boundary as suggested above will allow for much needed sustainable development housing to come forward to support the housing aspirations of those wish to live in or remain living in Stubbington.

The Meon Strategic Gap

As touched upon above, the function of a Strategic Gap is to prevent the coalescence of separate settlements. Land to the west of Stubbington is identified as a gap but there is no settlement to the west of the Stubbington that requires protection from coalescence. With regards to Strategic Gap Study Area 6, it is noted that the Gap Review study states that this gap is provided to ensure there is no coalescence between Stubbington and Titchfield along Titchfield Road. Whilst this northern most extent of this study area may serve this purpose, the central and southern parts of the Study Area 6 play no role whatsoever in preventing coalescence. This is recognised in Paragraph 13 of Chapter 4: Strategic Gaps SG 1: The Meon Gap of the Gap Review Study. Nonetheless, the Study recommends that the Gap is retained in this area due to: high levels of tranquillity, its role in providing separation of Portsmouth and Southampton, and to recognise the potential longer-term settlement expansion southwards from Titchfield and South Westwards from Hook. Based on the Council's Gap Review methodology, these are not adequate reasons to include this land within the gap.

A more logical delineation of the gap, which would ensure that no more land than necessary is included within it, could be to end its southernmost extent at Crofton Manor Equestrian Centre where the transition from countryside to urban (as part of Stubbington) becomes apparent. As recognised in the Gap review study, much of the land to the south of the Equestrian Centre is subject to protection under draft Policy DS3 (as discussed below), and ecological constraints which provide adequate protection against inappropriate development in this area. A gap is therefore not necessary.

General Comments on Policy DS2

Notwithstanding our comments above, in our considered view, Policy DS2 is too restrictive. There may be a point within the plan period, for example where the Council is unable to demonstrate a sufficient five year housing land supply, where additional housing may be required over and above those sites identified in the Plan. The Council has persistently struggled to demonstrate a sufficient five year housing land supply in recent years so flexibility in the Policy is required.

As demonstrated through the Council's Regulation 18 draft Plan, a sustainable location for such development may be in the Strategic Gap between Stubbington and Fareham. As such, the Policy should include additional wording to allow for appropriate and sustainable development in the Strategic Gap in such circumstances where housing supply needs to be increased.

The Policy also seeks to prevent development in Strategic Gaps that may significantly affect its 'integrity' and the 'distinctive nature of settlement characters'. This is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. The reference to 'integrity' and the 'distinctive nature of settlement characters' should be deleted from the Policy. The function of a Strategic Gap is to prevent the coalescence of separate settlements, which can be achieved through assessment of the impact of a proposed development on the physical and visual separation of settlements. The other policy criteria are superfluous.

In light of the above, it is considered that the Strategic Policy DS2 - Development in gaps and delineation of the Gap as shown on the draft Policies Map, should be redrawn as set out above. If this is not the case the Policy cannot be said to either justified or effective and is therefore unsound.

Strategic Policy DS3: Landscape

Policy DS3: Landscape identifies a number of Areas of Special Landscape Quality (ASLQ), including the Meon Valley. This is new Policy that does not form part of the adopted Local Plan. The first part of this Policy seeks to significantly restrict development in the Meon valley area. However, considering that the Council has successfully defended the Meon Valley area from a number of hostile planning applications in the recent past without this Policy in place, the justification for it is questionable. Given the prohibitive nature of Policy DS3, the development potential of Site 5 (Cuckoo Lane) for housing and new school provision, will unlikely be realised unless the site is allocated for development in the Local Plan and/or the site is excluded from the Meon Valley ASLQ designation.

HOUSING POLICIES

Strategic Policy H1 Housing Provision

As mentioned in the Duty to Co-operate section above, the Council is applying the Government's former draft Standard Methodology to arrive at its LHN (403 dpa) as opposed to the current Standard Methodology (514 dpa). The draft Standard Methodology is not Government Policy, it is only a consultation draft. The Government has recently (16th December 2020) released revised LHN figures that indicate that the Council's baseline LHN will increase to 514dpa. This increase LHN to exactly the same figure as per the current Standard Methodology. This newly published data clearly undermines the Councils premature decision to use the lower LHN figure. It is also noted that when the current and new LHN figures for Gosport and Southampton are considered both Councils are facing an increase in LHN of 106 dpa and 315 dpa, respectively. This is significant as both of these Authorities may need to look to Fareham to accommodate unmet housing needs. This will place even greater pressure on Fareham Borough Council to increase its housing requirement set out in Policy H1. For completeness, Portsmouth's LHN remains unchanged between the two data sets.

Notwithstanding, our concerns that the Council has failed the legal test with regards to the duty to cooperate, Policy H1 cannot be assumed to be sound as undershoots current and emerging LHN. The Plan cannot therefore be considered consistent with national policy and it is not positively prepared. Should the Council seek to amend its housing requirement (for example using the current Standard Methodology) and make consequential changes to its supply sites, re-consultation on a revised Regulation 19 Plan will be necessary.

Policy H1 includes an estimated 1,224 windfall dwellings. The Council's Housing Windfall Projections Background Paper (June 2020) does not provide a detailed breakdown of which sites are being considered as windfall. The Council's figures cannot therefore be scrutinised. Until such time as the Council publishes this detail underpinning the windfall allowance, this element of the supply should not be counted towards the Council's housing requirement.

The Policy also looks to implement a stepped housing requirement, which backloads housing delivery towards the latter part of the Plan period. This approach is at odds with the NPPF's objective to boost the supply of housing and appears not be justified by the expected rate of delivery of sites as site out in the summary housing trajectory in Appendix B of the Plan. For example, in the first period (2021/22 and 2025/26) the Council proposes a requirement of 2,250 dwellings (averaging 450 dwellings per annum). However its housing trajectory suggests that 3,085 dwellings will be delivered, which is equivalent to 617dpa. As such, Policy H1 should be expressed as an average requirement; it should not be stepped.

The Policy also sets out that approximately 428 homes will be delivered on specified brownfield sites and/or regeneration opportunities in Fareham Town Centre. In some cases deliverability, viability availability (i.e. in existing use) is not assured (notably sites FTC2-5). Whilst Local Plans should be aspiration, they should also be deliverable. Allied to above, a further 1,327 homes are identified on Housing Allocation sites (i.e. allocation prefixed with a HA reference). However, a number of these sites are rolled forward allocations from the current adopted Local Plan, and in some cases (i.e. HA29 and HA30) are site that formed part of the Western Wards growth are that were originally identified

in the 1970's, but have failed to be delivered. As such, it is questionable whether the Council has properly assessed deliverability / developability of some of the sites comprising its supply. It is advisable therefore that the quantum of housing expected from some of the questionable supply sites should not be counted against the housing requirement in the Plan, and alternative sites (such as those set out in the Omission Sites section) should be identified to ensure the Council's housing requirements are met. In additional to the above, the deliverability issues associated with Welborne are well documented. Recently it is understood that due to delays in the site coming forward, the Council has lost external funding to deliver critical highway improvement works. This further underscores the challenges associated with this site. The Council would be well advised to take a highly cautious approach when seeking to include housing supply from Welborne. The draft Plan currently includes 4,020 dwellings as part of the housing supply. In light of the above, this figure is considered to be highly optimistic and should be revised downwards.

Notwithstanding, our concerns regarding the Council's choice of LHN, this figure should be regarded as the starting point for developing the Plan's housing requirement. Councils are advised through national planning policy/ guidance to consider whether any adjustments should be made to the LHN figure to account for other factors such as economic growth (which appears to be absent from the Plan) and unmet need from neighbouring authorities (as discussed above). With regards to affordable housing, the Council commissioned a Housing Needs Survey as part of its previous Regulation 18consultation draft Plan in 2017. At the time, the Survey suggested that there is a net affordable housing need of 302 dpa (i.e. nearly ¾ of the overall annual requirement). Whilst the Standard Methodology accounts for affordability (or lack thereof in Fareham's case), actual affordable housing need indicates that a further uplift to its LHN may be necessary.

Policy HP4 Five-Year Housing Land Supply

Policy HP4 states that development 'may be' permitted where a development meet all the criteria in policy HP4. The Policy should be reworded to positively state that a development *'will be'* permitted if it meets the policy criteria. When determining planning applications, the decision maker is required to read the Local Plan as a whole; there is no reason for the Policy to be equivocal on this matter.

With regards to criterion (b) the policy states that a development should be '…integrated with the neighbouring settlement'. Does this mean a physical link between the development and the adjoining settlement or that a development should be integrated in design terms? This needs to be clarified.

Criterion c) seeks to prevent development in strategic gaps that may significantly affect its integrity. As per our comments in respect of Policy DS2, this is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. It is also noted that Policy DS2 sets out different policy requirement with regards to the protection of Strategic Gap (i.e. proposals should not affect the physical and visual separation of settlements). This has the potential to create an internal conflict within the Plan as it is unclear which policy requirements (either HP4 or DS2) would take precedent where the Council unable to demonstrate adequate five year supply. It is suggested therefore that the wording for Criterion c) is deleted or replaced with a cross reference to Policy DS2 (including Permission's suggested amendment to this DS2).

Policy HP5 Provision of Affordable Housing

With respect to the percentages of affordable housing sought at sites, Policy HP5 should include a viability review mechanism to provide flexibility. This will assist with the viability of schemes should there be a fall in market over the lifetime of the Plan and/or in circumstance where unknown development costs are introduced (nitrate mitigation costs associated with the HRA requirements are a case in point having seriously affected the viability of schemes over the past year or so).

As set out in the supporting text to this Policy (paragraph 5.32), the Council publishes on its website the identified affordable housing need by area of the Borough. The Council's website shows considerably different housing need for each area. The affordable tenure mix is therefore too prescriptive and does not reflect the Council's own evidence base. It is advisable therefore that the

Council replaces criteria i-ii with a statement confirming that affordable housing mix and tenure will be negotiated with the Council evidence base set out its webpage used as the starting point.

Further underscoring our concerns with the nature of the tenure mix, the Council should be aware of the potential practical challenges associated such a small percentage of Affordable Home Ownership. The Policy could be interpreted by officer so that Affordable Home Ownership is provided at 10%, which would be a challenge for reasons set out below. Registered Providers are becoming ever specialised with some only dealing with the shared ownership side and others the rented side. Requiring such a small percentage of Affordable Home Ownership products through this Policy may create challenges in terms the viability of tender bids for this type of unit. In addition, Affordable Home Ownership, including shared ownership schemes, have been shown to be an effective means of getting people on the property ladder. As the Council's own evidence shows 10% is considerably below what is actually needed.

The final element of Policy HP5 addresses the market rent of Affordable Rented units, which will be judged as 80% of market rent or the relevant Local Housing Allowance (LHA), whichever is lower. The NPPF only make provision for rent to be set at 80% of market. It does not state that market rents should be benchmarked against LHA. The reference to LHA should be deleted to ensure that HP5 is in conformity with national policy.

It is also noted in Paragraph 5.42 of the supporting text to HP5 that the Council may need review the Affordable Housing Supplementary Planning Document (SPD) to address changes to the affordable housing and mix. SPDs should not be used to review issues that have a direct impact on viability. This should be tested through the Local Plan review process.

Policy HP7 Adaptable and Accessible Dwellings

The PPG sets out a number of tests against which Councils should consider when seeking to introduce M4(2) and M4(3) policies into its Local Plans. The Council's Specialist Housing Background Paper (September 2020) has been produced which shows how the Council claims to have met these tests.

In terms of need, the Background Paper sets out the population with Long Term Health Problem or Disability based on census data. However, this measures population, not households, so should not be assumed to an accurate proxy for need. It should also be noted that some people who state that they may have a Long Term Health Problem or Disability as part of a Census response may not have an illness that would affect mobility and would not therefore not necessarily require M4(2) or M4(3) dwellings. The evidence base should be updated to reflect the above.

With regards to the provision of Category 3 specifically, the Council's evidence of need is weak being based on a national wheelchair usage that may not reflect the level of need in Fareham Borough. Furthermore, with regards to Category 3 affordable housing, from a practical point of view, Registered Providers are less willing to take on wheelchair dwellings as they can be difficult to occupy. If there is no suitable occupier then the unit could be sat empty for a significant period while a suitable occupier is found. During this time the unit is not generating any income, and could have been used to house a family that is in need at the time.

As the Council correctly identifies, a large proportion of older homeowners will seek to remain within their own homes with care provided in situ. Should these owner occupiers need to downsize or relocate they will be able to utilise the equity built up within their dwellings to access products which meet their specific. This may be sheltered or extra care accommodation. Within recent years, as this market has developed, the industry has responded with a number of private sheltered accommodation schemes approved within Fareham. In this context, the Local Plan also looks to facilitate the delivery of specialist housing through Policy HP8 and through specific housing allocations made in the Plan (HA42 – HA43). The Background Paper does not appear to have factored in the supply of specialist homes that may come forward be on allocated sites and windfall sites permissible under Policy HP8.

With regards to the second test relating to location of specialist housing, as set out HP8, this type of accommodation is best located in accessible locations. Given the mobility challenges which some older people face, town and district centres, with their conveniently located services such as shops and health facilities, are ideal locations for older persons housing. Fareham town centre is a highly accessible location where a significant quantum of flatted housing is proposed with the benefit of a reduced affordable housing policy requirement. District Centres are also highly accessible locations where there is a potential for older persons housing could be delivered. The Council should therefore consider restricting this Policy requirement to areas of high accessibility.

Policy HP9 Self Build and Custom Homes

Policy HP9 sets out a policy requirement for 10% of all units on sites over 40 dwellings to provide plots for sale to address local self or custom build need. It is noted, however, that at Paragraph 5.8 of the Council's Self and Custom Build Housing Background Paper (September 2020) it is stated that that the Council has met its past and future self-build requirements – this has been achieved without the need for a specific policy. It is also noted that the adopted Welborne Plan requires some 1% of its housing to be for self / custom build. Set against the current identified need of 35 net plots it would seem excessive to require a policy to further increase self / custom build supply. This could result in significant over provision of a product for which there is no clear market demand. In light of the above, the justification for Policy HP9 is therefore questionable. The policy does include provision for plot to be developed for non-self-build ,should they not be taken up, however, this Local Plan has made no assessment about the extent to which this would affect cash flow and the viability of developments. It is Persimmon's view therefore that this Policy should be deleted.

Notwithstanding our overarching concerns regarding the justification for this policy, there are a number of practical considerations that the Plan fails to adequately acknowledge. Criterion a) for example, sets out that self or custom build plots should be serviced. The Policy needs to clarify what is meant by 'serviced'. Does serviced this relate highway access, gas, water, electricity and/or broadband, and to which point should the plots be serviced? Turning to criterion c) it is not clear who would be responsible for setting out the design parameters. Placing a requirement to conform to set parameters could put off some prospective self / custom builders. The requirement to provide self and custom build plots may also have a number of practical and management issue, such as:

- Phasing and completion of the wider site.
- Section 106 contributions due to the exemption that applies to self-build housing.
- Delivery of housing in accordance with paragraph 59 of the NPPF to boost significantly housing supply, where supply on an ad hoc basic by self-builders is likely to be slow compared with the remainder of the site or even not take place at all.
- The reserve matters period running out and needing to be extended.
- Ad-hoc builders turning up outside specified hours of work.
- Storage of materials as there is limited room on plot and storage spills onto the market housing part of the site.
- Purchasers having to stop building due to unemployment/lack of funds.
- Purchaser dissatisfaction where building continues on a site which was expected to finish when they moved in.

<u>CLIMATE CHANGE</u>

Strategic Policy CC1 Climate Change

This Policy states that the 'Council will promote mitigation and adaptation to climate change through…' It is unclear whether the criteria will be sought as part of development proposals, or whether the criteria relate to development delivered by the Council. This requires clarification. If it is the former, the Policy should make clear that the criteria are not requirements but should only be met where it is possible to do so.

Policy CC2 Managing Flood Risk and Sustainable Drainage Systems

Policy CC2 requires all developments to be designed in accordance with the CIRIA C753 SuDs Manual or equivalent national or local guidance. The SuDS manual is, however, only guidance. In Persimmon's experience, strict adherence to the guidance can be problematic as the design of a SUDS system also need to consider design, aesthetics, engineering etc. It is recommended therefore that the wording for this bullet point is prefixed with 'Where possible,' to provide the necessary flexibility.

NATURAL ENVIRONMENT

Policy NE2 Biodiversity Net Gain

Policy NE2 sets out a requirement for site to deliver 10% net gain for biodiversity. The Local Plan viability assessment assumes a cost of £500 per dwelling. This development cost is based on limited evidence and seems low, particularly for greenfield sites (as opposed to brownfield equivalents) which are likely to require significant more extensive measures to achieve a 10% net gain. In many cases, the requirement to achieve BNG is likely to negatively impact on the developable area, resulting in a loss of revenue that negatively impacts on viability, rather than be a cost associated with each individual units per se. In Persimmon's view, the viability evidence to support the introduction of this Policy is inadequate. As mentioned above, meeting BNG at 10% can require considerable land take; on some sites Persimmon has been involved in, BNG has required around 50% of the gross site area. It is not clear whether or to what extend the Council has factored in this 'land hungry' BNG requirement as part of its housing allocations capacity estimates. It is also noted that BNG should be achieved across a site, it is not a requirement to be met at the individual plot level (although this might form part of the BNG solution). As such, supporting text Paragraph 32 is misleading and should be deleted.

Policy NE4 Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent

This is new Policy which sets out Fareham's policy approach to dealing with excessive nutrient (nitrate) loading on protected European sites of ecological importance. However, the Policy is light on detail with insufficient guidance as to how applicants will be able to demonstrate conformity. Given Persimmon's significant experience in dealing with such matters, the Company is aware of how this Policy can be implemented in practice, but for less informed developers/applicants this may be more challenging.

Notwithstanding the above, the Company is aware that the primary means of determining whether a development proposal will be able to demonstrate nutrient neutrality is by producing a nutrient budget using the Natural England Methodology. Given that the Natural England Methodology provides a key evidence base and is fundamental to the implementation of Policy NE4, it is critical that this document is examined in detailed alongside the Local Plan. Of particularly concern is that Natural England's Methodology includes a number of onerous stages that result in significantly more mitigation being required than is actually necessary. These provisions include, but are not limited to, housing occupancy rates, internal migration (particularly those households that are occupying new affordable housing) and default permit levels. Furthermore, despite many of steps set out Natural England Methodology taking a precautionary approach to nitrate assessment, an arbitrary buffer of 20% increase in nitrate loading is added at the end of the calculator. This buffer is not required and will further exacerbate the issue of overproviding mitigation land that is not necessary. Lastly, it is noted that the Partnership for South Hampshire has updated the Integrated Water Management Study (IWMS). The IWMS provides a key evidence base underpinning the nitrate assessment work, but the Natural England Methodology does not take into account this new evidence.

Policy NE5 Solent Wader and Goose Sites

Policy NE5 sets out the Council approach to protecting area which are used by Solent Waders and/or Brent Geese. The Policy makes reference to such area as shown on the Policies Map. These

designations are, however, informed by an interactive GIS map provided on the Solent Bird Aware website, which forms a critical evidence base to the development of Policy NE5. It is therefore concerning that, on the same webpage as the bird habitat GIS mapping, members of the public can download a form to report bird sightings. It is not clear whether or to what extent these reported sighting are authenticated / scrutinised by a qualified ecologist. There appears to be wide scope for land to be incorrectly identified as a bird site leading to unnecessary cost being expended to mitigate site, and in the worst cases complete sterilisation of that land. This is certainly the case with a number of sites that are with Persimmon Homes' interests (as detailed later in these representations). There is a concern therefore that the mapping evidence base underpinning Policy NE5 is flawed.

The Policy also does not set provision with regards to bird surveys. The methodology for bird sites allows sites to be identified as habitat even if they are not actually being used by birds. It would seem logical that the policy makes provision for applicant to undertake ecology survey and assessment of bird sites in order to demonstrate the absence or presence of a species. We would recommend that one year's survey data should be sufficient, with further surveys only required if the some activity has been identified at a site.

The Council will also be aware that it is the Solent Bird Aware mapping (not the Policies Map) that is used by consultees (Natural England and the Council's own in-house ecologist), to determine whether a development will impact on any protected bird habitat areas, to avoid any confusion in the future, and to ensure the Policies Map remains in date, it is suggested the Policy Map deletes these designations.

With regards to the criterion a) 'Core and Primary Support Areas' the Policy requires that development on such sites should result in an overall net gain to the Solent Wader and Brent Geese Network. BNG is a requirement of Policy NE2; the concept for which is established in the NPPF. However, Persimmon are unaware of any such requirement in national policy or the evidence base underpinning this policy, for a net gain for specific species, including protected birds.

Policy NE6 Trees, Woodland and Hedgerows

Point a) of this Policy advises that the 'unnecessary loss' of non-protected trees, hedgerow and woodland should be avoided. It is unclear what 'unnecessary loss' means in practice.

Point b) of the Policy should be a new sentence, and what is meant by the term 'unavoidable' in this context should be clarified.

Policy NE8 Air Quality

Criteria a) of this policy requires electricity charging infrastructure to be provided as part of new development (excluding Welborne). It is unclear why this Policy is not to be applied to Welborne. Presumably this is because of the impact of such provision on viability. Viability issues associated with EV charging provision are, however, not limited to Welborne.

The Local Plan Viability study incudes development cost associated with EV charging as part of £10,000 per plot contingency. Paragraph 5.3.8 of the Study states that, *'it is unclear at stage of writing if or when any of these measures will be required, so [the study takes] a very cautious and conservative approach….'* With regards to the EV charging, Policy NE8 requires such provision; there is no uncertainly as to what is expected of a development proposal. As such, the Viability Study should consider this issue in greater detail and not combine this policy requirement with other unknown cost demands on development. Combining these 'unknowns' a single contingency means that is not possible to scrutinise in detail whether the assumptions made with respect to EV is reliable.

We would highlight that the cost for providing EV charging points is around £500-£600 but this does not include additional costs associated with providing additional sub-stations on lager development sites so that all charging points are capable of being used concurrently (alongside all other energy

demands on a development), and the potential to provide enhanced electricity supply (i.e. off-site upgrades) over and above that required for the units that could challenge a scheme's viability.

As current drafted, this element of the Policy is not justified.

TRANSPORT AND OTHER INFRASTUCTURE

Strategic Policy TIN1 Transport Infrastructure, Policy TIN2 Highway Safety and Road Network and Strategic Policy TIN4: Infrastructure Delivery

These policies concern development contributions to the delivery of new infrastructure. However, it is considered the funding for such infrastructure may, in many instances, be a matter for CIL.

Notwithstanding, the above, if such Infrastructure is a requirement to make the development acceptable in planning terms, then such contribution need to meet the relevant tests set out in the CIL Regulations. It is no longer appropriate for blanket contribution to be sought by planning authorities. The Policy should be clear on this matter.

With specific reference to TIN2 it is unclear why the Council has chosen not to show the alignment of the Stubbington by-pass on the Policies Map given its strategic importance. This Policies map should be updated to show this route.

DESIGN

Policy D1 High Quality Design and Place Making

Policy D1 makes reference to a number of principles of policy and urban design, but also makes reference to guidance contained in the supporting text. For clarity and avoid any confusion over what is policy and what is supporting, text, it is suggested that this cross reference to the supporting text contained in the policy wording is deleted.

The Council should also review the policy to remove any duplication with other policies in the Plan, for example the section relating nature.

Consideration should also be given as whether the policy needs to be so detailed given that the Council has comprehensive guidance on design set out in its adopted Design SPD.

Policy D3: Coordination of Development and Piecemeal Proposal

This Policy seeks to avoid ransom situations. However, The Council will be aware of case law that prevents it from interfering on private property rights with regard to depressing or prevent returns to a landowners.

Policy D4: Water Quality and Resource
The second part of this policy requires developers to meet the Optional Technical Housing Standard for Water Efficiently (i.e. 110L/person/day). Meeting these Standards should be optional, not required. Whilst the Natural England Nutrient Methodology for the Solent area requires development to meet these standards as a means of addressing nitrate loading, there may be instances where nutrient neutrality can be achieved without doing so. The justification for requiring proposals to meet this standard are inadequate.

D5 Space Standards

The housing standards review introduced the optional space standards which local authorities could adopt by way of reference in their local plans. However, a prerequisite to the adoption of the space standards are the following tests set out in the planning practice guidance (Paragraph: 020 Reference ID: 56-020-20150327).

"Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- ***need** – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- ***viability** – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- ***timing** – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.'*

In order to meet the policy test for the inclusion of the space standards there is a requirement for the council to establish the need for the adoption of the national space standard. To this end, the Council has published a Specialist Housing Background Paper (September 2020). Para 6.7 of Background Paper states most dwellings that have been consented or are awaiting determination are consistent with the 2015'Technical housing standards –nationally described space standard. The Background paper, makes references to the larger plots not meeting this standard, with an example being made of site ref 14/19. However, on the whole most dwellings considered in the Council's Background Paper, including large units, are meeting the Optional standards. From a need perceptive, it would seem as though there is little justification for the introduction of this Policy.

In terms of first part of the viability test, the Council's Local Plan Viability Study indicates that development viability would not be negatively impacted by the introduction of the standards. This Study, however, is completed at a relatively high level, which makes it difficult to conclude whether this part of the test has been complied with. With regards to the second part of the test, no assessment has been carried out by the Council to demonstrate that the requirement for new development will not negatively impact affordability within the market.

As set out in paragraph 6.10 of the Background Paper, the Council has decided not to set a transition period for the adoption of the national space standards as it is of the view its introduction would not affect viability. For reasons set out above, we do not concur with this assessment, and suggest that a three year grace period is introduced to allow sites that are under a fixed contract to be brought forward. It is also noted that, the Council are looking to apply the draft policies in this Plan, including the requirement for national space standards prior to the examination or adoption of the plan. This contrary to the approach set out in the planning practice guidance. It is not practical to expect development proposals that are currently being considered to suddenly meet space standards.

In light of the above, Policy DS5 is not justified and should be deleted for reasons of soundness.

Local Plan Appendices

Appendix B set out a summary housing trajectory for the sites identified in the Plan. This is inadequate to properly assess the delivery expectation made by the Council with respect to individual sites. To enable proper scrutiny of the trajectory, the Council's housing trajectory should be broken down by individual sites. This is particularly important because the Council has consistently over-estimated the delivery timescales for key sites. For example, Welborne, which was originally identified in the Core Strategy (2011), was expected to commence delivery in 2014/15. The site has still not achieved an implementable planning persimmon, and commenced of development is still some way off.

4. Omission Sites

The following section provides an overview of the sites in Fareham Borough that are in Persimmon's interests, but have not be identified for allocation. These site are largely located on the periphery Stubbington and are within the ownership of the Dunley Estate. The Table below summarises the Dunley land holdings including capacity. The sites are shown on the enclosed Location Plans provided at Appendix 2.

Site Number	Address	Gross Area Acres (Hectares)	Site Capacity Estimate*
1	Land East of Burnt House Lane	23.53 (9.52)	240 - 320
2	Land West of Peak Lane	46.25 (18.72)	TBC
3	Land North of Titchfield Road	4.83 (1.95)	40 -50
4	Land South of Titchfield Road	2.78 (1.12)	10 - 30
5	Land West of Cuckoo Lane	52.76 (21.35)	150-200
6	Land at Oakcroft Lane	41.04 (16.20)	209
	Total	**171.19 (69.28)**	**649 - 809**

*Based on net developable area, not gross area.

Sites 1-3 and Site 6 fall within the South of Fareham SGA that was identified as part of the most recent Regulation 18 draft Plan. The remaining sites (Sites 4 and 5) are located outside of the SGA. The following section addresses each site in turn.

In support of the Draft Local Plan Regulation 19 Plan, the Council updated its Strategic Housing and Employment Land Availability Assessment (SHELAA) in September 2020. This replaces the previous study which published in December 2019. The conclusion of the SHELAA as related to each of the sites shown in the Table above are considered.

Site 1: Land East of Burnt House Lane

This site is located to the eastern edge of the Stubbington. Persimmon has undertaken some initial capacity testing in relation to Site 1, including an initial highways assessment and masterplanning. The outcome of this work indicates that the site is capable of delivering around 240 to 320 new homes. This accounts for on-site constraints including the provision of a noise attenuation bund, and strategic planting to the eastern and northern boundaries of the site. Adjacent to this site is the Meoncross School, which seeking alternative arrangements for playing pitches close to the school (the existing pitches are currently leased and do not adjoin the school) and additional car parking to avoid parents parking on the nearby residential streets. Persimmon is in discussion with the school about how development at the Burnt House Lane may assist in addressing the school's immediate needs. In the longer term, however, given that the school is unable to expand within its existing site, consideration is being given as to whether the facility could be relocated to the Cuckoo Lane site (Site 5) to the west of Stubbington. Permission are strongly of the view that the site is sustainable and suitable for development and it is capable of being brought forward as a standalone allocation site, or as part of a wider masterplan with the South of Fareham SGA, should the Council seek to revisit this project.

The SHELAA 2019 concluded that Site 1 (SHELAA Ref: 1040) was deliverable housing site. However, in the Council SHELAA 2020 the Council considers the site to be undeliverable due a) to a significant visual impact undermining the integrity of the Strategic Gap, and b) the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The

Council ascribes a capacity of 125 dwellings to the site. It is unclear how the Council has reached the conclusions in the new SHELAA given its assessment of the 2019 SHELAA undertaken just nine months prior. Notwithstanding this, as set in these representations, it is Persimmon's view that the Strategic Gap should be redrawn to exclude this site. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the bird site to development is not unachievable. A strategy of improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 2: Land West of Peak Lane

This site is located to the north of the by-pass and extends across much of the gap towards the urban edge of Fareham in the north. Given its location and context, the development potential of this site is considered to be limited. However, the land could be an effective nitrate mitigation and/or bird protected habitat site that mitigation solution that could be used to address the potential impact development on other sites within Permission interests and/or other sites in the Borough the require mitigation solutions.

Site 3: Land North of Titchfield Road

This site is located to the north-west of Stubbington. Whilst this site formed part of the previous SGA, it is clearly distinct from and separate from it. This site is small scale that is well-contained in landscape terms, surrounded by existing built development and is deliverable in the short-term as stand-alone site that can be brought forward either as part of outside of the SGA masterplanning process should the Council seek to revisit this project. Initial capacity assessments of Site 3 indicates that it is capable of delivering around 40-50 new homes.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3190) was a deliverable housing site. However, in the SHELAA 2020 considers the site to be undeliverable due it being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 20 dwellings to the site. It is unclear how the Council has reached these conclusions regarding the suitability of the site given its assessment of the site undertaken just nine months prior. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the site to development is not unachievable. This approach to improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 4: Land South of Titchfield Road

This small site is located to the north-west of Stubbington. It bounded to the north-east and north-west by existing housing fronting Titchfield Road and the Crofton Equestrian Centre. The site's relationship with the wider Meon Valley landscape is limited by the woodland to the south of the site. The woodland to the south and its associated watercourse (which is also within Dunley Estate ownership) is recognised as an important ecological resource. Sensitive site design, however, could provide a means of ensuring the ecological interests at this adjoining site are protected and enhanced. Initial site capacity assessment indicated that the site is capable of delivering between c. 10-30 new homes. Were the Council minded to allocate the site for residential development, it could provide an important contribution towards its small-medium site housing allowance as required by Paragraph 68 of the NPPF.

Site 5: Land West of Cuckoo Lane

This site adjoins the settlement boundary of Stubbington to its north-eastern boundary. It is characterised by a substantial arable field that is well-contained in the north by the built form of Stubbington and substantial woodland. Initial capacity testing of this site, which has allowed for a substantial ecological buffer to the woodland, strategic planting to contain the site from the wider Meon Valley, land for a new school and new parkland further south, indicates that it is capable of delivering around 150-200 new homes.

This site is assessed in the SHELAA as being undeliverable due to being located within a *'highly sensitive landscape (based on the Fareham Landscape Assessment) and within an Area of Special Landscape Quality. Significant ecological constraints associated with the adjacent SPA/SSSI affect the suitability of the site.'* The SHELAA ascribes a capacity of 240 dwellings to the site. Whilst the ecological and landscape challenges associated with this site are recognised, they are not insurmountable. Although not a consideration for the SHELAA per se, the site provides the opportunity to deliver substantial ecological and recreation benefits, alongside community benefits, including new education provision and allotments.

Site 6: Land at Oakcroft Lane

Similar to Sites 1 and 3, the Oakcroft Lane site can be delivered outside of or as part of the SGA process (should the Council revisit this project). However, as demonstrated through the planning application, the site is deliverable now as a standalone development site. Technical issues associated with the development have been resolved and Persimmon are currently awaiting determination of the application by the Council. The site is capable of delivering 209 new homes alongside a considerable area of space to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3141) was a deliverable housing site. However, in the SHELAA 2020 the Council considers the site to be undeliverable due to the site to be undeliverable due to the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 200 dwellings to the site. It is unclear how the Council has reached these conclusions given its assessment of the site undertaken just nine months prior, and considering the site-specific mitigation strategy for protected birds has the support of Natural England and the Council's ecologist via the planning application process.

Appendix 1: Oakcroft Lane Site Layout

Rev	Date	Revision Details	Dr	Ch
E	22.04.20	Bypass junction amended	br	db
D	25.02.20	see planning cover note	br	db
C	05.11.19	see planning cover note	br	db
B	20.09.19	see planning cover note	br	db
A	22.07.19	see planning cover note dated 23 July	br	db

PERSIMMON
Together, we make a home

Job Title
Oakcroft Lane, Stubbington

Drawing Title
Site Layout

Job No	Drawing No	Rev
220	A-02-015-SL	E
Drawn	Checked	Date
BR	DB	March '19

Scale
1:1000 @ A1 / 1:2000 @ A3

metres 20 40 60 80 100

Status
PLANNING

Persimmon Homes. No dimensions to be scaled from drawing except for the puposes of Planning Applications. The contractor should check all dimensions on site. It is the contractors responsibility to ensure compliance with Building Regulations. No drawings should be copied or modified without permission from Persimmon Homes.

File Location: s:\south coast\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Appendix 2 Omission Site Location Plans

Site 1 Location Plan: Burnt House Lane, Stubbington

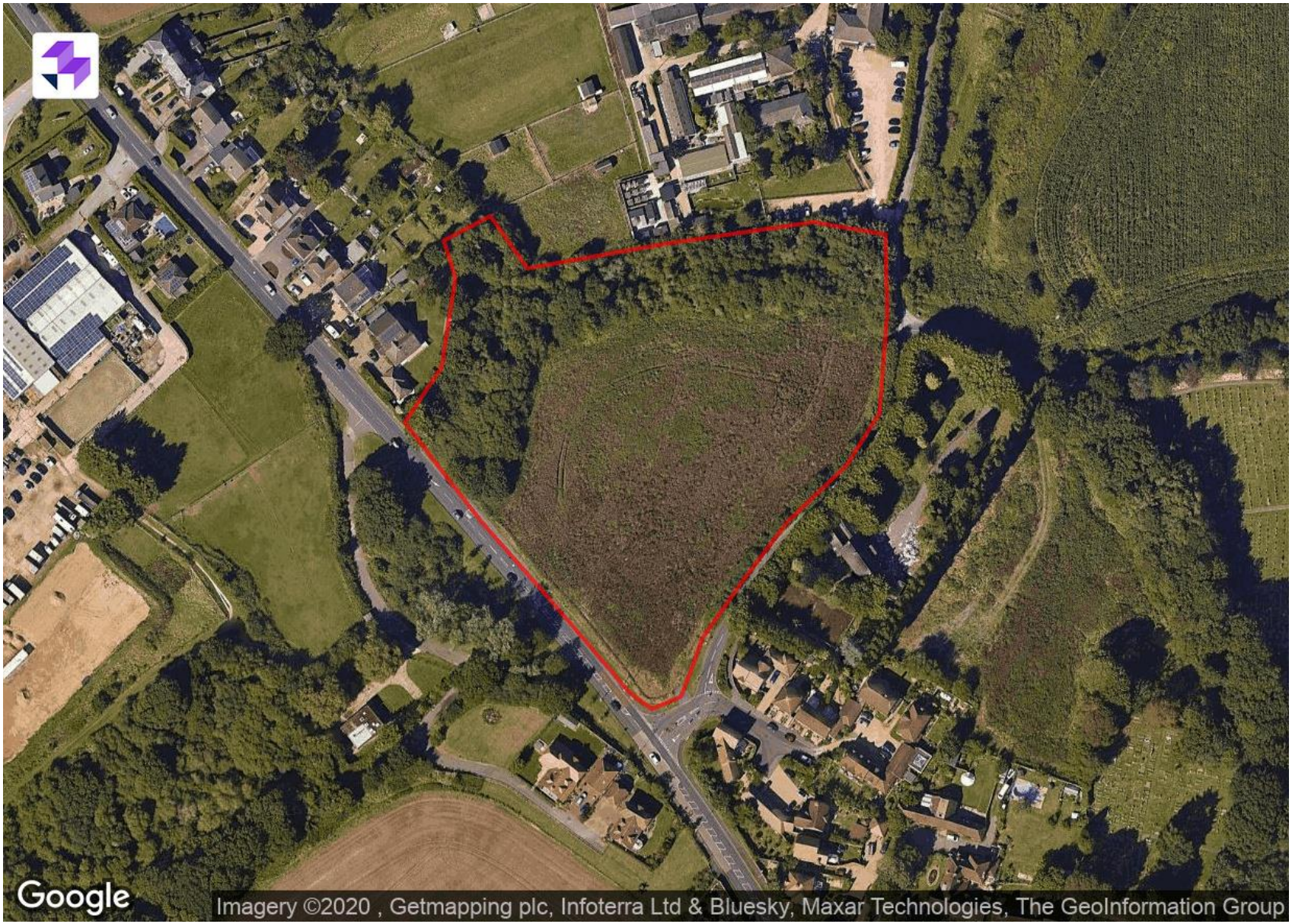
TEAM GB | PERSIMMON Together, we make a home

OFFICIAL PARTNER

Site 2 Location Plan: West of Peak Lane, Stubbington

TEAM GB

PERSIMMON
Together, we make a home
OFFICIAL PARTNER



Site 3 Location Plan: North of Titchfield Road, Stubbington

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Site 4 Location Plan: South of Titchfield Road, Stubbington

TEAM GB | PERSIMMON Together, we make a home

OFFICIAL PARTNER

Site 5 Location Plan: West of Cuckoo Lane, Stubbington

TEAM GB | PERSIMMON Together, we make a home

OFFICIAL PARTNER

Rev	Date	Revision Details	Dr	Ch
A	22.07.19	see planning cover note dated 23 July	br	db

PERSIMMON
Together, we make a home

Job Title
Oakcroft Lane, Stubbington

Drawing Title
Site Layout

Job No	Drawing No	Rev
220	A-02-015-SL	A
Drawn	**Checked**	**Date**
BR	DB	March '19

Scale
1:1000 @ A1 / 1:2000 @ A3
metres 20 40 60 80 100

Status
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File Location: s:\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Property Services

Planning Policy Manager
Fareham Borough Council

Enquiries to: Louise Hague

[redacted]

Date: 18 December 2020

Our ref: Y00511

Your ref: Regulation 19 Local Plan Consultation

[redacted]

Dear Sir/Madam

Regulation 19 Local Plan Consultation

In response to the above consultation, please find attached the general landowner comments in written representations on behalf of Hampshire County Council Property Services, in its role as a public landowner to help inform the next stages of the emerging Local Plan Update to 2038. These are separate from the comments submitted on behalf of Hampshire County Council in respect of its regulatory functions.

As landowner, the County Council will be responding to the Local Plan Consultation on the following Policies/Paragraphs (please see attached):

- Strategic Policy H1: Housing Provision
- Policy D1: High Quality Design and Place Making
- Housing Allocation Policy: HA3 (Southampton Road)
- Housing Allocation Policy: HA9 (Heath Road)
- Housing Allocation Policy: HA13 (Hunts Pond Road)
- Housing Allocation Policy: HA22 (Wynton Way)
- Housing Allocation Policy: HA24 (335-337 Gosport Road)
- Strategic Policy R4: Community and Leisure Facilities
- Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
- Policy D4: Water Quality and Resource
- Paragraphs 11.55/56

To date, Hampshire County Council in its capacity as landowner, has supported the earlier stages of the Local Plan Update to 2037. The purpose of the following is to offer comments, from a landowning perspective, to help inform the scope and soundness of Fareham Local Plan when examined by the Secretary of State as anticipated in Summer 2021.

HCC Property Services, Three Minsters House, 76 High Street, Winchester, Hampshire, SO23 8UL
t: 01962 847778 | **f:** 01962 841326 | www.hants.gov.uk/propertyservices

Hampshire County Council

I hope this is helpful to you in continuing to support the Borough Council in subsequent stages of the Local Plan Update to 2037.

Yours sincerely

[redacted]

Louise Hague MRICS MRTPI
Senior Development Manager

FAREHAM Local Plan 2037

Introduction

The Council has published the Publication Version of the Local Plan. This consultation is the final stage before the Plan is submitted to a Government Planning Inspector for independent examination.

The Statement of Representations Procedure and Statement of Fact sets out how and when you can view the Local Plan and respond to the consultation.

You can make comments on the Plan, known as representations, up to 18 December 2020.

What can I make a representation on?

This consultation is different from previous ones as it no longer seeks views on alternative options. You will be asked whether you think the Plan is:

- **Legally Compliant**: Does the Plan meet the legal requirements for plan making as set out by planning laws?
- **Sound**: Has the Plan been positively prepared? Is it justified, effective, and consistent with national policy?
- **Complies with the Duty to Co-operate**: Has the Council engaged and worked effectively with neighbouring authorities and statutory bodies?

You can make a representation on any part of the plan, but only comments that address the three questions above can be taken into account.

You can find out more about each of the questions by reading Fareham Today and the Frequently Asked Questions.

What happens next?

A Planning Inspector will be appointed to consider the Plan and comments from the consultation on behalf of the Secretary of State. All representations will be forwarded, together with the Publication Plan, to the Planning Inspector for consideration.

PERSONAL DETAILS

Data Protection Privacy Statement – Consultation on the Local Plan in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012

In order to deliver services to the citizens and communities in Fareham Borough, it is necessary for the Council to collect, gather and process personal data.

In relation to the consultation on the Local Plan in accordance regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, Fareham Borough Council will collect and process personal data for the following processing purposes:

- Receiving representations to the consultation and submitting the Local Plan for examination in public.

The Council is processing this personal data by virtue of the following Lawful Basis:

- Compliance with a legal obligation
- Performance of a task carried out in the public interest.

Consultation responses will be entered onto the online consultation form. The company that host the online consultation form, Snap Surveys are ISO 27001 certified and will store the data on a secure UK server.

The Town and Country Planning (Local Planning) (England) Regulations 2012 requires that, when the Council submits the Local Plan and associated documents to the Secretary of State, for examination in public, the responses made to the consultation on the Local Plan must also be submitted. This includes the personal data collected, such as name, address and contact details.

In addition, any representations submitted will be made available on the Fareham Borough Council website. Addresses, email addresses and phone numbers will not be published.

Representations linked to plan making will be retained for no more than 5 years following adoption of the Local Plan. We will not keep this information for longer than is necessary.

You have certain rights under the General Data Protection Regulations (GDPR) in respect of your personal information. More information about your rights can be found on the Council's website or on request.

A1 Is an Agent Appointed?

☐ Yes ☒ No

A2 Please provide your details below:

Title:	Ms
First Name:	Katherine
Last Name:	Snell
Job Title: (where relevant)	Senior Planner and Urban Designer
Organisation: (where relevant)	Hampshire County Council
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

A3 Please provide the Agent's details (if applicable):

Title:	N/A
First Name:	
Last Name:	
Job Title: (where relevant)	
Organisation: (where relevant)	
Address:	
Postcode:	
Telephone Number:	
Email Address:	

You can check which paragraph, policy etc you want to comment on by looking atthe

You can find out more about what you can comment on by reading Fareham Today and the Frequently Asked Questions.

B1 Which part of the Local Plan is this representation about?

- [ ] A paragraph Go to B1a
- [x] A policy Go to B1b
- [ ] The policies map Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy H1: Housing Provision

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council in its capacity as landowner supports the spatial approach to Policy H1 to distribute development through Local Plan allocations. The County Council considers that this is a sound approach that is positively prepared, justified and deliverable within the Plan period (effective) based on the Borough Council's objectively assessed needs and wider Local Plan evidence base.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

- [x] Yes, I want to take part in a hearing session
- [ ] No, I don't want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

The County Council could offer further clarification on the points raised.

The Inspector will decide on who will appear at the hearing(s). You may be asked to take part when the Inspector has identified the matters and issues for examination.

Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

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B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy D1: High Quality Design and Place Making

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council, as landowner, supports Policy D1 as it considers that the density of schemes should be informed by and be sympathetic to the character of the surrounding areas, rather than having a set standard. This allows sufficient flexibility (effective) to support best practice urban design principles particularly with regards to legibility to emphasise the importance of place as well as sensitively manage the transition from an urban to rural settlement edge.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

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BOROUGH COUNCIL

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Housing Allocation Policy: HA3 (Southampton Road)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council, as one of the landowners for this site, supports the inclusion of this draft allocation and has provided information through the Local Plan process to date to support the allocation. The County Council re-affirms that that its land within Policy HA3 is available and deliverable within the Plan period.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

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Housing Allocation Policy: HA9 (Heath Road)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council as a landowner supports the allocation of its land in Policy HA9. The site has a resolution to grant planning permission for 70 dwellings (insert ref). The County Council, as applicant, is currently engaged in on-going discussions with the Borough Council Planning Case Officer, Natural England and third-party providers to put in place sufficient mitigation to achieve a nitrate neutral development. The County Council as landowner has also submitted a pre-application submission to Natural England for consideration of its own land to mitigate the nitrate output of site Policy HA9. This evidence offers a realistic prospect that the site is capable of coming forward in within the early stages of the Plan period. The County Council, as landowner, re-affirms that it’s land within Policy HA9 is available and deliverable.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

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BOROUGH COUNCIL

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B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA13 (Hunts Pond Road)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council as a landowner supports the inclusion of this draft allocation and has provided information that confirms this site is available, deliverable. This allocation will contribute (indicative yield 38 dwellings) to the supply of housing required over the plan period for the borough.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

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B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA22 (Wynton Way)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council as a landowner supports the inclusion of this draft allocation and has provided information that confirms this site is available and deliverable. This allocation will contribute (indicative yield 13 dwellings) to the supply of housing required over the Plan period for the borough.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

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BOROUGH COUNCIL

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B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA24 (335-337 Gosport Road)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	✓

B3 Please provide details you have to support your answers above

Hampshire County Council as a landowner supports the inclusion of this draft allocation and has provided information that confirms this site is available, deliverable and developable. This allocation will contribute (indicative yield 8 dwellings) to the supply of housing required over the plan period for the borough.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

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Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

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B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy R4: Community and Leisure Facilities

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound		✓
Complies with the duty to co-operate	✓	

You can check which paragraph, policy etc you want to comment on by looking at the Publication Local Plan.

B3 Please provide details you have to support your answers above

Hampshire County Council in its role, as both a public landowner and service provider, supports the intentions of Policy R4 to maintain the provision of necessary community facilities during the Plan period. Notwithstanding its support for Policy R4, the County Council is still concerned that the draft policy does not meet the tests of soundness as it appears overly restrictive and not sufficiently flexible to respond to unexpected and ever-changing needs to community facilities brought through public service providers service reviews during the Plan period. This presents a risk that Policy R4 is not effective.
The County Council as a public service provider has an on-going need to review and, if necessary, rationalise surplus facilities as part of wider County Council strategies to improve local services in the community. Such County Council services include 'Children's Services' (pre-school through to the 14-19 year age group), 'Adult Services' (catering for those with learning disabilities, mental health, older people, and persons with physical disabilities), and 'Community and Cultural Services' (libraries, museums, sports, recreation, tourism).
The County Council would like to emphasise its statutory function to provide public services, and to remain effective in meeting this commitment, the County Council will be implementing a series of service-driven improvements, covering both frontline and support services. This may sometimes result in the 'necessary loss' of particular community buildings and land in County Council ownership, in order to reinvest proceeds of sale in local service improvements. The policy should have increased flexibility to accommodate the unique role and function of public service providers.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

The policy should have increased flexibility to accommodate the unique role and function of public service providers and so be effective.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

The County Council therefore recommends the following addition/ changes to Policy R4 to overcome its objection (see below). This draws on the wording of Basingstoke & Deane Borough Council's Adopted Local Plan 2011 – 2029, Policy CN8 – Community, Leisure and Cultural Facilities, part h, and South Downs Local Plan 2014– 2033, Development Management Policy SD43- New and Existing Community Facilities and is therefore a material consideration in Plan making. The County Council's proposed amendment would reinforce the unique role and function of public service providers and their need for managed change to deliver operational service improvements over the Plan period (be effective).

B4c Your suggested revised wording of any policy or text:

Development proposals that would result in the loss of community or publicly owned or managed facilities will be permitted where:

i. The facility is no longer needed; and
ii. No alternative community use of the facility is practical or viable; and
iii. Any proposed replacement or improved facilities will be of equivalent or better in terms of quality, function and accessibility; *or*
iv. the proposals are part of a public service provider's plans to re-provide or enhance local services and the proposal will clearly provide sufficient community benefit to outweigh the loss of the existing facility, meeting evidence of a local need.

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

☑ Yes, I want to take part in a hearing session

☐ No, I don't want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

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FAREHAM
BOROUGH COUNCIL

You can check which paragraph, policy etc you want to comment on by looking atthe Publication Local Plan.

You can find out more about what you can comment on by reading Fareham Today and the Frequently Asked Questions.

B1 Which part of the Local Plan is this representation about?

- [ ] A paragraph — Go to B1a
- [x] A policy — Go to B1b
- [ ] The policies map — Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council in its role as a public landowner supports the intentions of Policy NE4 to protect the integrity of the designated sites from increased nutrients.
The County Council has confidence that any increased wastewater production related to its draft allocated sites will be suitably mitigated through on-site and off-site mitigation measures as required under the policy.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

- [x] Yes, I want to take part in a hearing session
- [ ] No, I don't want to take part in a hearing session

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

The County Council could offer further clarification on the points raised.

The Inspector will decide on who will appear at the hearing(s). You may be asked to take part when the Inspector has identified the matters and issues for examination.

Thank you for taking part and having your say.

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Policy D4: Water Quality and Resources

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound		✓
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council in its role, as both a public landowner and service provider, supports the principle of Policies CC1 and D4.

Notwithstanding this, the County Council is concerned that the draft policy does not meet the tests of soundness as it is not sufficiently flexible to respond to unexpected changes during the plan period.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

The policy should have increased flexibility to be consistent with national policy.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

The County Council would be mindful to overcome its objection if the policy is amended to introduce sufficient flexibility in the wording. This would still seek to achieve a high standard of sustainable development but would not require potentially unattainable standards to be met (be effective).

B4c Your suggested revised wording of any policy or text:

To minimise impact on the water environment and adapt to climate change, all new dwellings shall achieve as a minimum the Optional Technical Housing Standard for Water efficiency of no more than 110 litres per person per day, *unless sufficient evidence justifies meeting the mandatory national standard (no more than 125 litres per person per day).* Development that achieves a higher technical standard of 100 litres per person per day will be supported.

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- [x] Yes, I want to take part in a hearing session
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11.55/56

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council, in its role as a public landowner and service provider, supports the policy aspiration to achieve energy efficiencies in new non-residential development. In particular the County Council notes that paragraph 11.55 considers how the BREEAM assessment process can influence viability of a proposal and make allowances for this, to ensure the plan will remain effective over the plan period. For example, as landowner, the County Council considers that any forthcoming draft policy should be open to demonstrating meeting this energy efficiency standard by alternative equivalent standards such as those based on an embodied carbon (CO2 / Kg / sqm) metric as advocated by the RIBA 2030 Climate Challenge: https://www.architecture.com/-/media/files/Climate-action/RIBA-2030-Climate-Challenge.pdf

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

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- [x] Yes, I want to take part in a hearing session
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The County Council could offer further clarification on the points raised.

The Inspector will decide on who will appear at the hearing(s). You may be asked to take part when the Inspector has identified the matters and issues for examination.

Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

Representations | Helen Laws

1811-171754

Respondent details:

Title:	mrs
First Name:	Helen
Last Name:	Laws
Job Title: (where relevant)	Occupational Therapist
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Policy: H1 - Housing Provision

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

I am very concerned that the sewage system be adequate for the new housing proposed. It concerns me greatly to learn that Southern Water released raw sewage into rivers last year 19,977 hours in 3,219 incidents. In March, the company separately pleaded guilty to 51 pollution charges over five years involving breaches of Environment Agency permits at treatment plants, which included 8,400 incidents of sewage escaping. Water companies were told by the government to install monitoring on the majority of their combined sewer overflows by March 2020. More than 60 discharges a year from a storm overflow should trigger an investigation by the agency but the data reveals some storm overflows have released discharges hundreds of times. The Environment Agency relies on water companies to self-monitor their combined sewer overflows. The Environment Agency could not say whether any of the 1.5m hours of UK spills last year had led to an investigation. I am very concerned the self regulation in inadequate and enforcement and civil sanctions are not being applied where they should be to keep Fareham and its residents safe.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

That Fareham is compliant with water safety and sewage management. That the environment agency investigates as is its duty when too many combined sewage overflows happen. That Farehams rivers, creek and sea are safe for the watersports and activities that are a part of Farehams culture and identity.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Fareham would be compliant with water safety.

Your suggested revised wording of any policy or text:

That Fareham council monitors the activity of Southern Water and the Environment Agency within its borders.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Sent by email to: planningpolicy@fareham.gov.uk

17/12/2020

Dear Sir/ Madam

Response by the Home Builders Federation to the consultation on the Fareham Local Plan

1. Thank you for consulting the Home Builders Federation (HBF) on the Fareham Local Plan. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year.

We would like to submit the following representations on the Local Plan, and we would welcome, in due course, participating in hearings of the Examination in Public.

Duty to Co-operate

2. We note that the Council is part of the Partnership for South Hampshire and has worked closely with these authorities in determining housing needs and examining opportunities as to how these needs could be addressed. The Local Plan outlines at paragraph 4.4 that there are likely to be significant unmet needs arising in Portsmouth and in response to this the Council has identified a further 847 homes to meet needs. Whilst this increase is welcomed, we are concerned that it does not seem to reflect the scale of the unmet needs identified by the Partnership for South Hampshire (PfSH) of over 10,000 homes. So, whilst the Council appears to have co-operated with its neighbours on the issue of housing needs, we are concerned that its contribution is insufficient when considered against the scale of the issue at hand. It would is also the case that this contribution has been made solely as a result of the Council using the standard method as proposed in the most recent Government consultation, and which to date has not been adopted, that significantly reduces the minimum number of homes to be planned for in Fareham. So whilst it would appear that the Council has co-operated with its neighbours in relation to the legal requirements set out in the Localism Act, the outcomes of that co-operation are insufficient to address the cross boundary issue that has been identified – an issue we will come to in relation to policy H1.

Home Builders Federation
HBF House, 27 Broadwall, London SE1 9PL
Tel: 0207 960 1600
Email: info@hbf.co.uk Website: www.hbf.co.uk Twitter: @HomeBuildersFed

Policy H1 - Housing Provision

This policy is unsound as it is inconsistent with national policy

Housing needs

3. The Council are clearly aware that the housing requirement within the policy H1 is inconsistent with national policy as it is based on a standard method that has not been adopted by the Government. Whilst we recognise the Government were out to consultation on an alternative approach it was by no means certain that it would be adopted. The uncertainty as to the standard method has now been addressed with the Government publishing its latest Planning Practice Guidance which states at 2a-004 that the Government has retained the 2014-based household projections as the baseline estimates for household growth within the standard method.

4. The application of the standard method as set out in the most up to date guidance would require the Council to deliver 514 new homes each year. As such the 403 dwellings per annum local housing needs assessment is not consistent with planning policy as it currently stands. We hope a similar degree of haste will be taken in adopting this figure as was taken in moving forward with the lower assessment of needs in Fareham. In addition to this issue, we have three further concerns with regard to policy H1, which are:
    - The policy does not include the Council minimum required level of housing delivery;
    - The degree to which unmet needs in neighbouring areas has been taken into account;
    - Whether economic growth aspiration for the south Hampshire area will be supported to proposed levels of housing delivery; and
    - Plan period and past under delivery.

The housing requirement

5. Policy H1 does not set out the minimum number of homes the Council is required to deliver. Rather it sets out the number of homes that are expected to be delivered by the local plan. It is important that the Council sets out in H1 the minimum number of homes it is required to deliver in order to monitor its performance in meeting this requirement with regard to both the five year housing land supply and the housing delivery test. As set out in table 4.1 of the local plan this figure should be the local housing need figure plus any unmet needs within a neighbouring area that the Council has agreed to take.

Unmet needs

6. Paragraph 60 of the NPPF states that "*any needs that cannot be met within neighbouring areas should also be taken into account when establishing the amount of housing to be planned for*". As we note above the Council has, to some

extent, taken account of unmet needs across the south Hampshire sub-region and in response has stated that it will provide a further 847 homes. However, this is a very modest contribution to what is a very high level of unmet needs in the south of Hampshire. The Council state in paragraph 4.4 of the local plan that, based on the current standard method, unmet needs across the sub region of South Hampshire are in the region of 10,750 dwellings. Whilst we recognise that this will change with regard to the amended standard method and as new plans come forward it is unlikely to reduce substantially given that Boroughs such as Portsmouth, Havant, Gosport and Southampton have tight boundaries which will limit any scope for significant increases in provision. Considering the scale of the unmet needs Fareham's decision to contribute just 847 homes to the current shortfall is insufficient.

7. What is evident from the consultation on the Local Plan 2036 supplement was that the Council clearly considered it possible to deliver well above what is being proposed in the published Local Plan 2037. For example, paragraph 3.5 of the supplement to the Local Plan 2036 outlines an annual housing requirement for the Borough of between 572 and 598 homes per annum between 2020 and 2036. This annual rate of delivery would deliver between 9,000 and 9,500 homes over 16 years. It goes on to identify potential sites that could be allocated to support this higher level of delivery.

8. However, the Council has not considered as part of the preparation of the published Local Plan 2037 whether more could have been done to address unmet needs of other areas. In particular we would have expected a higher level of delivery beyond what is proposed in the published local plan to have been considered within the Sustainability Appraisal. However, this issue of unmet needs and increased delivery beyond what is being proposed in policy H1 is not mentioned in the SA published in November 2020 as part of this consultation. As such the Council cannot say whether or not a higher level of housing delivery, which would have done more to address unmet needs across the sub region was a more sustainable approach compared to the chosen strategy. This is not only a concern regarding the soundness of the Council's approach to unmet needs but also the efficacy of the SA that has been prepared to support this local plan.

Growth strategies

9. Paragraph 2a-010 of Planning Practice Guidance (PPG) outlines that there will be circumstances where it is appropriate to plan for a higher housing figure than that identified through the standard method. One of these is where an authority has agreed to take on the unmet needs of another area as discussed above however other situations are identified where housing need may exceed past trends. These include:
    - Deliverable growth strategies
    - Strategic infrastructure improvements likely to drive an increase in homes

10. The Council is clearly committed to economic growth as stated at paragraph 6.1 of the publication local plan but notes at paragraph 6.7 of the Local Plan 2037 that whilst PfSH is committed to reviewing employment requirements published to support the spatial position statement this will not be intime to support this local plan. Due to the absence of this sub regional assessment of employment growth the Council have undertaken its own assessment of the likely increase in jobs over the plan period. The Business Needs, Site Assessment and Employment Land Study (BNSAELS) states at paragraph 6.23 that between 2018 and 2036 it is estimated that a further 4,600 jobs will be created in Fareham. This equates to annual growth in employment from the current baseline of 48,000 jobs of about 0.5% per annum (pa) which is lower than the 0.8% pa jobs growth forecast in the PfSH SHMA update published 2016[1]. This higher level of growth would see the number of jobs in the Borough grow by around 6,900 over the same period as that assessed in BNSAELS. However, no detail has been provided by the Council as to whether the level of housing delivery within Fareham will meet these employment growth expectations let alone whether the wider jobs growth expectations of the sub region will be met.

11. The Strategic Housing Market Assessment published by PfSH in 2016 indicated that between 2011 and 2030 that 4,630 homes were needed each year between 2011 and 2030 to support the expectation that there would be 86,300 additional jobs across South Hampshire. However, housing delivery during this period as set out in Table H1 of the Spatial Position Statement indicates growth of around 4,536. Whilst the shortfall is relatively small across the whole sub region, given that the Council have noted at paragraph 4.5 that both Portsmouth and Gosport will struggle to meet their needs going forward it will be important, prior to submission, for the Council to consider with its partners in the PfSH whether sufficient housing will be provided to support these sub regional growth expectations, or whether further allocations are needed in relatively less constrained areas such as Fareham.

12. If insufficient housing is provided in sub-region, we are also concerned that higher levels of in-commuting will be required in order to support the expected levels of employment growth. This would be inconsistent with paragraphs 102 and 103 of the NPPF which require Council's to consider how they can deliver patterns of growth that seek to limit the need to travel. This is an issue that will also need to be considered by the Council and its neighbours prior to submission of the local plan.

Plan period and past under supply

13. There are also other impacts from the application of the standard method that have not been taken into account by the Council. In particular the Council have not grappled with the issue of under supply from the point at which the standard method was introduced in 2018. Planning Practice Guidance states in relation to

[1] Page 56 of the 2016 SHMA

this:

"*Strategic policy-making authorities will need to calculate their local housing need figure at the start of the plan-making process. This number should be kept under review and revised where appropriate*".

14. As the Council commenced preparation of this local plan in 2017 it is important that and the Council consider housing completions from the introduction of the standard method compared with the level of local housing need from that point. We recognise that the Standard Method takes account of backlog but only in so far as the affordability ratio will have worsened in the years prior to the calculation and does not take account of under provision since then. In these terms, the shortfall between the assessed level of housing need by reference to the Standard Method and actual completions has to be taken into account going forward.

Year	Number of completions/ projected completions	Local housing need	Shortfall
2018/2019	290	520	230
2019/2020	263[2]	520	257
2020/2021	132[3]	520	388

15. The table above indicates in the three years since the Standard Method was first published, the cumulative shortfall in housing completions is expected to be 875. No consideration is given to these unmet needs in the published plan and even if the lower figure of 403 was taken as the level of local housing need, the shortfall would be in excess of 500 new homes.

16. As housing delivery in the Borough has been below both its requirement in the Core Strategy and the measure of local housing need derived from the Standard Method the Council are wrong to have selected a plan period and housing strategy that takes no account of this. It is the antithesis of positive planning and as such we would suggest that the plan period be revised to start from 2019/20 which is the base date from which the affordability evidence is taken.

Housing land supply

17. The HBF would not wish to comment on the merits or otherwise of individual sites selected for allocation but it is critical that the Council's assumptions on lapse rates, non-implementation allowances, lead in times and delivery rates contained within its overall housing land supply, five-year housing land supply and housing trajectory are correct and realistic. These assumptions should be supported by parties responsible for the delivery of housing and sense checked by the Council using historical empirical data and local knowledge. We note that the Council has

[2] Fareham BC Authority Monitoring Report 2018/19 (February 2020)
[3] Fareham BC Five-year housing land supply position report (June 2020)

included a housing trajectory at appendix B of the local plan as required by the NPPF. However, for the purposes of transparency and effective scrutiny of this trajectory it is necessary for the Council to set out in its evidence base trajectories for each of the sites that make up supply across the plan period. We could not find this evidence, and in our experience, it is both helpful to the inspector examining the plan as well as those making representations.

18. We note and welcome the contingency between the Council's requirement and the number of homes it expects to be delivered over the plan period. It is important that there is a significant contingency to take account of any delays in the delivery of key sites or overestimates in the amount of windfall expected in any plan to ensure that development needs are meet in full. As such should the eventual standard method adopted by the Government see housing needs increase in Fareham, we would expect to see this level of contingency within the Council's land supply maintained. Similarly, the Council would probably need to allocate further sites of one hectare or less to ensure it meets the requirement set out in paragraph 64 of the NPPF.

Conclusions on H1

19. The policy is not sound as considered on the basis that:
    - It uses a standard method for assessing housing need that is still out to consultation and potentially subject to change. However, we recognise that the situation is in a state of flux at present and as such recommend the plan is not submitted until the Government have finalised any changes to the standard method;
    - It fails to take sufficient account of the scale of the unmet needs identified within neighbouring areas as required by paragraph 60 of the NPPF;
    - Does not consider whether housing growth will be sufficient to support its economic growth expectations and the impact this would have on in commuting and the need to promote sustainable patterns of growth as required by paragraph 103 of the NPPF.

HP2: New Small-Scale Development outside the Urban Areas

The policy is not sound as it is not consistent with national policy.

20. The HBF's preference would be for the Council to identify appropriate sites and allocate them within the local plan. This would provide the certainty that small developers seek with regard to bringing such sites forward. However, in lieu of allocation the overarching principle of this policy and its aim to support small and medium sized housebuilders and those seeking self-build plots is supported.

21. But we would suggest that at present the policy is not consistent with national policy as it could lead to sites not making the most efficient use of land as required by paragraph 122 of the NPPF. There will be situations where such sites on the edge of urban areas could be developed for more than 4 units without any adverse

impacts. We would therefore suggest that the threshold be increased to 10 units in order to reflect the definition of minor development as well as being consistent with the Government's approach to affordable housing contributions on small sites as set out in paragraph 63 of the NPPF.

Recommendation

22. Part 5a of policy HP2 be amended as set out below:
    a. Of not more than 4 10 units; and

Policy HP4: Five-year housing land supply

Part d of this policy is inconsistent with the NPPF

23. The HBF supports this policy, however we would suggest that the phase "*in the short term"* in part d is unnecessary as the meaning of deliverable with regard to local plans is clearly defined in the glossary of the NPPF. The inclusion of the phrase short term could cause unnecessary confusion for applicants and decision makers.

Recommendation

That the phrase "*in the short term"* is deleted from part d of policy HP4.

HP5 – Provision of affordable housing

The policy is unsound in its consideration of the percentage requrment for affordable home ownership and with regard to its treatment of older peoples housing which is unjustified

24. Firstly, the policy requirement regarding affordable home ownership is inconsistent with paragraph 64 of the NPPF which expects 10% of all homes on major development involving housing provision to be available for affordable home ownership. Footnote 29 then confirms that these homes are then included as part of the affordable housing contribution. For example, on a site of 100 homes paragraph 64 of the NPPF would requires at least 10 homes to be available for affordable home ownership, equating to 25% of the affordable housing delivery on a greenfield site. The Council's policy at present only requires 10% of all affordable housing to be available for affordable home ownership. The Council's policy would require such development to deliver 4 homes for affordable home ownership – just 4% of total delivery on that site. This inconsistency with national policy should be amended.

25. Secondly, whilst we welcome the decision to vary rates within the Borough to reflect viability, we are concerned that despite the evidence the Council will still, seemingly, require specialist development for older people to support the delivery of affordable homes. In section 6.6 of the Viability Study it is clear that both

sheltered housing and extra care housing for older people are not viable at any level of affordable housing. It is therefore surprising that the policy has not removed the requirement for such accommodation to contribute towards the provision of affordable housing.

Recommendation

26. That policy HP5 to be amended as follows:
    - To reflect paragraph 64 of the NPPF
    - To state that specialist residential accommodation for older people be exempt from providing affordable housing.

HP9 – Self and Custom Build Homes

The policy is unsound as it has not been justified

27. Whilst the HBF support the encouragement of self-build housing through the local plan, we do not consider the requirement for sites of over 40 to set aside 10% dwellings to be delivered through serviced plots for self and custom house building to be justified or consistent with national policy.

28. Firstly, the evidence with regard to the demand for, and supply of self-build plots would suggest that a significant proportion of demand for self-build in Fareham will be met through windfall sites. As the Council note in paragraph 5.8 of the Self and Custom Build Background Paper the demand for self-build plots arising within the first base period of the self-build register was addressed through windfall and it would seem that a similar result will occur within the second base period. Therefore, to suggest that 10% of all development over 40 units are required as self-build is not justified as it would seem that the Council through normal development management process is supporting sufficient plots to come forward without recourse to the impositions being proposed in policy H9. In addition, policy HP2 will also support the delivery of additional sites that will clearly be attractive to both self and custom build housing. Whilst the Council may not want to be dependent on windfall development if this approach is meeting identified demand then there is no need to require such plots to be provided on other sites.

29. Secondly, we welcome the Council's review of the self-build register. From this review it is clear that of the 79 people on the register only 56 people are actively pursuing the possibility of building their own home. In addition, only 40 of those said they would consider a plot on a larger self-build development. Even then it is not clear from these answers whether they would be looking for a plot on major housing building site or would prefer a site solely devoted to self-build plots. As such we are concerned that there is not a significant demand for plots on larger housing being developed by housebuilders and that the 10% requirement in HP9 is unjustified.

30. Finally, it is also important to recognise that paragraphs 57-024 and 57-025 of the PPG sets out a variety of approaches that need to be considered – including the use of the Council's own land. This is reiterated in para 57-14 of the PPG which sets out the need for Council's to consider how they can support the delivery of self-build plots through their housing strategy, land disposal and regeneration functions. We would suggest that rather than place additional burdens on house builders for the provision of self-build plots it should utilise its own land or seek to engage with landowners to identify suitable sites on which to deliver serviced self-build plots. Indeed, it would appear from paragraph 5.14 of the Self and Custom Build Background Paper that such an approach has worked in Fareham.

Recommendation

31. That policy HP9 is deleted.

Policy NE2: Biodiversity Net Gain

32. The Council have included the Government's suggestion that new development should improve the biodiversity on their site to show a 10% net gain over the pre-development baseline within this policy. Whilst we recognise that this is the Government's current position favoured position it is likely that there will be transition period to allow the development industry to adapt to the proposed changes. As such we would suggest that the Council remains consistent with paragraph 170 of national policy to seek net gains in biodiversity and not include the requirement to show a 10% net gain. A policy without a specific percentage requirement would be consistent with current policy and should the relevant legislation be enacted as currently proposed such a policy would be sufficiently flexible to support a 10% requirement and any transition period.

Recommendation

33. That the 10% requirement be deleted.

Policy NE8: Air Quality

The policy is unsound as it is not justified

34. The HBF is supportive of encouragement for the use of electric and hybrid vehicles via a national standardised approach implemented through the Building Regulations to ensure a consistent approach to future proofing the housing stock. It is the industry's preference for a national approach to the provision of charging points rather than local authorities setting their own standards. We consider this is necessary to allow research and development and supply chains to focus upon responding to agreed national targets, and for training providers to plan their programmes to equip the labour force to meet these new requirements. It is fundamentally inefficient to create a plurality of standards.

35. The Government has recognised in recent consultations the possible impact of any requirement to provide electric vehicle charging points on housing supply, where the requirements are not technically feasible. The Government's recent consultation proposed introducing exemptions for such developments. The costs of installing the cables and the charge point hardware will vary considerably based on site-specific conditions in relation to the local grid. The introduction of EVCPs in new buildings will impact on the electricity demand from these buildings especially for multi-dwelling buildings. A requirement for large numbers of EVCPs will require a larger connection to the development and will introduce a power supply requirement, which may otherwise not be needed. The level of upgrade needed is dependent on the capacity available in the local network resulting in additional costs in relation to charge point instalment.

36. Where such costs are high the Government are proposing that any potential negative impact on housing supply should be mitigated with an appropriate exemption from the charge point installation requirement based on the grid connection cost. The consultation proposes that the threshold for the exemption is set at £3,600. In the instances the additional costs are likely to make developments unviable, it is the Government's view that the EVCP requirements should not apply and only the minimum Energy Performance of Buildings Directive requirements should be applied.

37. As such we would suggest that the requirement for EVCPs should be deleted because the Government's proposed changes to Building Regulations will provide a more effective framework for the delivery of charging points for electric vehicles.

Recommendation

38. Part A of the third paragraph within policy NE8 is deleted.

D4: Water Quality and resources

The policy is unsound as it is not consistent with national policy.

39. The final sentence of policy D4 is inconsistent with paragraph 16 of the NPPF which requires policies to be unambiguous and evident as to how the decision maker should react. The policy as written could lead to applications being refused by decision makers on the basis that a development does not achieve a standard that is higher than the maximum requirement that can be applied through the adoption of the optional technical standards.

Recommendation

40. The final sentence of this policy is deleted.

D5: Internal Space standards

The policy is unsound as it has not been justified

41. Policy D5 requires development to meet national spaces standards as a minimum. Whilst the HBF share the Council desire good quality homes delivered within Fareham we also consider that space standards can, in some instances, have a negative impact upon affordability issues and reduce customer choice. In terms of choice, for example, some developers will provide entry level two, three and four-bedroom properties which may not meet the optional nationally described space standards but which would allow on lower incomes can afford a property which has their required number of bedrooms.

42. Given the poor affordability of property in the area and the tight constraints on development it is therefore important that the Council can provide, in line with PPG, robust evidence that there is a need to introduce the optional space standards – that these standards are a must have rather than a nice to have policy. However, as the Council note in paragraph 11.59 of the publication local plan most new homes in Fareham are built to a size that is consistent with the nationally described space standards. The only inconsistency they note is that the smallest bedroom often fails to meet the space standards. This evidence does not suggest that there is a pressing need for the introduction of space standard within Fareham but does indicate that requiring larger bedrooms could reduce the number of smaller homes with three or four bedrooms.

43. The HBF is not aware of any evidence that market dwellings in Fareham that do not meet the NDSS remaining unsold or that those living in these dwellings consider that their housing needs are not met. There is no evidence that the size of houses built are considered inappropriate by purchasers or dwellings that do not meet the NDSS are selling less well in comparison with other dwellings. The HBF in partnership with National House Building Council (NHBC) undertake an annual independently verified National New Homes Customer Satisfaction Survey. The 2019 Survey demonstrates that 91% of new home buyers would purchase a new build home again and 89% would recommend their housebuilder to a friend. The results also conclude that 93% of respondents were happy with the internal design of their new home, which does not suggest that significant numbers of new home buyers are looking for different layouts or house sizes to that currently built.

44. Given that there is little to suggest that development below space standards is an endemic concern within Fareham we would suggest that policy D5 is deleted from the plan. This would give the Council greater flexibility to maximise the number of sites that are developable as well as extending consumer choice to more households.

Conclusion

45. At present we do not consider the plan to be sound, as measured against the tests of soundness set out in paragraph 35 of the NPPF, for the following reasons:

- Failure to give sufficient consideration to the housing needs of neighbouring areas and the consequences on the delivery of sustainable development across south Hampshire;
- Housing needs have not been assessed in accordance with standard methodology as set out in PPG;
- Policy H2 inconsistent with national policy with regard to making the most effective use of land;
- Policy HP5 fails to include exemption for older people's housing in line with the Council's viability evidence;
- Requirement for 10% of plots on sites over 40 units be allocated for self-builders is unjustified;
- The adoption of the nationally described space standards in policy D5 has not been adequately justified.

We hope these representations are of assistance in taking the plan forward to the next stage of plan preparation and examination. Should you require any further clarification on the issues raised in this representation please contact me.

Yours faithfully

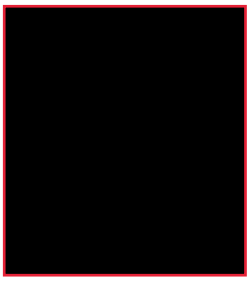
[redacted]

Mark Behrendt MRTPI
Planning Manager – Local Plans
[redacted]

Date: 18 December 2020
Our ref: 333521
Your ref: N/A

Planning Strategy Team
Fareham Borough Council

BY EMAIL ONLY



Dear Sir/Madam,

Regulation 19 Local Plan Consultation (6th November – 18th December 2020)

Thank you for your consultation dated 06 November 2020 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the Council's approach to achieving sustainable development through its Local Plan, particularly through its suite of Natural Environment policies that include protection of internationally, nationally and locally designated sites, the enhancement of the local ecological network and the requirement for biodiversity net gain.

Our comments on the Regulation 19 Local Plan and supporting Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA) are made below.

Strategic Policy DS1: Development in the Countryside
It is recommended this Policy also requires proposals to ensure compliance with Natural Environment policies, in particular Strategic Policy NE1 and Policy NE2, to ensure impacts on nature conservation interests are properly considered and addressed, and biodiversity net gain is achieved (for applicable development).

With regards to soils, the local plan outlines that 'the benefits of protecting the Best and Most Versatile (BMV) agricultural land are considered against the need for development'. This Policy requires development proposals to demonstrate they 'Conserve and enhance landscapes, sites of biodiversity or geological value and soils'.

The National Planning Policy Framework sets out that:

> 'Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework[1]; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.'
>
> *1 Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.*

It is recommended that this Policy is amended to give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpin our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver. The plan should safeguard the long term capability of BMV agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future.

Where site allocations are sited on BMV land, the Plan should outline a requirement for the protection of soils during construction where possible, referencing the 'Defra Code of practice for the sustainable use of soils on construction sites'.

Strategic Policy DS3: Landscape
Natural England welcomes the proposed designation of eight Areas of Special Landscape Quality within the Borough, and the requirement for development in these areas to meet stringent criteria that seek to protect and enhance landscape.

Strategic Policy CC1: Climate Change
Natural England advise all Local Plans consider climate change adaption and recognise the role of the natural environment to deliver measures to reduce the effects of climate change, for example tree planting to moderate heat island effects. In addition factors which may lead to exacerbate climate change (through more greenhouse gases) should be avoided (e.g. pollution, habitat fragmentation, loss of biodiversity) and the natural environment's resilience to change should be protected. Green Infrastructure and resilient ecological networks play an important role in aiding climate change adaptation.

Natural England welcomes Strategic Policy CC1: Climate Change that promotes mitigation and adaptation to climate change through various methods including the integration of green and blue infrastructure into the design of developments, adopting higher water efficiency standards, the integration of energy efficiency, renewable and low carbon technologies into all development, and reducing reliance on car travel.

Natural England supports the embedding of policy that will deliver measures to increase sustainability of development over the Plan period. This should also include reducing consumption of raw natural resources, sourcing more renewable or 'green' energy, and reducing waste. Consideration should be given to the collection of financial contributions from development to offset residual carbon emissions elsewhere in the Borough. Consideration can also be given to the retrofitting of existing development with technology that improves energy and water efficiency.

It is recommended that Local Plan policy also seeks measures that help natural habitats across the Borough adapt to the effects of climate change. We would encourage you to refer to the Natural England and RSPB Climate Change Adaptation Manual and look at the step by step approach to identifying the climate resilience of habitats that occur in the Borough. Consideration should be given to addressing issues on habitats and protected sites that will be exacerbated by climate change, such as flooding, drought, reduction of water resources etc.- the Manual can also help identify these.

Consideration can be given to delivering specific projects within the Borough. For example, to maximise climate change adaptation and mitigation through the establishment of a Nature Recovery Network (NRN), and the Local Nature Recovery Strategy in which the NRN would sit, to ensure climate change resilience at their core. Such projects could potentially benefit from carbon offsetting contributions from development over the local plan period.

Such an approach could link into other aspects of the Plan such as water and air quality, nutrient mitigation for Solent European designated sites, delivery of biodiversity net gain, natural flood management, and green infrastructure implementation among others. Natural England would be happy to advise further on this aspect.

Policy CC2: Managing Flood Risk and Sustainable Drainage Systems
Natural England welcome this Policy that requires development ensures flood and surface drainage are properly addressed, and that Sustainable Drainage Systems (SuDS) are designed in accordance with CIRIA C753 SuDs Manual, to be as 'natural' as possible.

It is advised that the policy makes clear that where a development drains to a protected site(s), an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection may be required to ensure water quality impacts are avoided.

Where SuDS are proposed serving as mitigation for protected sites, development should ensure that appropriate resources are put in place to ensure their long-term (in perpetuity) monitoring, maintenance/replacement, and funding.

Policy CC3: Coastal Change Management Areas (CCMAs)
Sea level rise and coastal change are inevitable and bring both challenges and opportunities for people and nature. Sustainable coastal management needs to embrace long-term change and achieve positive outcomes for both.

Policy CC3 identifies that the North Solent Shoreline Management Plan (SMP) policy for the majority of Fareham Borough's coastline is 'Hold the Line', and identifies two CCMAs between Hook spit and Meon Shore, with an identified coastal management policy of 'No Active Intervention'. The Policy will ensure that development in these areas will appropriately consider coastal change. It also will ensure replacement coastal defence schemes 'are consistent with the relevant Shoreline Management Plan and that there will be no severe adverse impact on the environment, the English Coast Path, and the rights of way network'.

We would advise that the Local Plan should also help facilitate the relocation of valued environmental assets away from areas of risk.

Strategic Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network
Natural England welcomes this policy that sets out clearly the hierarchy of nature conservation and the requirement for development to 'demonstrate clearly that the mitigation hierarchy has been followed' in terms of avoiding, mitigating or compensating (as a last resort) impacts on biodiversity. Natural England welcomes the Local Ecological Network (LEN) approach that has been included in the local plan.

It is helpful that the LEN and the Council's Green Infrastructure Strategy have been suggested as tools to provide opportunity for enhancements across the Borough. Please read our comments below in relation to Policy NE2 that regards the choosing of suitable opportunities for biodiversity enhancement.

Policy NE2: Biodiversity Net Gain
Natural England is fully supportive of the inclusion in the local plan of a Policy for biodiversity net gain. It is welcomed that the policy refers to the benefits to Borough residents from the ecosystem services that being close to nature provides, and outlines an expectation that offsite net gain must be sought as close to the development as possible. However in some instances this may be difficult, and Natural England recommends that consideration is given to developing a suite of projects across the LEN that development within the Borough can contribute to thereby ensuring the biodiversity within the Borough is protected and enhanced. For example, partners that manage Local Nature Reserves and Sites of Importance for Natural Conservation in the Borough could submit projects to the local planning authority to enhance the ecological value of these sites. These projects could be funded by development that requires offsite compensation or additional enhancements to achieve biodiversity net gain. This approach can also be used by development with limited opportunities for biodiversity net gain on-site.

The Policy outlines that the Council may prepare and adopt a Supplementary Planning Document (SPD) for Biodiversity Net Gain. Due to the need to ensure net gain is delivered in a suitably

strategic way, and having regard to the timescales of the legislative requirement for net gain and further national guidance, Natural England would support the development of such an SPD and would encourage Policy NE2 to outline this as a clear intention of the Council, in order to provide further guidance and support to aid sustainable development across the borough. Natural England will be happy to advise further to aid the development of such an SPD.

- *Calculating net gain*

Please note that Biodiversity Metric 3.0 is due to be published early 2021, which will supersede Biodiversity Metric 2.0. We advise that the Policy is updated accordingly and that this metric is used to measure gains and losses to biodiversity resulting from development, and implement development plan policies on biodiversity net gain.

Please note that although the Policy includes 'nesting and roosting features' as suggestions for achieving net gain, it is our advice that features such as bird and bat boxes, swift bricks, bee hotels etc should be classed as general biodiversity enhancements that should be included as part of a wider biodiversity enhancement and mitigation plan. Net gain specifically should derive strictly from habitat enhancement and creation, required as calculated using the metric.

- *Wider environmental gains*

The reference to seeking wider environmental gains, for example to address water/air quality, flooding, climate change etc. is welcomed. Opportunities for environmental gains, including nature based solutions to help adapt to climate chance, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g. by sowing wild flower strips, changing cutting regime of open spaces and road verges*) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g. a hedgerow or stone wall or clearing away an eyesore)
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats

*Please see this paper regarding cost-effective and low-maintenance management for species-rich grassland on road verges and the value it can contribute to biodiversity and ecosystem services.

Please note that Natural England and Defra are developing an Environmental Net Gain/metric for Natural Capital Net Gain that can be used in conjunction with the Biodiversity Metric (but not instead of). Further information will be available in 2021.

- *Monitoring of net gain*

Your plan should include requirements to monitor biodiversity net gain. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

LPAs should work with local partners, including the Local Environmental Record Centre and wildlife trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations and providing as much up front information on monitoring will help to streamline the project stage.

Policy NE3: Recreational Disturbance on the Solent Special Protection Areas (SPAs)

Natural England welcome this policy that will require new residential development to address in-combination effects on the Solent SPAs via recreational disturbance. It is recommended the Policy also outlines that other types of development (such as new hotels, student accommodation, care homes etc.) may also need to address recreational disturbance impacts, both alone and in-combination. Such development should be assessed on a case by case basis.

Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
Natural England welcome this policy that will require new development that propose a net increase in overnight accommodation to address in-combination effects on the Solent designated sites via eutrophication from nutrients in wastewater.

Policy NE5: Solent Wader and Brent Goose Sites
Natural England welcome this policy that will require development to address effects on sites identified by the Solent Wader and Brent Goose Strategy (SWBGS) which serve as functionally linked land to the Solent SPAs.

It is recommended that the following wording within the Policy "*Sites which are used by Solent Waders and/or Brent Geese (as shown on the Policies map)*" is amended to read "*Sites which are used by Solent Waders and/or Brent Geese (as identified within the most up to date version of the Solent Wader and Brent Goose Strategy)*" to take account of any changes to sites and their distribution across the Borough, as these updates can be implemented at irregular times. Any further references to the Policies map should be similarly amended to refer to the SWBGS mapping.

Core Areas – due to their essential function within the SWBG network, it is advised these sites are identified for protection by the Policy. Any development that would result in impacts to a Core Area will need to be carefully assessed on a case-by-case basis. There are limited options where the function of a Core site can be fully replicated elsewhere in terms of its suitability and appropriate locality; where such land is available, an assessment of replicability will need to be undertaken through discussions with Natural England and the Local Planning Authority.

Financial contributions – it is welcomed that the Policy outlines that financial contributions proposed as mitigation will be used for the management and enhancement of an 'agreed suitable identified site for Solent Waders and Brent Geese'. Such proposals should demonstrate how such funds will be used to enhance, manage and monitor sites within the wider Solent Waders and Brent Geese network, in perpetuity. It is suggested that the Council works with relevant partners/stakeholders, including cross-boundary partnerships, to develop a strategic project(s), such as a bird reserve, and/or list of projects to enhance, manage and monitor the wider Solent wader and brent goose ecological network, to which contributions can be directed.

Policy NE6: Trees, Woodland and Hedgerows
Natural England welcomes this Policy that seeks to protect and enhance trees, woodland and hedgerows within the Borough. It is recommended that this Policy requires development proposals that affect ancient woodland, ancient trees and veteran trees, to ensure they are in line with standing advice published by Natural England and the Forestry Commission.

Policy NE8: Air Quality
It is welcomed that the Policy recognises that 'poor levels of air quality can also lead to environmental issues'. The Policy includes a need for planning applications to consider if they will have a 'potential adverse effect on biodiversity, especially where it would affect sites designated for their biodiversity value'.

The Policy outlines that the Local Plan HRA concludes the Plan 'would not have a likely significant effect on the internationally important habitats and species present in the area'. As this issue has

been considered within the HRA appropriate assessment, the wording here should be amended to use the correct terminology under the Habitats Regulations, i.e. the HRA concludes the Plan will not result in an 'adverse effect on integrity' (the term 'likely significant effect' is used at the screening stage of the HRA). See further comments on air quality below in regards to the Local Plan HRA.

Policy NE9: Green Infrastructure
Natural England welcomes this Policy that seeks to fully integrate green infrastructure (GI) into development and maximise opportunities to connect to the wider environment. The provision of enhanced green infrastructure and sites of nature conservation value can not only help address some of the mental and physical health problems that are experienced in the Borough's population, but can also benefit society in other ways including improvements to local air and water quality, reducing the risk of flooding, alleviating noise levels and aiding climate change adaptation.

Policy NE10: Protection and Provision of Open Space
This Policy references protection of public rights of way. Natural England advises that the Policy should also seek to secure enhancement of public rights of way and National Trails, as outlined in paragraph 98 of the NPPF. Recognition should be given to the value of rights of way and access to the natural environment in relation to health and wellbeing and links to the wider green infrastructure network. It is welcomed the plan seeks new access opportunities; it should seek to link existing rights of way where possible. The plan should avoid building on open space of public value as outlined in paragraph 97 of the NPPF.

It is welcomed that the Policy makes provision for appropriate quantity and quality of green space to meet identified local needs (as outlined in paragraph 96 of the NPPF) based on Natural England's work on Accessible Natural Greenspace Standard (ANGSt) in assessing the level of accessible natural greenspace; it is also welcomed that it recognises development may be required to 'provide more open space above what is required by the standards to make the development more acceptable'.

Policy D1: High Quality Design and Place Making
Natural England welcomes this Policy that requires the design of developments to integrate existing and new habitats and biodiversity within a coherent and well managed, connected structure. It is advised that landscaping of developments and open spaces seeks to use appropriate native and locally sourced species as far as possible to cater for local wildlife.

Policy D4: Water Quality and Resources
Natural England welcome this policy that seeks to conserve water and improve its quality.

Southern Water's Water Resources Management Plan (WRMP) 2019, that covers the planning period 2020-2070, projects a significant supply demand deficit during periods of drought in the Western Area, and commits to implementing a long term water resources scheme to restore the supply demand balance whilst avoiding and/or mitigating impacts on European sites, including the River Itchen SAC.

It is Natural England's advice that in advance of any permitting of such a suitable long term scheme, uncertainty remains with regards to water resources and the impacts of abstraction on protected sites.

Although it is welcomed that Policy D4 requires a water consumption for new dwellings of no more than 110 litres per person per day, Natural England strongly recommend all new development within the Southern Water supply area adopt a higher standard of water efficiency of 100 litres/per person/day, including external water use and re-use, in line with Southern Water's Target 100 demand reduction programme which is committed to within their WRMP19. Natural England also recommends that the Policy encourages the wise use of water in conjunction with the water companies, for example by developments incorporating grey water recycling systems and efficient appliances

Please see Natural England advice above in relation to Policies NE4 and Policy CC2 with regards to nutrients and surface water treatment via SuDS.

Neighbourhood Plans
Currently there are no Neighbourhood Plans in the Borough, but the Local Plan provides a 'strategic evidence base' which will inform any future Neighbourhood Plans.

It is recommended that any future Neighbourhood Plans which allocate housing should also identify spaces for environmental enhancement, for the purpose of offsetting environmental impacts, e.g. through the designation of Local Green Spaces. Such a local approach could give communities more ownership over such green spaces and provide a more strategic route to addressing common environmental impacts from development in that area, such as air and water pollution, habitat and species loss and increased carbon emissions, and could deliver biodiversity net gain and nutrient offsetting.

Such spaces could include the development of community orchards and play areas, woodlands and nature reserves, and serve a variety of functions that benefit both nature and the local community, for example providing benefits to health and wellbeing, offsetting nutrient discharges from allocated development and providing further scope for carbon sequestration.

Specific comments on Housing Allocation Policies

- HA9 - Heath Road (70 dwellings)

It is acknowledged this allocation site has resolution to grant permission for 70 dwellings. It is recommended this Policy includes the requirement to secure an appropriate level of offsite compensation to address the loss of secondary woodland on site which may in parts qualify as lowland mixed deciduous woodland habitat.

- HA29 - Land East of Church Road (20 dwellings)

Much of this site shows as Lowland Mixed Deciduous Woodland priority habitat on the Ecological Network mapping for Hampshire. Part of the site is designated as a Site of Importance for Nature Conservation (SINC) according to the Policy map. The Policy outlines a requirement for ecological mitigation for the site-specific construction and operational impacts of a development proposal. It is advised the Policy outlines a requirement to secure an appropriate level of offsite compensation to address any loss of priority habitat on site to ensure compliance with Policy NE1.

- HA31 - Hammond Industrial Estate (64 bed care home)

The Policy should ensure the impact of nutrients in wastewater is addressed to ensure compliance with Policy NE4.

- HA37 - Former Locks Heath Filling Station (30 dwellings)

This site is adjacent to an area of Lowland Mixed Deciduous Woodland priority habitat as shown on the Ecological Network mapping. The Policy should ensure that impacts on priority habitats and protected species are taken into account and appropriately addressed.

- HA38 – 68 Titchfield Park Road (9 dwellings)

The site is adjacent to Sylvan Glade SINC, much of which is ancient semi-natural woodland. The Policy should ensure compliance with standing advice on ancient woodland, ancient trees and veteran trees and that impacts on the SINC and protected species are appropriately addressed.

- HA42 - Land South of Cams Alders (60 sheltered housing)

This allocation site is located on 'Fort Fareham Grassland' SINC that supports woodland and meadow communities. It also lies adjacent to Fort Fareham SINC known for supporting wet woodland communities.

As previously advised in our response to the Supplement to the Reg 18 Local Plan (letter dated 23rd April 2020), allocations and development proposals should ensure they engage the mitigation

hierarchy, where impacts on designated ecological sites/features should first be avoided, and where not possible, adequately mitigated. Where this is not possible, any loss of priority habitat should be appropriately compensated. All residual ecological impacts will need to be addressed before any net gain for biodiversity can be achieved.

Natural England recommends that where loss of SINC habitat cannot be avoided, the policy should make clear how requirements set out within the NPPF, NERC Act 2006 and Local Plan Natural Environment policies will be met. It is advised an appropriate level of offsite compensation should be required to address any loss of priority habitat on site to ensure compliance with Policy NE1 .

- E4: Solent 2 (Employment - 23,500 sq. metres)

This employment allocation is located on Whiteley Meadow - Plot 2184 SINC and Ashley Wood, Fareham SINC. The Hampshire Ecological Network Mapping dataset shows much of this area as Lowland Mixed Deciduous Woodland, a priority habitat listed as required under Section 41 of the Natural Environmental and Rural Communities Act 2006. The site is also situated adjacent to the Gull Coppice (South-West Remnant) SINC which comprises ancient semi-natural woodland.

It is acknowledged that this site is an existing allocation within the adopted Fareham Local Plan Part 2 (2015).The current Policy outlines a requirement for this development to protect existing woodland and avoid habitat severance, and appropriate mitigation and compensation for any loss of protected trees. However, it is our view that a significant area of habitat, including mature woodland, is likely to be lost as a result of development. The Policy should ensure that it is compliant with Strategic Policy NE1 with regards to impacts on the local ecological network in this locality. In line with existing national and local policy and legislation, it is Natural England's advice that the mitigation hierarchy of avoid, mitigate and lastly compensate is employed where considering impacts on these habitats, particularly those designated as SINC. Measures should be sought to protect and enhance the local ecological network. Where impacts cannot be avoided or adequately mitigated, a comprehensive compensation package should be required that addresses the loss of all priority habitat on site (rather than just specifying protected trees), that seeks to enhance and connect habitat in the locality.

Comments on the HRA

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the Local Plan in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

We have the following comments on the HRA:

- *Recreational disturbance – New Forest designated sites*

The Local Plan HRA screening assessment outlines that although the Borough falls within the 25km buffer of the New Forest designated sites (via a straight line), the minimum actual travel distance by car is of approximately 30km travel distance (via the M27). In comparison to the number of visits from residents closer to the New Forest, the assessment states 'visits to the New Forest SAC/SPA/Ramsar associated with increased housing development in Fareham Borough contribute a significantly lower proportion of overall visits to the designated sites and it is not considered likely that significant effects associated with recreational disturbance from Fareham housing development would arise'. The HRA screens this impact pathway out from an appropriate assessment on this basis.

It is understood Footprint Ecology are currently conducting further analysis on several aspects of their latest visitor surveys. This analysis will assist the definition of a robust catchment area for recreational impacts. It will help in the preparation of a strategic, cross-boundary approach with neighbouring competent authorities to deliver habitat mitigation for the New Forest SPA/SAC/Ramsar. This work is due to be completed shortly and will provide a useful update to the evidence base against which such impacts from new development from surrounding local authority areas can be assessed.

Therefore, whilst acknowledging that the level of additional impacts from new residents is known to significantly decrease with distance from the New Forest designated sites, Natural England consider at this time there remains some uncertainty with regard to the evidence confirming the level of additional impacts from new residents of Fareham local plan development. We therefore advise this issue is taken forward to the appropriate assessment stage where further work may be carried out to ascertain the level of impacts as accurately as possible.

Where impacts are identified, suitable and proportionate mitigation should be proposed; we recommend the Council works with the New Forest National Park Authority and the other partner authorities to develop a strategic approach to addressing recreational impacts from new development on the New Forest designated sites. Such an approach should include developer contributions towards the New Forest National Park Authority's Habitat Mitigation Scheme to enable the authority to deliver site specific mitigation measures on behalf of applicants.

Natural England will be happy to provide further advice to the Council on this aspect as the evidence base develops.

- *Air quality*

The Local Plan is supported by an Air Quality Habitats Regulations Assessment (Ricardo, Sept 2020). The conclusions drawn in the Local Plan HRA in regards to air quality impacts are based on those drawn within the Ricardo report. Natural England concurs with the conclusions drawn in the report.

The Ricardo report suggests that the Council regularly reviews the Defra airborne NOx forecast levels. This is welcomed as a way to ensure any changes in forecasting and potential consequential changes to conclusions drawn in the report for this pollutant can be appropriately reviewed and addressed during the local plan period.

- *Water quality – nutrients*

The HRA calculates a nitrogen budget for the local plan of 2536.99 kgTN/yr. Appendix III of the HRA outlines various mitigation schemes that can be utilised or progressed as a means to ensure nutrient neutrality can be delivered by new development.

The HRA states within its Summary of Findings that the sites Chichester and Langstone Harbours SPA/Ramsar, Portsmouth Harbour SPA/Ramsar and Solent and Dorset Coast SPA are screened out of an appropriate assessment in relation to water pollution impacts. Much of development within Fareham borough is served by Peel Common wastewater treatment works (WwTW), which is a coastal WwTW that discharges effluent several kilometres out into the Solent. It is our advice that long-shore outfall pipes are likely to have shifted and widened the distribution of nitrogen loading within the effluent across the Solent SAC and SPAs. It is important to recognise the loading from Peel Common WwTW contributes to a number of estuaries and catchments within the Solent (including Portsmouth Harbour, Langstone Harbour, Chichester Harbour, River Meon, Wootton Creek and the Medina Estuary catchments). It is therefore Natural England's view that, because of this wide distribution of nitrogen loading, all designated sites should be screened in.

- *Other comments on the HRA*

Section 7.7.3 – this paragraph refers to the 'SAC' although it is relating to Portsmouth Harbour SPA and Ramsar.

Comments on the SA

We are broadly satisfied that the objectives and indicators within the Sustainability Appraisal cover our key interests, and welcome the identification of the need to conserve and enhance biodiversity, landscape character, and to reduce pollution. We also welcome the need to address minimise the

effects of climate change, and to minimise impacts on best and most versatile agricultural land. Please see some more specific comments below.

- SA5: To Minimise Carbon Emissions and Promote Adaptation to Climate Change

This SA objective to address the effects of climate change is welcomed. It is suggested a further monitoring parameter(s) is included to monitor the implementation of new GI/habitat that can seek to alleviate the pressures of climate change on species and the ecological network whilst also providing other benefits as described further in our advice above; e.g. percentage of new GI/ extent of priority habitat within the ecological network.

- SA7: To Conserve and Enhance Biodiversity

We advise that this SA objective also seeks to conserve and enhance geodiversity within the Borough, in line with national planning policy.

The SA outlines the Plan 'is predicted to lead to negative impacts to ecological receptors in the short to medium term, but many of these impacts are capable of being mitigated. Long-term effects are likely to be both positive and negative, and highly site-specific'. It is acknowledged these effects can be avoided/mitigated by the implementation of several policies including NE1, NE3, NE4 and NE5. It is advised Local Plan Policy requires relevant development to carry out site-level Habitats Regulations Assessments in order to ensure impacts on European sites are suitably addressed.

It is also suggested that further monitoring parameters are incorporated to ensure impacts on internationally, nationally and locally designated sites are monitored throughout the Plan period, e.g. via the number, extent and condition of sites designated for nature conservation. We would advise the use of a green infrastructure standard as an indicator, such as Natural England's Accessible Natural Greenspace Standard (ANGSt). Parameters for measuring the implementation of net gain should be introduced, see further above for our advice on net gain monitoring.

We would be very happy to comment further as the plan process progresses. If you have any queries relating to the detail in this letter please contact me on [redacted]

Yours faithfully

Rebecca Aziz
Sustainable Development Senior Advisor
Thames Solent Area Team

Representations towards the Fareham Borough Draft Local Plan 2036 Publication Draft (Regulation 19) Consultation on Behalf of Persimmon Homes (South Coast)

December 2020

PERSIMMON
Together we make a home

1. Introduction

Persimmon welcomes the opportunity to comment on the Fareham Draft Local Plan 2036 (DLP) Publication (Regulation 19) consultation.

This letter is set out in sections as summarised below:

- Section 2 sets out our response to Duty to Cooperate issues
- Section 3 sets out our policy specific responses
- Section 4 sets out our response in relation to Omission Sites

2. Duty to Cooperate

The Duty to Cooperate places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters, including housing.

Planning Practice Guidance recommends that authorities should produce, maintain, and update one or more Statement(s) of Common Ground, throughout the plan-making process. The Council has unilaterally produced a 'Statement of Compliance with the Duty to Co-operate' which sets out how the Council claims to have addressed the duty to cooperate, including in relation to addressing the unmet housing need of its neighbouring authorities. This is not an agreed Statement. It is noted that there is little to no explanation within the Statement as to what cross boundary discussions have taken place since the Council has significantly altered its approach with regards to housing need (as detailed below). In Persimmon's view, this information is absent because neighbouring authorities, in particular Portsmouth and Gosport, will not be supportive of Fareham's approach.

As mentioned above, the Council's Regulation 19 consultation document is significantly different from the Regulation 18 draft in terms of its approach to housing. This is largely as a result of it applying the lower Local Housing Need (LHN) as derived from the Government's proposed new Standard Methodology, which has not been approved. The Regulation 18 version of the Plan included a number of Strategic Growth Areas that were identified, in part, to meet the housing needs of neighbouring authorities of Gosport and Portsmouth. These Areas have now been deleted, and do not feature in the Publication Plan.

The Council's decision to use the new Standard Methodology LHN in order to take advantage of lower housing numbers is premature, and is at odds with the approach being taken by nearly all other Local Planning Authorities developing Local Plans in the sub-region, including Gosport and Portsmouth.

It is understood that the SGAs would met at least 1,000 dwellings from Portsmouth's unmet needs, alongside a proportion of Gosport's (quantum not published). However, the Publication Plan suggests that unmet need accommodated by the Plan will only equate to 847 dwellings. By Fareham choosing to use the draft new Standard Methodology and reducing its housing site allocations as well, the scope for the Plan to pick up the housing needs of these neighbouring council areas has been significantly curtailed.

It is Persimmon's view therefore that, given the significant change in approach by Fareham Council, the joint working that it has undertaken on housing issues to date has been fundamentally undermined to a point where it can only be concluded that Council has failed the duty to cooperate.

2. Policy Specific Comments

DEVELOPMENT STRATEGY

Strategic Policy DS1 Development in the Countryside

Policy DS1 provides the policy basis for the delineation of settlement boundaries. In the context of our comments below, notably in relation to not meeting housing need, omission sites and the delineation of Strategic Gaps, the Council should amend the settlement boundaries to allow additional development to come forward.

With regards to the criterion d) of Policy DS1, an allowance for new or replacement building, conversion and/or extension of a school is welcomed. However, the Policy appears to limit re-provision to existing sites shown on the Policies Map. As set out in greater detail in the our response to Policy DS2 and the Omission Site section, discussions are on-going with the Meoncross school to facilitate expansion of the car park and/or playing fields in the short term. The potential relocation of the school to other land within Persimmon's interest at Cuckoo Lane over the longer-term is also being explored. As currently drafted, by strictly limiting development to within an existing educational facility, the Policy would prevent such future improvements and the possible relocation of Meoncross School.

Strategic Policy DS2 Development in Gaps

The Council has commissioned Hampshire County Council to review its Strategic Gaps. The County's methodology for this review is set out in the Technical Review of Areas of Special Landscape Quality and Strategic Gaps (September 2020). This applies 'Primary Measures' (i.e. physical and visual separation) and 'Secondary Measures' (i.e. Green Infrastructure Provision) to define the gaps. We support the inclusion of physical and visual separation as a means of determining the gap boundary, but we see no justification for including the secondary measures as this is outside of the scope of the role of a gap. In any case, Green Infrastructure is an issue that is dealt with separately under Policy NE9 of the draft Plan.

The following commentary on this policy considers each of the Strategic Gaps before comments are made on the content of Policy DS2 itself.

<u>The Fareham-Stubbington Gap</u>

As set out in the recommendations of the Gap Review paper (Chapter 4: Conclusions and Recommendations, Paragraph 10): *'there exists some opportunities for development to be absorbed within the Stubbington-Fareham Strategic Gap, subject to scale and future detailed design, without compromising its Gap function…'* It is surprising then that the Council has not examined this potential in greater details as part of its Publication draft Local Plan, particularly given that the most recent Regulation 18 Local Plan consultation proposed a Strategic Growth Area (SGA) within this gap as a means of accommodating growth.

It is also surprising that the Gap Review Paper does not adequately consider the influence of the Stubbington by-pass on the Fareham-Stubbington Gap. Paragraph 3 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap states that*: 'As the Bypass is currently under construction and its alignment marked out, it is possible to see how it might affect the sense of separation between Fareham and Stubbington.'* The report also states that it is too early to understand the full impact that Stubbington Bypass will have on the landscape character and development pressures of the Gap. This second assertion is contested. Given that the by-pass construction has progressed significantly, and that by-pass proposal has been subject to landscape assessment (including through the ES associated with the application), there is sufficient information available to allow for a robust assessment of the impact of the by-pass on the gap and the landscape to be carried out. A review of the landscape and gap evidence should be carried out prior to submission of the Plan for examination.

There can be no doubt that the by-pass will have a considerable influence on the Fareham-Stubbington Strategic Gap - effectively splitting it two. Once the by-pass is complete, it will form a strong defensible boundary, which will make the difference in the character between areas north and south even more apparent than it is already. This difference in the character requires considered in the Local Plan and its evidence base.

Land to the north of the bypass route is considerably more open in character, with large open fields with limited boundary planting providing prominent views north from the bypass toward the southern urban edge of Fareham, which is well defined by Rowan Way. This area is characterised by a strong sense of tranquillity, and is a much more sensitive landscape that is more befitting of Gap designation in accordance with the Council's own methodology. Land to the south of the bypass, however, comprises considerably more urban influences as demonstrated by existing development along Ranvilles Lane / Titchfield Road, the cemetery south of Oakcroft Land and development around May's Lane / Peak land (including where the urban area of Stubbington protrudes into the gap). This observation is supported by the detailed analysis of gap study area 7a (see Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap, para 8) which states that:

'There exists the potential to ***make modifications to the settlement boundary of North Stubbington: to extend the boundary to run along Oakcroft Lane****, as the isolated field that sits aside Crofton Cemetery, does not protrude into the landscape beyond the current Northern and Western edges of Stubbington. Largely sitting behind a mature line of Poplars also helps this isolated field absorb some development (subject to detail design),* ***without risking the integrity of the Gap, as a whole****.'*
(Persimmon's emphasis)

Paragraph 11, Bullet 2 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review evidence reconfirms the limited role that the area to the north west of Stubbington, south of Oakcroft Lane and east of Ranvilles Lane plays as a gap. The Gap study states that this area has *'the ability to absorb development into the landscape exists, without compromising the integrity of the Gap function'.* The Council will be aware of the planning application within this part of the gap (LPA Application Reference: P/20/0522/FP). This application comprises 209 new homes a considerable area of land to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1. The application is a resubmission of a planning application that addresses technical and design issues raised by the Council previously. It is understood that the application is due to be considered by planning committee in January 2021.

One key consideration when reviewing the boundary of a gap is the consideration that no more land should be included in the gap than is necessary (see adopted Core Strategy Policy CS22, Fareham Borough Council Gap Review 2012 and South Hampshire Strategy 2012). This concept is reiterated in the Gap Review Paper as 'minimum land take'. In light of the above, it is Persimmon's view that the gap evidence should be reconsidered with areas north and south of the by-pass assessed separately to take account of the by-pass. For reasons set out above, and in accordance with the Gap Review methodology, it is considered that a review of the evidence would indicate that the land north of the by-pass should be retained as gap and land to the south should be deleted from the gap designation. Retaining a gap to the north would preserve a c. 800m gap between the by-pass and the southern urban edge of Fareham, which is described in the Gap Review Paper as being *'moderate-large gap'* of a 'good distance' that *'gives the traveller time to experience the countryside after leaving one settlement before joining another.'* Retaining a gap of adequate width in this location is particularly important given the role Peak Lane plays in providing a well utilised north-south link between Stubbington and Fareham.

With regards to land to the east of Stubbington, Paragraph 11, of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review indicates that there is very little opportunity to absorb development in this corridor but that advanced planting along the eastern edge of the settlement would be beneficial. Persimmon Homes have interests in this area (as discussed in detail later in these representations). In summary, the proposals include new residential development, significant new strategic planting and open space along the eastern edge of the site. Discussion are on-going with the

Meoncross School to facilitate expansion of the car park and playing fields in the short term and the potential relocation of the school to other land within Persimmon's interests over the longer-term.

In light of the our comments set out above It is considered that the Fareham-Stubbington Strategic Gap should be redrawn so that land to the south and west of the by-pass is removed from the gap.

Whilst not a gap issue per se, the emerging and previous Local Plans, have tended to avoid allocating any significant growth on the periphery of Stubbington. Sensitively redrawing the gap boundary as suggested above will allow for much needed sustainable development housing to come forward to support the housing aspirations of those wish to live in or remain living in Stubbington.

The Meon Strategic Gap

As touched upon above, the function of a Strategic Gap is to prevent the coalescence of separate settlements. Land to the west of Stubbington is identified as a gap but there is no settlement to the west of the Stubbington that requires protection from coalescence. With regards to Strategic Gap Study Area 6, it is noted that the Gap Review study states that this gap is provided to ensure there is no coalescence between Stubbington and Titchfield along Titchfield Road. Whilst this northern most extent of this study area may serve this purpose, the central and southern parts of the Study Area 6 play no role whatsoever in preventing coalescence. This is recognised in Paragraph 13 of Chapter 4: Strategic Gaps SG 1: The Meon Gap of the Gap Review Study. Nonetheless, the Study recommends that the Gap is retained in this area due to: high levels of tranquillity, its role in providing separation of Portsmouth and Southampton, and to recognise the potential longer-term settlement expansion southwards from Titchfield and South Westwards from Hook. Based on the Council's Gap Review methodology, these are not adequate reasons to include this land within the gap.

A more logical delineation of the gap, which would ensure that no more land than necessary is included within it, could be to end its southernmost extent at Crofton Manor Equestrian Centre where the transition from countryside to urban (as part of Stubbington) becomes apparent. As recognised in the Gap review study, much of the land to the south of the Equestrian Centre is subject to protection under draft Policy DS3 (as discussed below), and ecological constraints which provide adequate protection against inappropriate development in this area. A gap is therefore not necessary.

General Comments on Policy DS2

Notwithstanding our comments above, in our considered view, Policy DS2 is too restrictive. There may be a point within the plan period, for example where the Council is unable to demonstrate a sufficient five year housing land supply, where additional housing may be required over and above those sites identified in the Plan. The Council has persistently struggled to demonstrate a sufficient five year housing land supply in recent years so flexibility in the Policy is required.

As demonstrated through the Council's Regulation 18 draft Plan, a sustainable location for such development may be in the Strategic Gap between Stubbington and Fareham. As such, the Policy should include additional wording to allow for appropriate and sustainable development in the Strategic Gap in such circumstances where housing supply needs to be increased.

The Policy also seeks to prevent development in Strategic Gaps that may significantly affect its 'integrity' and the 'distinctive nature of settlement characters'. This is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. The reference to 'integrity' and the 'distinctive nature of settlement characters' should be deleted from the Policy. The function of a Strategic Gap is to prevent the coalescence of separate settlements, which can be achieved through assessment of the impact of a proposed development on the physical and visual separation of settlements. The other policy criteria are superfluous.

In light of the above, it is considered that the Strategic Policy DS2 - Development in gaps and delineation of the Gap as shown on the draft Policies Map, should be redrawn as set out above. If this is not the case the Policy cannot be said to either justified or effective and is therefore unsound.

Strategic Policy DS3: Landscape

Policy DS3: Landscape identifies a number of Areas of Special Landscape Quality (ASLQ), including the Meon Valley. This is new Policy that does not form part of the adopted Local Plan. The first part of this Policy seeks to significantly restrict development in the Meon valley area. However, considering that the Council has successfully defended the Meon Valley area from a number of hostile planning applications in the recent past without this Policy in place, the justification for it is questionable. Given the prohibitive nature of Policy DS3, the development potential of Site 5 (Cuckoo Lane) for housing and new school provision, will unlikely be realised unless the site is allocated for development in the Local Plan and/or the site is excluded from the Meon Valley ASLQ designation.

HOUSING POLICIES

Strategic Policy H1 Housing Provision

As mentioned in the Duty to Co-operate section above, the Council is applying the Government's former draft Standard Methodology to arrive at its LHN (403 dpa) as opposed to the current Standard Methodology (514 dpa). The draft Standard Methodology is not Government Policy, it is only a consultation draft. The Government has recently (16th December 2020) released revised LHN figures that indicate that the Council's baseline LHN will increase to 514dpa. This increase LHN to exactly the same figure as per the current Standard Methodology. This newly published data clearly undermines the Councils premature decision to use the lower LHN figure. It is also noted that when the current and new LHN figures for Gosport and Southampton are considered both Councils are facing an increase in LHN of 106 dpa and 315 dpa, respectively. This is significant as both of these Authorities may need to look to Fareham to accommodate unmet housing needs. This will place even greater pressure on Fareham Borough Council to increase its housing requirement set out in Policy H1. For completeness, Portsmouth's LHN remains unchanged between the two data sets.

Notwithstanding, our concerns that the Council has failed the legal test with regards to the duty to cooperate, Policy H1 cannot be assumed to be sound as undershoots current and emerging LHN. The Plan cannot therefore be considered consistent with national policy and it is not positively prepared. Should the Council seek to amend its housing requirement (for example using the current Standard Methodology) and make consequential changes to its supply sites, re-consultation on a revised Regulation 19 Plan will be necessary.

Policy H1 includes an estimated 1,224 windfall dwellings. The Council's Housing Windfall Projections Background Paper (June 2020) does not provide a detailed breakdown of which sites are being considered as windfall. The Council's figures cannot therefore be scrutinised. Until such time as the Council publishes this detail underpinning the windfall allowance, this element of the supply should not be counted towards the Council's housing requirement.

The Policy also looks to implement a stepped housing requirement, which backloads housing delivery towards the latter part of the Plan period. This approach is at odds with the NPPF's objective to boost the supply of housing and appears not be justified by the expected rate of delivery of sites as site out in the summary housing trajectory in Appendix B of the Plan. For example, in the first period (2021/22 and 2025/26) the Council proposes a requirement of 2,250 dwellings (averaging 450 dwellings per annum). However its housing trajectory suggests that 3,085 dwellings will be delivered, which is equivalent to 617dpa. As such, Policy H1 should be expressed as an average requirement; it should not be stepped.

The Policy also sets out that approximately 428 homes will be delivered on specified brownfield sites and/or regeneration opportunities in Fareham Town Centre. In some cases deliverability, viability availability (i.e. in existing use) is not assured (notably sites FTC2-5). Whilst Local Plans should be aspiration, they should also be deliverable. Allied to above, a further 1,327 homes are identified on Housing Allocation sites (i.e. allocation prefixed with a HA reference). However, a number of these sites are rolled forward allocations from the current adopted Local Plan, and in some cases (i.e. HA29 and HA30) are site that formed part of the Western Wards growth are that were originally identified

in the 1970's, but have failed to be delivered. As such, it is questionable whether the Council has properly assessed deliverability / developability of some of the sites comprising its supply. It is advisable therefore that the quantum of housing expected from some of the questionable supply sites should not be counted against the housing requirement in the Plan, and alternative sites (such as those set out in the Omission Sites section) should be identified to ensure the Council's housing requirements are met. In additional to the above, the deliverability issues associated with Welborne are well documented. Recently it is understood that due to delays in the site coming forward, the Council has lost external funding to deliver critical highway improvement works. This further underscores the challenges associated with this site. The Council would be well advised to take a highly cautious approach when seeking to include housing supply from Welborne. The draft Plan currently includes 4,020 dwellings as part of the housing supply. In light of the above, this figure is considered to be highly optimistic and should be revised downwards.

Notwithstanding, our concerns regarding the Council's choice of LHN, this figure should be regarded as the starting point for developing the Plan's housing requirement. Councils are advised through national planning policy/ guidance to consider whether any adjustments should be made to the LHN figure to account for other factors such as economic growth (which appears to be absent from the Plan) and unmet need from neighbouring authorities (as discussed above). With regards to affordable housing, the Council commissioned a Housing Needs Survey as part of its previous Regulation 18consultation draft Plan in 2017. At the time, the Survey suggested that there is a net affordable housing need of 302 dpa (i.e. nearly ¾ of the overall annual requirement). Whilst the Standard Methodology accounts for affordability (or lack thereof in Fareham's case), actual affordable housing need indicates that a further uplift to its LHN may be necessary.

Policy HP4 Five-Year Housing Land Supply

Policy HP4 states that development 'may be' permitted where a development meet all the criteria in policy HP4. The Policy should be reworded to positively state that a development *'will be'* permitted if it meets the policy criteria. When determining planning applications, the decision maker is required to read the Local Plan as a whole; there is no reason for the Policy to be equivocal on this matter.

With regards to criterion (b) the policy states that a development should be '…integrated with the neighbouring settlement'. Does this mean a physical link between the development and the adjoining settlement or that a development should be integrated in design terms? This needs to be clarified.

Criterion c) seeks to prevent development in strategic gaps that may significantly affect its integrity. As per our comments in respect of Policy DS2, this is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. It is also noted that Policy DS2 sets out different policy requirement with regards to the protection of Strategic Gap (i.e. proposals should not affect the physical and visual separation of settlements). This has the potential to create an internal conflict within the Plan as it is unclear which policy requirements (either HP4 or DS2) would take precedent where the Council unable to demonstrate adequate five year supply. It is suggested therefore that the wording for Criterion c) is deleted or replaced with a cross reference to Policy DS2 (including Permission's suggested amendment to this DS2).

Policy HP5 Provision of Affordable Housing

With respect to the percentages of affordable housing sought at sites, Policy HP5 should include a viability review mechanism to provide flexibility. This will assist with the viability of schemes should there be a fall in market over the lifetime of the Plan and/or in circumstance where unknown development costs are introduced (nitrate mitigation costs associated with the HRA requirements are a case in point having seriously affected the viability of schemes over the past year or so).

As set out in the supporting text to this Policy (paragraph 5.32), the Council publishes on its website the identified affordable housing need by area of the Borough. The Council's website shows considerably different housing need for each area. The affordable tenure mix is therefore too prescriptive and does not reflect the Council's own evidence base. It is advisable therefore that the

Council replaces criteria i-ii with a statement confirming that affordable housing mix and tenure will be negotiated with the Council evidence base set out its webpage used as the starting point.

Further underscoring our concerns with the nature of the tenure mix, the Council should be aware of the potential practical challenges associated such a small percentage of Affordable Home Ownership. The Policy could be interpreted by officer so that Affordable Home Ownership is provided at 10%, which would be a challenge for reasons set out below. Registered Providers are becoming ever specialised with some only dealing with the shared ownership side and others the rented side. Requiring such a small percentage of Affordable Home Ownership products through this Policy may create challenges in terms the viability of tender bids for this type of unit. In addition, Affordable Home Ownership, including shared ownership schemes, have been shown to be an effective means of getting people on the property ladder. As the Council's own evidence shows 10% is considerably below what is actually needed.

The final element of Policy HP5 addresses the market rent of Affordable Rented units, which will be judged as 80% of market rent or the relevant Local Housing Allowance (LHA), whichever is lower. The NPPF only make provision for rent to be set at 80% of market. It does not state that market rents should be benchmarked against LHA. The reference to LHA should be deleted to ensure that HP5 is in conformity with national policy.

It is also noted in Paragraph 5.42 of the supporting text to HP5 that the Council may need review the Affordable Housing Supplementary Planning Document (SPD) to address changes to the affordable housing and mix. SPDs should not be used to review issues that have a direct impact on viability. This should be tested through the Local Plan review process.

Policy HP7 Adaptable and Accessible Dwellings

The PPG sets out a number of tests against which Councils should consider when seeking to introduce M4(2) and M4(3) policies into its Local Plans. The Council's Specialist Housing Background Paper (September 2020) has been produced which shows how the Council claims to have met these tests.

In terms of need, the Background Paper sets out the population with Long Term Health Problem or Disability based on census data. However, this measures population, not households, so should not be assumed to an accurate proxy for need. It should also be noted that some people who state that they may have a Long Term Health Problem or Disability as part of a Census response may not have an illness that would affect mobility and would not therefore not necessarily require M4(2) or M4(3) dwellings. The evidence base should be updated to reflect the above.

With regards to the provision of Category 3 specifically, the Council's evidence of need is weak being based on a national wheelchair usage that may not reflect the level of need in Fareham Borough. Furthermore, with regards to Category 3 affordable housing, from a practical point of view, Registered Providers are less willing to take on wheelchair dwellings as they can be difficult to occupy. If there is no suitable occupier then the unit could be sat empty for a significant period while a suitable occupier is found. During this time the unit is not generating any income, and could have been used to house a family that is in need at the time.

As the Council correctly identifies, a large proportion of older homeowners will seek to remain within their own homes with care provided in situ. Should these owner occupiers need to downsize or relocate they will be able to utilise the equity built up within their dwellings to access products which meet their specific. This may be sheltered or extra care accommodation. Within recent years, as this market has developed, the industry has responded with a number of private sheltered accommodation schemes approved within Fareham. In this context, the Local Plan also looks to facilitate the delivery of specialist housing through Policy HP8 and through specific housing allocations made in the Plan (HA42 – HA43). The Background Paper does not appear to have factored in the supply of specialist homes that may come forward be on allocated sites and windfall sites permissible under Policy HP8.

With regards to the second test relating to location of specialist housing, as set out HP8, this type of accommodation is best located in accessible locations. Given the mobility challenges which some older people face, town and district centres, with their conveniently located services such as shops and health facilities, are ideal locations for older persons housing. Fareham town centre is a highly accessible location where a significant quantum of flatted housing is proposed with the benefit of a reduced affordable housing policy requirement. District Centres are also highly accessible locations where there is a potential for older persons housing could be delivered. The Council should therefore consider restricting this Policy requirement to areas of high accessibility.

Policy HP9 Self Build and Custom Homes

Policy HP9 sets out a policy requirement for 10% of all units on sites over 40 dwellings to provide plots for sale to address local self or custom build need. It is noted, however, that at Paragraph 5.8 of the Council's Self and Custom Build Housing Background Paper (September 2020) it is stated that that the Council has met its past and future self-build requirements – this has been achieved without the need for a specific policy. It is also noted that the adopted Welborne Plan requires some 1% of its housing to be for self / custom build. Set against the current identified need of 35 net plots it would seem excessive to require a policy to further increase self / custom build supply. This could result in significant over provision of a product for which there is no clear market demand. In light of the above, the justification for Policy HP9 is therefore questionable. The policy does include provision for plot to be developed for non-self-build ,should they not be taken up, however, this Local Plan has made no assessment about the extent to which this would affect cash flow and the viability of developments. It is Persimmon's view therefore that this Policy should be deleted.

Notwithstanding our overarching concerns regarding the justification for this policy, there are a number of practical considerations that the Plan fails to adequately acknowledge. Criterion a) for example, sets out that self or custom build plots should be serviced. The Policy needs to clarify what is meant by 'serviced'. Does serviced this relate highway access, gas, water, electricity and/or broadband, and to which point should the plots be serviced? Turning to criterion c) it is not clear who would be responsible for setting out the design parameters. Placing a requirement to conform to set parameters could put off some prospective self / custom builders. The requirement to provide self and custom build plots may also have a number of practical and management issue, such as:

- Phasing and completion of the wider site.
- Section 106 contributions due to the exemption that applies to self-build housing.
- Delivery of housing in accordance with paragraph 59 of the NPPF to boost significantly housing supply, where supply on an ad hoc basic by self-builders is likely to be slow compared with the remainder of the site or even not take place at all.
- The reserve matters period running out and needing to be extended.
- Ad-hoc builders turning up outside specified hours of work.
- Storage of materials as there is limited room on plot and storage spills onto the market housing part of the site.
- Purchasers having to stop building due to unemployment/lack of funds.
- Purchaser dissatisfaction where building continues on a site which was expected to finish when they moved in.

<u>CLIMATE CHANGE</u>

Strategic Policy CC1 Climate Change

This Policy states that the 'Council will promote mitigation and adaptation to climate change through…' It is unclear whether the criteria will be sought as part of development proposals, or whether the criteria relate to development delivered by the Council. This requires clarification. If it is the former, the Policy should make clear that the criteria are not requirements but should only be met where it is possible to do so.

Policy CC2 Managing Flood Risk and Sustainable Drainage Systems

Policy CC2 requires all developments to be designed in accordance with the CIRIA C753 SuDs Manual or equivalent national or local guidance. The SuDS manual is, however, only guidance. In Persimmon's experience, strict adherence to the guidance can be problematic as the design of a SUDS system also need to consider design, aesthetics, engineering etc. It is recommended therefore that the wording for this bullet point is prefixed with 'Where possible,' to provide the necessary flexibility.

NATURAL ENVIRONMENT

Policy NE2 Biodiversity Net Gain

Policy NE2 sets out a requirement for site to deliver 10% net gain for biodiversity. The Local Plan viability assessment assumes a cost of £500 per dwelling. This development cost is based on limited evidence and seems low, particularly for greenfield sites (as opposed to brownfield equivalents) which are likely to require significant more extensive measures to achieve a 10% net gain. In many cases, the requirement to achieve BNG is likely to negatively impact on the developable area, resulting in a loss of revenue that negatively impacts on viability, rather than be a cost associated with each individual units per se. In Persimmon's view, the viability evidence to support the introduction of this Policy is inadequate. As mentioned above, meeting BNG at 10% can require considerable land take; on some sites Persimmon has been involved in, BNG has required around 50% of the gross site area. It is not clear whether or to what extend the Council has factored in this 'land hungry' BNG requirement as part of its housing allocations capacity estimates. It is also noted that BNG should be achieved across a site, it is not a requirement to be met at the individual plot level (although this might form part of the BNG solution). As such, supporting text Paragraph 32 is misleading and should be deleted.

Policy NE4 Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent

This is new Policy which sets out Fareham's policy approach to dealing with excessive nutrient (nitrate) loading on protected European sites of ecological importance. However, the Policy is light on detail with insufficient guidance as to how applicants will be able to demonstrate conformity. Given Persimmon's significant experience in dealing with such matters, the Company is aware of how this Policy can be implemented in practice, but for less informed developers/applicants this may be more challenging.

Notwithstanding the above, the Company is aware that the primary means of determining whether a development proposal will be able to demonstrate nutrient neutrality is by producing a nutrient budget using the Natural England Methodology. Given that the Natural England Methodology provides a key evidence base and is fundamental to the implementation of Policy NE4, it is critical that this document is examined in detailed alongside the Local Plan. Of particularly concern is that Natural England's Methodology includes a number of onerous stages that result in significantly more mitigation being required than is actually necessary. These provisions include, but are not limited to, housing occupancy rates, internal migration (particularly those households that are occupying new affordable housing) and default permit levels. Furthermore, despite many of steps set out Natural England Methodology taking a precautionary approach to nitrate assessment, an arbitrary buffer of 20% increase in nitrate loading is added at the end of the calculator. This buffer is not required and will further exacerbate the issue of overproviding mitigation land that is not necessary. Lastly, it is noted that the Partnership for South Hampshire has updated the Integrated Water Management Study (IWMS). The IWMS provides a key evidence base underpinning the nitrate assessment work, but the Natural England Methodology does not take into account this new evidence.

Policy NE5 Solent Wader and Goose Sites

Policy NE5 sets out the Council approach to protecting area which are used by Solent Waders and/or Brent Geese. The Policy makes reference to such area as shown on the Policies Map. These

designations are, however, informed by an interactive GIS map provided on the Solent Bird Aware website, which forms a critical evidence base to the development of Policy NE5. It is therefore concerning that, on the same webpage as the bird habitat GIS mapping, members of the public can download a form to report bird sightings. It is not clear whether or to what extent these reported sighting are authenticated / scrutinised by a qualified ecologist. There appears to be wide scope for land to be incorrectly identified as a bird site leading to unnecessary cost being expended to mitigate site, and in the worst cases complete sterilisation of that land. This is certainly the case with a number of sites that are with Persimmon Homes' interests (as detailed later in these representations). There is a concern therefore that the mapping evidence base underpinning Policy NE5 is flawed.

The Policy also does not set provision with regards to bird surveys. The methodology for bird sites allows sites to be identified as habitat even if they are not actually being used by birds. It would seem logical that the policy makes provision for applicant to undertake ecology survey and assessment of bird sites in order to demonstrate the absence or presence of a species. We would recommend that one year's survey data should be sufficient, with further surveys only required if the some activity has been identified at a site.

The Council will also be aware that it is the Solent Bird Aware mapping (not the Policies Map) that is used by consultees (Natural England and the Council's own in-house ecologist), to determine whether a development will impact on any protected bird habitat areas, to avoid any confusion in the future, and to ensure the Policies Map remains in date, it is suggested the Policy Map deletes these designations.

With regards to the criterion a) 'Core and Primary Support Areas' the Policy requires that development on such sites should result in an overall net gain to the Solent Wader and Brent Geese Network. BNG is a requirement of Policy NE2; the concept for which is established in the NPPF. However, Persimmon are unaware of any such requirement in national policy or the evidence base underpinning this policy, for a net gain for specific species, including protected birds.

Policy NE6 Trees, Woodland and Hedgerows

Point a) of this Policy advises that the 'unnecessary loss' of non-protected trees, hedgerow and woodland should be avoided. It is unclear what 'unnecessary loss' means in practice.

Point b) of the Policy should be a new sentence, and what is meant by the term 'unavoidable' in this context should be clarified.

Policy NE8 Air Quality

Criteria a) of this policy requires electricity charging infrastructure to be provided as part of new development (excluding Welborne). It is unclear why this Policy is not to be applied to Welborne. Presumably this is because of the impact of such provision on viability. Viability issues associated with EV charging provision are, however, not limited to Welborne.

The Local Plan Viability study incudes development cost associated with EV charging as part of £10,000 per plot contingency. Paragraph 5.3.8 of the Study states that, *'it is unclear at stage of writing if or when any of these measures will be required, so [the study takes] a very cautious and conservative approach….'* With regards to the EV charging, Policy NE8 requires such provision; there is no uncertainly as to what is expected of a development proposal. As such, the Viability Study should consider this issue in greater detail and not combine this policy requirement with other unknown cost demands on development. Combining these 'unknowns' a single contingency means that is not possible to scrutinise in detail whether the assumptions made with respect to EV is reliable.

We would highlight that the cost for providing EV charging points is around £500-£600 but this does not include additional costs associated with providing additional sub-stations on lager development sites so that all charging points are capable of being used concurrently (alongside all other energy

demands on a development), and the potential to provide enhanced electricity supply (i.e. off-site upgrades) over and above that required for the units that could challenge a scheme's viability.

As current drafted, this element of the Policy is not justified.

TRANSPORT AND OTHER INFRASTUCTURE

Strategic Policy TIN1 Transport Infrastructure, Policy TIN2 Highway Safety and Road Network and Strategic Policy TIN4: Infrastructure Delivery

These policies concern development contributions to the delivery of new infrastructure. However, it is considered the funding for such infrastructure may, in many instances, be a matter for CIL.

Notwithstanding, the above, if such Infrastructure is a requirement to make the development acceptable in planning terms, then such contribution need to meet the relevant tests set out in the CIL Regulations. It is no longer appropriate for blanket contribution to be sought by planning authorities. The Policy should be clear on this matter.

With specific reference to TIN2 it is unclear why the Council has chosen not to show the alignment of the Stubbington by-pass on the Policies Map given its strategic importance. This Policies map should be updated to show this route.

DESIGN

Policy D1 High Quality Design and Place Making

Policy D1 makes reference to a number of principles of policy and urban design, but also makes reference to guidance contained in the supporting text. For clarity and avoid any confusion over what is policy and what is supporting, text, it is suggested that this cross reference to the supporting text contained in the policy wording is deleted.

The Council should also review the policy to remove any duplication with other policies in the Plan, for example the section relating nature.

Consideration should also be given as whether the policy needs to be so detailed given that the Council has comprehensive guidance on design set out in its adopted Design SPD.

Policy D3: Coordination of Development and Piecemeal Proposal

This Policy seeks to avoid ransom situations. However, The Council will be aware of case law that prevents it from interfering on private property rights with regard to depressing or prevent returns to a landowners.

Policy D4: Water Quality and Resource
The second part of this policy requires developers to meet the Optional Technical Housing Standard for Water Efficiently (i.e. 110L/person/day). Meeting these Standards should be optional, not required. Whilst the Natural England Nutrient Methodology for the Solent area requires development to meet these standards as a means of addressing nitrate loading, there may be instances where nutrient neutrality can be achieved without doing so. The justification for requiring proposals to meet this standard are inadequate.

D5 Space Standards

The housing standards review introduced the optional space standards which local authorities could adopt by way of reference in their local plans. However, a prerequisite to the adoption of the space standards are the following tests set out in the planning practice guidance (Paragraph: 020 Reference ID: 56-020-20150327).

"Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- ***need** – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- ***viability** – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- ***timing** – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.'*

In order to meet the policy test for the inclusion of the space standards there is a requirement for the council to establish the need for the adoption of the national space standard. To this end, the Council has published a Specialist Housing Background Paper (September 2020). Para 6.7 of Background Paper states most dwellings that have been consented or are awaiting determination are consistent with the 2015'Technical housing standards –nationally described space standard. The Background paper, makes references to the larger plots not meeting this standard, with an example being made of site ref 14/19. However, on the whole most dwellings considered in the Council's Background Paper, including large units, are meeting the Optional standards. From a need perceptive, it would seem as though there is little justification for the introduction of this Policy.

In terms of first part of the viability test, the Council's Local Plan Viability Study indicates that development viability would not be negatively impacted by the introduction of the standards. This Study, however, is completed at a relatively high level, which makes it difficult to conclude whether this part of the test has been complied with. With regards to the second part of the test, no assessment has been carried out by the Council to demonstrate that the requirement for new development will not negatively impact affordability within the market.

As set out in paragraph 6.10 of the Background Paper, the Council has decided not to set a transition period for the adoption of the national space standards as it is of the view its introduction would not affect viability. For reasons set out above, we do not concur with this assessment, and suggest that a three year grace period is introduced to allow sites that are under a fixed contract to be brought forward. It is also noted that, the Council are looking to apply the draft policies in this Plan, including the requirement for national space standards prior to the examination or adoption of the plan. This contrary to the approach set out in the planning practice guidance. It is not practical to expect development proposals that are currently being considered to suddenly meet space standards.

In light of the above, Policy DS5 is not justified and should be deleted for reasons of soundness.

Local Plan Appendices

Appendix B set out a summary housing trajectory for the sites identified in the Plan. This is inadequate to properly assess the delivery expectation made by the Council with respect to individual sites. To enable proper scrutiny of the trajectory, the Council's housing trajectory should be broken down by individual sites. This is particularly important because the Council has consistently over-estimated the delivery timescales for key sites. For example, Welborne, which was originally identified in the Core Strategy (2011), was expected to commence delivery in 2014/15. The site has still not achieved an implementable planning persimmon, and commenced of development is still some way off.

4. Omission Sites

The following section provides an overview of the sites in Fareham Borough that are in Persimmon's interests, but have not be identified for allocation. These site are largely located on the periphery Stubbington and are within the ownership of the Dunley Estate. The Table below summarises the Dunley land holdings including capacity. The sites are shown on the enclosed Location Plans provided at Appendix 2.

Site Number	Address	Gross Area Acres (Hectares)	Site Capacity Estimate*
1	Land East of Burnt House Lane	23.53 (9.52)	240 - 320
2	Land West of Peak Lane	46.25 (18.72)	TBC
3	Land North of Titchfield Road	4.83 (1.95)	40 -50
4	Land South of Titchfield Road	2.78 (1.12)	10 - 30
5	Land West of Cuckoo Lane	52.76 (21.35)	150-200
6	Land at Oakcroft Lane	41.04 (16.20)	209
	Total	**171.19 (69.28)**	**649 - 809**

*Based on net developable area, not gross area.

Sites 1-3 and Site 6 fall within the South of Fareham SGA that was identified as part of the most recent Regulation 18 draft Plan. The remaining sites (Sites 4 and 5) are located outside of the SGA. The following section addresses each site in turn.

In support of the Draft Local Plan Regulation 19 Plan, the Council updated its Strategic Housing and Employment Land Availability Assessment (SHELAA) in September 2020. This replaces the previous study which published in December 2019. The conclusion of the SHELAA as related to each of the sites shown in the Table above are considered.

Site 1: Land East of Burnt House Lane

This site is located to the eastern edge of the Stubbington. Persimmon has undertaken some initial capacity testing in relation to Site 1, including an initial highways assessment and masterplanning. The outcome of this work indicates that the site is capable of delivering around 240 to 320 new homes. This accounts for on-site constraints including the provision of a noise attenuation bund, and strategic planting to the eastern and northern boundaries of the site. Adjacent to this site is the Meoncross School, which seeking alternative arrangements for playing pitches close to the school (the existing pitches are currently leased and do not adjoin the school) and additional car parking to avoid parents parking on the nearby residential streets. Persimmon is in discussion with the school about how development at the Burnt House Lane may assist in addressing the school's immediate needs. In the longer term, however, given that the school is unable to expand within its existing site, consideration is being given as to whether the facility could be relocated to the Cuckoo Lane site (Site 5) to the west of Stubbington. Permission are strongly of the view that the site is sustainable and suitable for development and it is capable of being brought forward as a standalone allocation site, or as part of a wider masterplan with the South of Fareham SGA, should the Council seek to revisit this project.

The SHELAA 2019 concluded that Site 1 (SHELAA Ref: 1040) was deliverable housing site. However, in the Council SHELAA 2020 the Council considers the site to be undeliverable due a) to a significant visual impact undermining the integrity of the Strategic Gap, and b) the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The

Council ascribes a capacity of 125 dwellings to the site. It is unclear how the Council has reached the conclusions in the new SHELAA given its assessment of the 2019 SHELAA undertaken just nine months prior. Notwithstanding this, as set in these representations, it is Persimmon's view that the Strategic Gap should be redrawn to exclude this site. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the bird site to development is not unachievable. A strategy of improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 2: Land West of Peak Lane

This site is located to the north of the by-pass and extends across much of the gap towards the urban edge of Fareham in the north. Given its location and context, the development potential of this site is considered to be limited. However, the land could be an effective nitrate mitigation and/or bird protected habitat site that mitigation solution that could be used to address the potential impact development on other sites within Permission interests and/or other sites in the Borough the require mitigation solutions.

Site 3: Land North of Titchfield Road

This site is located to the north-west of Stubbington. Whilst this site formed part of the previous SGA, it is clearly distinct from and separate from it. This site is small scale that is well-contained in landscape terms, surrounded by existing built development and is deliverable in the short-term as stand-alone site that can be brought forward either as part of outside of the SGA masterplanning process should the Council seek to revisit this project. Initial capacity assessments of Site 3 indicates that it is capable of delivering around 40-50 new homes.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3190) was a deliverable housing site. However, in the SHELAA 2020 considers the site to be undeliverable due it being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 20 dwellings to the site. It is unclear how the Council has reached these conclusions regarding the suitability of the site given its assessment of the site undertaken just nine months prior. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the site to development is not unachievable. This approach to improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 4: Land South of Titchfield Road

This small site is located to the north-west of Stubbington. It bounded to the north-east and north-west by existing housing fronting Titchfield Road and the Crofton Equestrian Centre. The site's relationship with the wider Meon Valley landscape is limited by the woodland to the south of the site. The woodland to the south and its associated watercourse (which is also within Dunley Estate ownership) is recognised as an important ecological resource. Sensitive site design, however, could provide a means of ensuring the ecological interests at this adjoining site are protected and enhanced. Initial site capacity assessment indicated that the site is capable of delivering between c. 10-30 new homes. Were the Council minded to allocate the site for residential development, it could provide an important contribution towards its small-medium site housing allowance as required by Paragraph 68 of the NPPF.

Site 5: Land West of Cuckoo Lane

This site adjoins the settlement boundary of Stubbington to its north-eastern boundary. It is characterised by a substantial arable field that is well-contained in the north by the built form of Stubbington and substantial woodland. Initial capacity testing of this site, which has allowed for a substantial ecological buffer to the woodland, strategic planting to contain the site from the wider Meon Valley, land for a new school and new parkland further south, indicates that it is capable of delivering around 150-200 new homes.

This site is assessed in the SHELAA as being undeliverable due to being located within a *'highly sensitive landscape (based on the Fareham Landscape Assessment) and within an Area of Special Landscape Quality. Significant ecological constraints associated with the adjacent SPA/SSSI affect the suitability of the site.'* The SHELAA ascribes a capacity of 240 dwellings to the site. Whilst the ecological and landscape challenges associated with this site are recognised, they are not insurmountable. Although not a consideration for the SHELAA per se, the site provides the opportunity to deliver substantial ecological and recreation benefits, alongside community benefits, including new education provision and allotments.

Site 6: Land at Oakcroft Lane

Similar to Sites 1 and 3, the Oakcroft Lane site can be delivered outside of or as part of the SGA process (should the Council revisit this project). However, as demonstrated through the planning application, the site is deliverable now as a standalone development site. Technical issues associated with the development have been resolved and Persimmon are currently awaiting determination of the application by the Council. The site is capable of delivering 209 new homes alongside a considerable area of space to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3141) was a deliverable housing site. However, in the SHELAA 2020 the Council considers the site to be undeliverable due to the site to be undeliverable due to the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 200 dwellings to the site. It is unclear how the Council has reached these conclusions given its assessment of the site undertaken just nine months prior, and considering the site-specific mitigation strategy for protected birds has the support of Natural England and the Council's ecologist via the planning application process.

Appendix 1: Oakcroft Lane Site Layout

Rev	Date	Revision Details	Dr	Ch
E	22.04.20	Bypass junction amended	br	db
D	25.02.20	see planning cover note	br	db
C	05.11.19	see planning cover note	br	db
B	20.09.19	see planning cover note	br	db
A	22.07.19	see planning cover note dated 23 July	br	db

PERSIMMON
Together, we make a home

Job Title
Oakcroft Lane, Stubbington

Drawing Title
Site Layout

Job No	Drawing No	Rev
220	A-02-015-SL	E
Drawn	Checked	Date
BR	DB	March '19

Scale
1:1000 @ A1 / 1:2000 @ A3

metres 20 40 60 80 100

Status
PLANNING

Persimmon Homes. No dimensions to be scaled from drawing except for the puposes of Planning Applications. The contractor should check all dimensions on site. It is the contractors responsibility to ensure compliance with Building Regulations. No drawings should be copied or modified without permission from Persimmon Homes.

File Location: s:\south coast\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Appendix 2 Omission Site Location Plans

Site 1 Location Plan: Burnt House Lane, Stubbington

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Site 2 Location Plan: West of Peak Lane, Stubbington

TEAM GB

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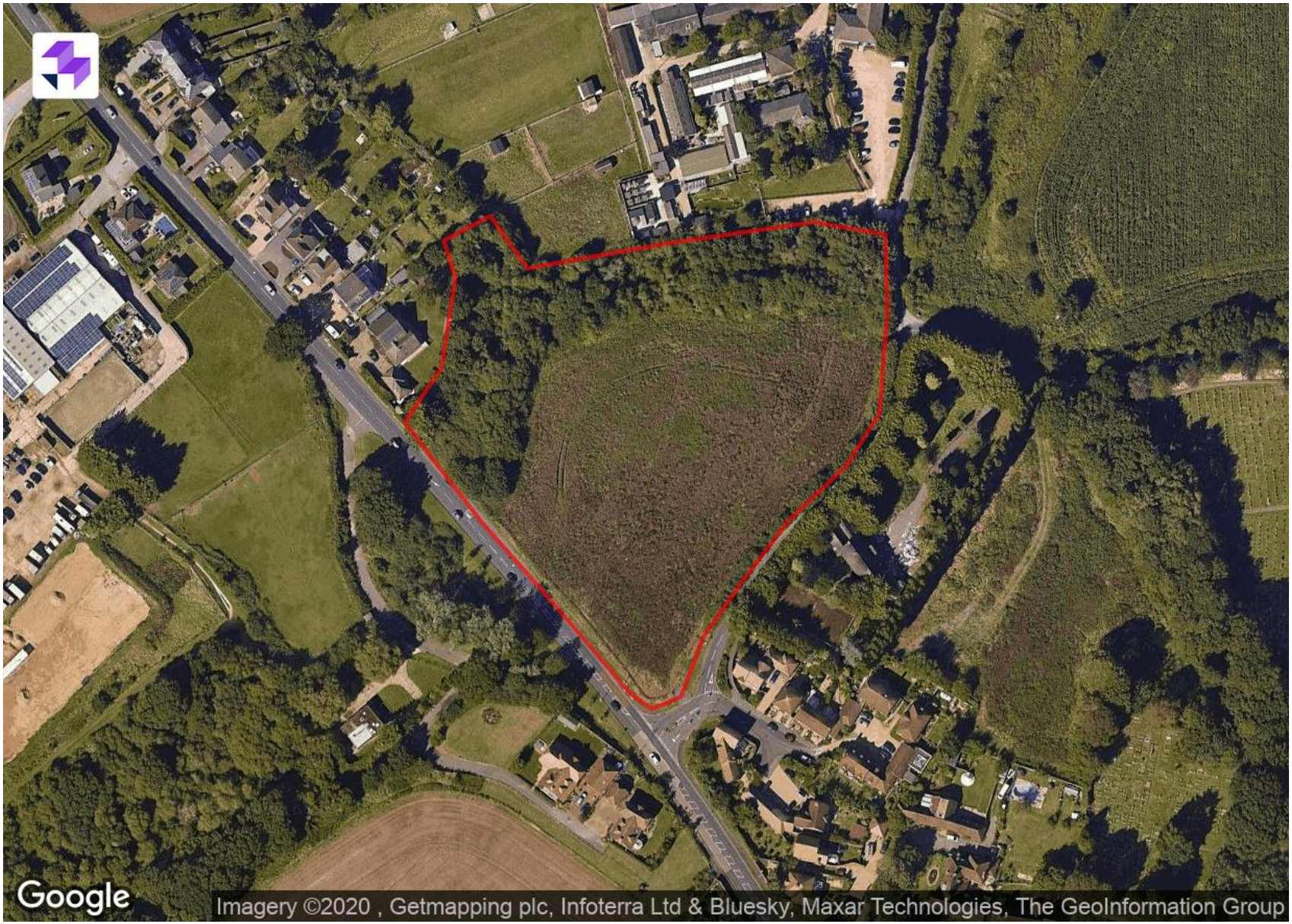

Site 3 Location Plan: North of Titchfield Road, Stubbington

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Site 4 Location Plan: South of Titchfield Road, Stubbington

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Site 5 Location Plan: West of Cuckoo Lane, Stubbington

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OFFICIAL PARTNER

Rev	Date	Revision Details	Dr	Ch
A	22.07.19	see planning cover note dated 23 July	br	db

PERSIMMON
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File Location: s:\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Registered Office:
[redacted]

Fareham Borough Council Local Plan Review Consultation
(6th November – 18th December 2020)

Portsmouth Water have reviewed the new Local Plan 2037. In our previous representations on the Draft Local Plan we recommended several policy recommendations specifically regarding the protection of water quality of drinking water resources. In addition, we expressed our position on the specific topics related to water resource protection e.g. water efficiency.

Policy D4: Water Quality and Resources

Portsmouth Water are very supportive of this policy and pleased to see this addition to the new Local Plan. We are satisfied with this policy and the inclusion of 'Source Protection Zones'.

Furthermore, we are pleased to see that the council is actively encouraging new developments to have a maximum water usage of 110 litres per person per day and highlighted those who meet the higher technical standard of 100 litres per person per day will be supported. This is in line with water industry's aspirations of 100 litres/head/day by 2050 to improve environmental protection, reduce wastewater discharge.

Strategic growth areas & Site options

There are eight proposed strategic growth areas in the plan to meet future demands for housing beyond 2036. Two of the proposed strategic growth areas (Land around Welborne Garden Village and Land West of Porchester) fall within a Groundwater Source Protection Zone (SPZ). Any development proposals within these areas that fall within the Groundwater Source Protection Zone (SPZ) will need to take into consideration the high sensitivity of the groundwater environment in line with design policy D4. There will be certain constraints and measures that will to be implemented to protect groundwater quality. Further guidance on

Portsmouth Water's preferred approach to development relating to groundwater quality within groundwater catchments (SPZs) can be found within Portsmouth Water's Groundwater Protection Guidance notes available to view on our website https://www.portsmouthwater.co.uk/developers/groundwater-protection/

Catchment Management Team

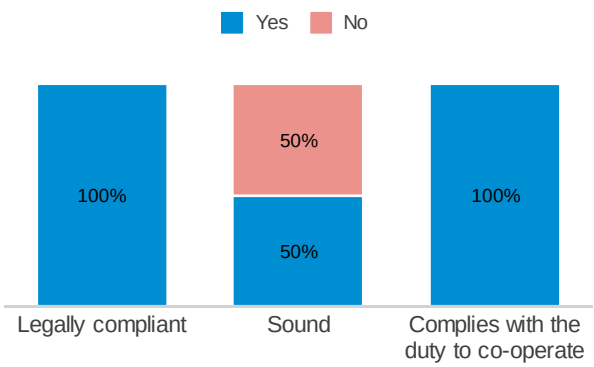
Portsmouth Water

[redacted]

Policy | D4 - Water Quality and Resources

2 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	2	2	2
Yes	2 100%	1 50%	2 100%
No	0 0%	1 50%	0 0%



Respondent: Ms Pamela Charlwood (1012-13157)

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

Policy D4 on Water Quality and Resources and subsequent paragraphs do not address sufficiently the seriousness of the need to improve water quality: Southern Water is the worst performing water company regarding water quality (see EPA report released October 2020). More detailed actions should be set out, with more coherent policies on mitigation which are currently left largely to individual developers(see also paras 4.17 and 11.52)

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Much more rigorous approach with Southern Water, with clear targets for improvement of water quality. An open and coherent policy from FBC on mitigation, particularly in respect of nitrates.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

By showing how FBC intends to meet ecological targets which are of concern nationally as well as locally, through its Design policies

Your suggested revised wording of any policy or text:

See two paras above for what needs to be covered

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session

Please outline in the box below why you consider it necessary to take part in the hearing session(s):

See previous submissions: I wish to speak on behalf of a substantial number of residents of Hill Head

Respondent: Mrs Laura Lax (1012-49854)

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

We are very supportive of this policy. The inclusion of the higher water efficiency standard acknowledges the water resource sensitivity of South Hampshire and should help ensure that sustainable growth can be achieved throughout the Local Plan period. Reducing the amount of water entering the treatment works and receiving environments is also a key way of helping mitigate issues around the capacity of waste water treatment works and receiving environments, especially in relation to the discharge of Nitrogen into the surrounding harbours. We are also pleased to see the mention of water quality, ensuring that proposals are not detrimental to the water environment whilst also seeking opportunities to enhance it, helping achievement of Water Framework Directive objectives.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Property Services

Planning Policy Manager
Fareham Borough Council

Enquiries to: Louise Hague

[redacted]

Date: 18 December 2020

Our ref: Y00511

Your ref: Regulation 19 Local Plan Consultation

[redacted]

Dear Sir/Madam

Regulation 19 Local Plan Consultation

In response to the above consultation, please find attached the general landowner comments in written representations on behalf of Hampshire County Council Property Services, in its role as a public landowner to help inform the next stages of the emerging Local Plan Update to 2038. These are separate from the comments submitted on behalf of Hampshire County Council in respect of its regulatory functions.

As landowner, the County Council will be responding to the Local Plan Consultation on the following Policies/Paragraphs (please see attached):

- Strategic Policy H1: Housing Provision
- Policy D1: High Quality Design and Place Making
- Housing Allocation Policy: HA3 (Southampton Road)
- Housing Allocation Policy: HA9 (Heath Road)
- Housing Allocation Policy: HA13 (Hunts Pond Road)
- Housing Allocation Policy: HA22 (Wynton Way)
- Housing Allocation Policy: HA24 (335-337 Gosport Road)
- Strategic Policy R4: Community and Leisure Facilities
- Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
- Policy D4: Water Quality and Resource
- Paragraphs 11.55/56

To date, Hampshire County Council in its capacity as landowner, has supported the earlier stages of the Local Plan Update to 2037. The purpose of the following is to offer comments, from a landowning perspective, to help inform the scope and soundness of Fareham Local Plan when examined by the Secretary of State as anticipated in Summer 2021.

HCC Property Services, Three Minsters House, 76 High Street, Winchester, Hampshire, SO23 8UL
t: 01962 847778 | **f:** 01962 841326 | www.hants.gov.uk/propertyservices

Hampshire County Council

I hope this is helpful to you in continuing to support the Borough Council in subsequent stages of the Local Plan Update to 2037.

Yours sincerely

Louise Hague MRICS MRTPI
Senior Development Manager

FAREHAM Local Plan 2037

Introduction

The Council has published the Publication Version of the Local Plan. This consultation is the final stage before the Plan is submitted to a Government Planning Inspector for independent examination.

The Statement of Representations Procedure and Statement of Fact sets out how and when you can view the Local Plan and respond to the consultation.

You can make comments on the Plan, known as representations, up to 18 December 2020.

What can I make a representation on?

This consultation is different from previous ones as it no longer seeks views on alternative options. You will be asked whether you think the Plan is:

- **Legally Compliant**: Does the Plan meet the legal requirements for plan making as set out by planning laws?
- **Sound**: Has the Plan been positively prepared? Is it justified, effective, and consistent with national policy?
- **Complies with the Duty to Co-operate**: Has the Council engaged and worked effectively with neighbouring authorities and statutory bodies?

You can make a representation on any part of the plan, but only comments that address the three questions above can be taken into account.

You can find out more about each of the questions by reading Fareham Today and the Frequently Asked Questions.

What happens next?

A Planning Inspector will be appointed to consider the Plan and comments from the consultation on behalf of the Secretary of State. All representations will be forwarded, together with the Publication Plan, to the Planning Inspector for consideration.

PERSONAL DETAILS

Data Protection Privacy Statement – Consultation on the Local Plan in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012

In order to deliver services to the citizens and communities in Fareham Borough, it is necessary for the Council to collect, gather and process personal data.

In relation to the consultation on the Local Plan in accordance regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, Fareham Borough Council will collect and process personal data for the following processing purposes:

- Receiving representations to the consultation and submitting the Local Plan for examination in public.

The Council is processing this personal data by virtue of the following Lawful Basis:

- Compliance with a legal obligation
- Performance of a task carried out in the public interest.

Consultation responses will be entered onto the online consultation form. The company that host the online consultation form, Snap Surveys are ISO 27001 certified and will store the data on a secure UK server.

The Town and Country Planning (Local Planning) (England) Regulations 2012 requires that, when the Council submits the Local Plan and associated documents to the Secretary of State, for examination in public, the responses made to the consultation on the Local Plan must also be submitted. This includes the personal data collected, such as name, address and contact details.

In addition, any representations submitted will be made available on the Fareham Borough Council website. Addresses, email addresses and phone numbers will not be published.

Representations linked to plan making will be retained for no more than 5 years following adoption of the Local Plan. We will not keep this information for longer than is necessary.

You have certain rights under the General Data Protection Regulations (GDPR) in respect of your personal information. More information about your rights can be found on the Council's website or on request.

A1 Is an Agent Appointed?

☐ Yes ☒ No

A2 Please provide your details below:

Title:	Ms
First Name:	Katherine
Last Name:	Snell
Job Title: (where relevant)	Senior Planner and Urban Designer
Organisation: (where relevant)	Hampshire County Council
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

A3 Please provide the Agent's details (if applicable):

Title:	N/A
First Name:	
Last Name:	
Job Title: (where relevant)	
Organisation: (where relevant)	
Address:	
Postcode:	
Telephone Number:	
Email Address:	

You can check which paragraph, policy etc you want to comment on by looking atthe

You can find out more about what you can comment on by reading Fareham Today and the Frequently Asked Questions.

B1 Which part of the Local Plan is this representation about?

- [ ] A paragraph Go to B1a
- [x] A policy Go to B1b
- [ ] The policies map Go to B1c

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan e.g. 1.5 would be the fifth paragraph in Chapter 1 (Introduction).

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Strategic Policy H1: Housing Provision

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council in its capacity as landowner supports the spatial approach to Policy H1 to distribute development through Local Plan allocations. The County Council considers that this is a sound approach that is positively prepared, justified and deliverable within the Plan period (effective) based on the Borough Council's objectively assessed needs and wider Local Plan evidence base.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

B4c Your suggested revised wording of any policy or text:

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- [x] Yes, I want to take part in a hearing session
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The County Council could offer further clarification on the points raised.

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Thank you for taking part and having your say.

FAREHAM
BOROUGH COUNCIL

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B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Policy D1: High Quality Design and Place Making

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council, as landowner, supports Policy D1 as it considers that the density of schemes should be informed by and be sympathetic to the character of the surrounding areas, rather than having a set standard. This allows sufficient flexibility (effective) to support best practice urban design principles particularly with regards to legibility to emphasise the importance of place as well as sensitively manage the transition from an urban to rural settlement edge.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

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B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA3 (Southampton Road)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council, as one of the landowners for this site, supports the inclusion of this draft allocation and has provided information through the Local Plan process to date to support the allocation. The County Council re-affirms that that its land within Policy HA3 is available and deliverable within the Plan period.

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Housing Allocation Policy: HA9 (Heath Road)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council as a landowner supports the allocation of its land in Policy HA9. The site has a resolution to grant planning permission for 70 dwellings (insert ref). The County Council, as applicant, is currently engaged in on-going discussions with the Borough Council Planning Case Officer, Natural England and third-party providers to put in place sufficient mitigation to achieve a nitrate neutral development. The County Council as landowner has also submitted a pre-application submission to Natural England for consideration of its own land to mitigate the nitrate output of site Policy HA9. This evidence offers a realistic prospect that the site is capable of coming forward in within the early stages of the Plan period. The County Council, as landowner, re-affirms that it’s land within Policy HA9 is available and deliverable.

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Housing Allocation Policy: HA13 (Hunts Pond Road)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council as a landowner supports the inclusion of this draft allocation and has provided information that confirms this site is available, deliverable. This allocation will contribute (indicative yield 38 dwellings) to the supply of housing required over the plan period for the borough.

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B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

Housing Allocation Policy: HA22 (Wynton Way)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council as a landowner supports the inclusion of this draft allocation and has provided information that confirms this site is available and deliverable. This allocation will contribute (indicative yield 13 dwellings) to the supply of housing required over the Plan period for the borough.

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Housing Allocation Policy: HA24 (335-337 Gosport Road)

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	✓

B3 Please provide details you have to support your answers above

Hampshire County Council as a landowner supports the inclusion of this draft allocation and has provided information that confirms this site is available, deliverable and developable. This allocation will contribute (indicative yield 8 dwellings) to the supply of housing required over the plan period for the borough.

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Strategic Policy R4: Community and Leisure Facilities

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound		✓
Complies with the duty to co-operate	✓	

You can check which paragraph, policy etc you want to comment on by looking at the Publication Local Plan.

B3 Please provide details you have to support your answers above

Hampshire County Council in its role, as both a public landowner and service provider, supports the intentions of Policy R4 to maintain the provision of necessary community facilities during the Plan period. Notwithstanding its support for Policy R4, the County Council is still concerned that the draft policy does not meet the tests of soundness as it appears overly restrictive and not sufficiently flexible to respond to unexpected and ever-changing needs to community facilities brought through public service providers service reviews during the Plan period. This presents a risk that Policy R4 is not effective.
The County Council as a public service provider has an on-going need to review and, if necessary, rationalise surplus facilities as part of wider County Council strategies to improve local services in the community. Such County Council services include 'Children's Services' (pre-school through to the 14-19 year age group), 'Adult Services' (catering for those with learning disabilities, mental health, older people, and persons with physical disabilities), and 'Community and Cultural Services' (libraries, museums, sports, recreation, tourism).
The County Council would like to emphasise its statutory function to provide public services, and to remain effective in meeting this commitment, the County Council will be implementing a series of service-driven improvements, covering both frontline and support services. This may sometimes result in the 'necessary loss' of particular community buildings and land in County Council ownership, in order to reinvest proceeds of sale in local service improvements. The policy should have increased flexibility to accommodate the unique role and function of public service providers.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

The policy should have increased flexibility to accommodate the unique role and function of public service providers and so be effective.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

The County Council therefore recommends the following addition/ changes to Policy R4 to overcome its objection (see below). This draws on the wording of Basingstoke & Deane Borough Council's Adopted Local Plan 2011 – 2029, Policy CN8 – Community, Leisure and Cultural Facilities, part h, and South Downs Local Plan 2014– 2033, Development Management Policy SD43- New and Existing Community Facilities and is therefore a material consideration in Plan making. The County Council's proposed amendment would reinforce the unique role and function of public service providers and their need for managed change to deliver operational service improvements over the Plan period (be effective).

B4c Your suggested revised wording of any policy or text:

Development proposals that would result in the loss of community or publicly owned or managed facilities will be permitted where:

i. The facility is no longer needed; and
ii. No alternative community use of the facility is practical or viable; and
iii. Any proposed replacement or improved facilities will be of equivalent or better in terms of quality, function and accessibility; *or*
iv. the proposals are part of a public service provider's plans to re-provide or enhance local services and the proposal will clearly provide sufficient community benefit to outweigh the loss of the existing facility, meeting evidence of a local need.

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

☑ Yes, I want to take part in a hearing session

☐ No, I don't want to take part in a hearing session

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Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council in its role as a public landowner supports the intentions of Policy NE4 to protect the integrity of the designated sites from increased nutrients.
The County Council has confidence that any increased wastewater production related to its draft allocated sites will be suitably mitigated through on-site and off-site mitigation measures as required under the policy.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

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Policy D4: Water Quality and Resources

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound		✓
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council in its role, as both a public landowner and service provider, supports the principle of Policies CC1 and D4.

Notwithstanding this, the County Council is concerned that the draft policy does not meet the tests of soundness as it is not sufficiently flexible to respond to unexpected changes during the plan period.

Please remember this may be your only chance to make a representation, so try to make sure you put in all the evidence and information needed to support your representation.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

The policy should have increased flexibility to be consistent with national policy.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

The County Council would be mindful to overcome its objection if the policy is amended to introduce sufficient flexibility in the wording. This would still seek to achieve a high standard of sustainable development but would not require potentially unattainable standards to be met (be effective).

B4c Your suggested revised wording of any policy or text:

To minimise impact on the water environment and adapt to climate change, all new dwellings shall achieve as a minimum the Optional Technical Housing Standard for Water efficiency of no more than 110 litres per person per day, *unless sufficient evidence justifies meeting the mandatory national standard (no more than 125 litres per person per day).* Development that achieves a higher technical standard of 100 litres per person per day will be supported.

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☑ Yes, I want to take part in a hearing session

☐ No, I don't want to take part in a hearing session

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11.55/56

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan e.g. HA9 – Heath Road, is the Housing Allocation policy for Heath Road, Locks Heath

B1c Which part of the Policies Map?

B2 Do you think the Publication Local Plan is:

	Yes	No
Legally compliant	✓	
Sound	✓	
Complies with the duty to co-operate	✓	

B3 Please provide details you have to support your answers above

Hampshire County Council, in its role as a public landowner and service provider, supports the policy aspiration to achieve energy efficiencies in new non-residential development. In particular the County Council notes that paragraph 11.55 considers how the BREEAM assessment process can influence viability of a proposal and make allowances for this, to ensure the plan will remain effective over the plan period. For example, as landowner, the County Council considers that any forthcoming draft policy should be open to demonstrating meeting this energy efficiency standard by alternative equivalent standards such as those based on an embodied carbon (CO2 / Kg / sqm) metric as advocated by the RIBA 2030 Climate Challenge: https://www.architecture.com/-/media/files/Climate-action/RIBA-2030-Climate-Challenge.pdf

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FAREHAM
BOROUGH COUNCIL

HAMPSHIRE
CONSTABULARY

Gosport NPT Neighbourhood Police Office
[redacted]

[redacted]

Consultation Team
Fareham Borough Council
Civic Offices
Civic Way
Fareham
Hampshire
PO16 7AZ

Our ref: FBC-01
Your ref:

25th November 2020

Dear Sir or Madam,

RESPONSE TO THE REGULATION 19 LOCAL PLAN CONSULTATION

Thank you for your email of the 6th November 2020 and the opportunity to respond to the consultation. Having considered the document I have the following comments to make with reference to prevention of crime and disorder[1].

Crime and disorder are aspects of life that people do not like to consider or admit occur where they live. Unfortunately, crime and disorder occurs throughout the Borough of Fareham, left unchecked crime and disorder ruins lives and undermines communities. Every opportunity must be taken to reduce the opportunities for crime and disorder, the planning process is one of those opportunities.

Government policy is that the design and layout of a development must be such that it reduces the opportunities for crime and disorder (anti-social behaviour). To that end various pieces of legislation and guidance demonstrate the Government's commitment to reducing crime and disorder (by use of the planning system) some of which are referenced below:

(i) Section 17 of the Crime and Disorder Act 1998 (as amended) requires all local, joint and combined authorities (as well as National Parks, the Broads Authority and the Greater London Authority) to exercise their functions with due regard to their likely effect on crime and disorder, and to

[1] In the context of this letter "disorder" includes Anti-Social Behaviour (ASB)

do all they reasonably can to prevent crime and disorder[2]. Crime for these purposes includes terrorism.

(ii) The National Planning Policy Framework (NPPF):

Paragraph 127. Planning policies and decisions should ensure that developments:

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users[46]; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

(iii) Planning Practice Guidance (PPG); Healthy and Safe Communities; Supporting Safe Communities:

a. What is the role of planning in preventing crime and malicious threats?
   i) Planning provides an important opportunity to consider the security of the built environment, those that live and work in it and the services it provides.
b. How can planning help achieve resilient places?
   i) Good design means a wide range of crimes from theft to terrorism are less likely to happen by making committing those crimes more difficult. It helps create safer places, infrastructure and buildings that are less vulnerable to terrorist attack and, should an attack take place, where people are better protected from its impacts. It can also reduce the cost and impact of security measures by avoiding retrospective works and enable mitigating measures to be blended into the environment.

It is clear that Central Government's intension is that the design of a development must contribute to reducing the opportunities for crime and disorder. The proposed local plan must reflect national planning policies as set out in the National Planning Policy Framework and associated Planning Practice Guidance, and in this context should contain the Council's policy on reducing crime and disorder.

Within the Local Plan there are several paragraphs that acknowledge that low levels of crime and disorder bring benefits to the area, but the plan does not expand on this:

Paragraph 2.5, of the local plan, states:

"The Local Plan assists with engendering a feeling of safety and security in our everyday activities by ensuring places are well-designed for activity both during the day and night. Proposed growth within Local Plans must be assessed in terms of the impacts on highways and how people use walking and cycling routes, and needs to demonstrate that any new growth on our road network is designed with safety in mind."

[2] Section 17 states "crime and disorder in its area (including anti-social behaviour and other behaviour adversely affecting the local environment); and etc."

Paragraph 2.10, of the Local Plan, “The Fareham Local Plan 2037 Vision”, states:

“Fareham Borough will offer a high quality of life to all residents and be an attractive, safe and pleasant place to live, work and visit. It will be a sustainable and increasingly prosperous place, with low levels of crime and unemployment and good access to community facilities, jobs, leisure, shops, open space and services.”

Achieving a low level of crime does not happen by chance, it requires polices designed to reduce the opportunities for crime and disorder. To that end we would ask that the following amendments are incorporated into the Local Plan:

Within paragraph 11.4 we would ask for an additional bullet point entitled: “Prevention of Crime and Disorder”

Within the Design section of the Local Plan we would ask for several paragraphs relating to the prevention of crime and disorder are added, worded as below, or with words so as to convey the same meaning:

“Low levels of crime are one of the elements of the vision. Research has shown that developments incorporating Crime Prevention Through Environmental Design (CPTED) principles, which includes attributes such as: development layout, defensible space about dwellings / buildings, good natural surveillance of the public realm (including footpaths and cycle ways), the provision of lighting to the current British Standard and the appropriate boundary treatments, suffer less crime and disorder.”

“The Secured By Design (SBD)[3] award scheme incorporates the design and security elements required to reduce the opportunities for crime and anti-social behaviour. The Local Planning Authority will be supportive of proposals which are assessed under the Secured By Design (SBD) Award Scheme. Those proposals which have, or are demonstrably committed to achieving SBD accreditation will be looked upon favourably.”

Within Policy D1: “High Quality Design and Place Making” an additional subparagraph is added worded as below, or with words so as to convey the same meaning:

“All development must incorporate CPTED measures to reduce the opportunities for crime and disorder.”

[3] The Secured By Design (SBD) Award Scheme is a police initiative to guide and encourage those engaged with the specification, design and building of new homes to adopt crime prevention measures. Secured by Design has been proven to reduce the opportunities for crime and the fear of crime, creating safer, more secure and sustainable environments. Secured by Design is owned by the UK Police Service and is supported by the Home Office.

To be consistent with national policy the Local Plan must enable delivery of sustainable development in accordance with the NPPF. The omission of any policy relating to the prevention of crime and disorder means the Local Plan is not as "consistent" as it might be. We would ask the above amendments are incorporated into the Local Plan.

I would bring to your attention that paragraphs 11.55 and 11.56 of the Local Plan appear to be the same.

If I can be of any further assistance please do not hesitate to contact me.

Yours faithfully,

S York
Designing Out Crime Officer

Fareham Local Plan

Publication version

GLADMAN

December 2020

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1 INTRODUCTION

1.1 Introduction

1.1.1 These representations are submitted by Gladman in response to the current consultation held by Fareham Borough Council (FBC) on the proposed submission draft Fareham Local Plan (FLP). Gladman specialise in the promotion of strategic land for residential development and associated community infrastructure and has considerable experience in the development industry across a number of sectors, including residential and employment development. From that experience, we understand the need for the planning system to provide local communities with the homes and jobs that are needed to ensure residents have access to decent homes and employment opportunities.

1.1.2 Gladman has a wealth of experience in contributing to the Development Plan preparation process, having made representations on numerous local planning documents throughout the UK and having participated in many Local Plan public examinations. It is on the basis of this experience that the comments are made in this representation.

1.1.3 Prior to this consultation the Government published the Planning for the Future White Paper setting out proposals for how the Government wants to 'radically reform' the planning system. Central to the Government's proposals will be a simpler, more streamlined Local Plan making process. Consultation on the proposals ended on 29th October 2020. Subject to the outcomes of this process the Government has signalled its intent to make rapid progress toward this new planning system through the swift introduction of new legislation to implement the changes.

1.1.4 As the White Paper is only currently under consultation and there is currently uncertainty around timescales for moving towards a new Local Plan making process, this representation has been prepared against the backdrop of the current system. In progressing the FLP under the current system, the Council will need to carefully consider some of its policy choices and ensure that its evidence base is up-to-date and robust in light of changing circumstances and the changes brought about by the revised National Planning Policy Framework (2019).

2 NATIONAL PLANNING POLICY

2.1 National Planning Policy Framework

2.1.1 On 24th July 2018, the Ministry of Housing, Communities and Local Government (MHCLG) published the Revised National Planning Policy Framework which was subsequently updated in February 2019. These publications form the first revisions of the Framework since 2012 and implement changes that have been informed through the Housing White Paper, The Planning for the Right Homes in the Right Places consultation and the draft Revised Framework consultation.

2.1.2 The Framework (2019) introduces a number of major changes to national policy and provides further clarification to national planning policy as well as new measures on a range of matters. Crucially, the changes to national policy reaffirms the Government's commitment to ensuring up-to-date plans are in place which provide a positive vision for the areas which they are responsible for to address the housing, economic, social and environmental priorities to help shape future local communities for future generations. Paragraph 16 of the Framework (2019) states that Plans should:

a) Be prepared with the objective of contributing to the achievement of sustainable development;

b) Be prepared positively, in a way that is aspirational but deliverable;

c) Be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;

d) Contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;

e) Be accessible through the use of digital tools to assist public involvement and policy presentation; and

f) Serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).

2.1.3 To support the Government's continued objective of significantly boosting the supply of homes, it is important that the Local Plan provides a sufficient amount and variety of land that can come forward where it is needed, that the needs of groups with specific housing

requirements are addressed and that land with permission is developed without unnecessary delay[1].

2.1.4 To be considered sound at Examination the emerging Local Plan will need to meet all four of the soundness tests set out in paragraph 35 of the Framework (2019).

2.2 Planning Practice Guidance

2.2.1 The Government published updates to its Planning Practice Guidance (PPG) on 13th September 2018. The updated PPG provides further clarity on how specific elements of the revised Framework should be interpreted when preparing Local Plans.

2.3 Planning for the Future White Paper

2.3.1 On the 6th August, Government published the Planning for the Future White Paper setting out proposals for how it is seeking to 'radically reform' the planning system. The proposals are seeking to streamline and modernise the planning process.

2.3.2 Consultation recently closed on these proposals and it will be important that the Council keeps up to date with the implementation of these changes and the implications this will in turn have on the preparation of any subsequent Local Plan review. Timescales remain uncertain however subject to the outcomes of this process the Government has signalled its intent to make rapid progress toward this new planning system through the swift introduction of new legislation to implement the changes.

2.3.3 More importantly alongside this consultation, a consultation on immediate changes to the current planning system was also held, closing on the 1st October. Of significant note is a proposed revised standard method for calculating local housing need, which when implemented will be used as the basis for plans created prior to any changes outlined in the White Paper. Introduction of the revised methodology, which proposes to incorporate a percentage of existing stock as the baseline of the calculation, identifies an indicative housing figure of 403dpa for Fareham.

[1] NPPF – Paragraph 60

3 LEGAL REQUIREMENTS

3.1 Duty to Cooperate

3.1.1 The Duty to Cooperate (DtC) is a legal requirement established through section 33(A) of the Planning and Compulsory Purchase Act 2004, as amended by Section 110 of the Localism Act. The DtC requires local planning authorities to engage constructively, actively and on an ongoing basis with neighbouring authorities on cross-boundary strategic issues through the process of ongoing engagement and collaboration.[2]

3.1.1 As demonstrated through the outcome of the Coventry, Mid Sussex, Castle Point and St Albans examinations, if a Council fails to satisfactorily discharge its DtC a Planning Inspector must recommend non-adoption of the Plan. This cannot be rectified through modifications.

3.1.2 The NPPF(2019) has introduced a number of significant changes to how local planning authorities are expected to cooperate including the preparation of Statement(s) of Common Ground (SOCG) which are required to demonstrate that a plan is based on effective cooperation and has been based on agreements made by neighbouring authorities where cross boundary strategic issues are likely to exist. The NPPF(2019) sets out that local planning authorities should produce, maintain, and update one or more Statement(s) of Common Ground (SOCG), throughout the plan making process[3]. The SOCG(s) should provide a written record of the progress made by the strategic planning authorities during the process of planning for strategic cross-boundary matters and will need to demonstrate the measures local authorities have taken to ensure cross boundary matters have been considered and what actions are required to ensure issues are proactively dealt with e.g. unmet housing needs.

3.1.3 This issue is particularly crucial for the FLP given the work currently being undertaken through the Partnership for South Hampshire (PfSH) which is seeking to identify Strategic Development Opportunities to meet identified unmet needs across the sub-region.

3.1.4 The PfSH is currently working on a new SOCG between all constituent authorities and will effectively supersede the Spatial Position Statement (2016). Paragraph 3.17 of the submission Local Plan confirms that bilateral conversations with neighbouring authorities have been undertaken and the Council is aware of unmet needs arising across the region due to neighbouring borough's capacity to address any unmet need. The Council acknowledges at

[2] PPG Reference ID: 61-021-20180913

[3] PPG Reference ID: 61-001-20180913

paragraph 4.4 that there is a significant likelihood of a substantial level of unmet housing needs in the sub-region with figures released in September 2020 suggesting unmet need in the sub-region of circa 10,750 dwellings. This figure is derived from 11 councils who are all at varying stages of plan preparation and based on the current standard methodology.

3.1.5 At the time of writing, it is noted that Portsmouth City Council (PCC) have written to the Council requesting a contribution of 1,000 dwellings to assist in meeting their unmet housing needs. Gosport Borough Council (GBC) is also likely to have an issue with unmet housing need, currently estimated to be in the region of 2,500 dwellings.

3.1.6 In principle, Gladman support the Council's decision to increase the housing target by 847 dwellings to contribute toward the unmet housing needs issue of the wider area. However, Gladman are concerned that without a signed SOCG between constituent authorities, it is difficult to consider whether this level of housing is sufficient to meet the wider needs of the area. Gladman recommend that a further consultation which considers the outcome of the work of the PfSH will be required so that the Local Plan can reflect the outcome of that process prior to the submission of the Local Plan to the Secretary of State for examination.

3.1.7 Since effective cooperation is an ongoing issue, Gladman reserve the right to provide further comments in relation to this matter once further evidence and signed statements become available.

3.2 Sustainability Appraisal

3.2.1 In accordance with Section 19 of the Planning and Compulsory Purchase Act 2004, policies set out in Local Plans must be subject to a Sustainability Appraisal (SA), and also incorporate the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (the SEA Regulations).

3.2.2 The SA/SEA is a systematic process that should be undertaken at each stage of the Plan's preparation, assessing the effects of the FLP proposals on sustainable development when judged against all reasonable alternatives. The Council must ensure that the future results of the SA clearly justify its policy choices. In meeting development needs of the area, it should be clear from the results of the assessment why some policy options have been progressed and others have been rejected. This must be undertaken through a comparative and equal assessment of all reasonable alternatives, in the same level of detail for both chosen and rejected alternatives. The Council's decision making, and scoring should be robust, justified and transparent.

4 FAREHAM LOCAL PLAN

4.1 Vision and Objectives

4.1.1 In principle, Gladman support the Council's vision and objectives. In particular, we support the Plan's commitment to accommodating development to address the need for new homes and employment space in Fareham Borough and the commitment to ensuring a strong and diverse economy is delivered.

4.1.2 Notwithstanding this, it is considered the Plan could go further in its aims to support housing and economic growth of the wider sub-region with reference to assisting neighbouring authorities with any unmet housing needs. This is particularly important due to the ongoing work of the PfSH and outstanding evidence relating to unmet housing needs and how this will be redistributed across the PfSH area.

4.2 Strategic Policy DS1: Development in the Countryside

4.2.1 Strategic Policy DS1 states proposals for development in the countryside, which is defined as land outside the Urban Area boundary, will only be supported in a narrow set of circumstances.

4.2.2 Gladman are opposed to the use of settlement boundaries, as these are often used as an arbitrary tool to prevent otherwise sustainable proposals from going forward. The policy wording as currently drafted only allows for development in a narrow set of circumstances (i.e. replacement dwelling, previously developed land etc.) and does not allow for sufficient flexibility to respond to changes of circumstance such as a shortfall in housing supply. Gladman believe that this policy should be modified to a criteria-based policy which will provide a more appropriate mechanism for assessing the merits of individual development proposed, based on their specific circumstances and ability to deliver sustainable development rather than being discounted simply due to a sites location beyond an artificial boundary.

4.2.3 To achieve this; a criteria based approach would allow the plan to protect itself against unsustainable development whilst at the same time offering a flexible solution to the consideration of development opportunities outside these boundaries that are able to come forward to meet identified needs should the Council's housing land supply start to fail. Gladman refer to the submission version of the Harborough Local Plan, Policy GD2, which states:

"in addition to sites allocated by this Local Plan and neighbourhood plans, development within or contiguous with the existing or committed built up area of the Market Harborough, Key Centres, the Leicestershire Principal Urban Area (PUA), Rural Centres and Selected Rural Villages will be permitted where…"

A series of criteria follows.

4.2.4 Clearly the policy here would need to reflect the local circumstances of Fareham but it does provide an example of a local authority taking a proactive approach to guiding development and ensuring that it can meet its housing target as well as plan for approaches if and when problems arise over the course of a plan period with regard to the delivery of allocated sites. Accordingly, Gladman recommend the use of a criteria-based policy should be included within the FLP to ensure housing needs are met in full.

4.2.5 In addition, the second element of the policy requires proposals to demonstrate that if they require a location outside of the urban area, do not significantly affect the integrity of a Strategic Gap and are not located on Best and Most Versatile (BMV) agricultural land. Gladman are unclear with the necessity of including this additional criteria as these matters are dealt with elsewhere within the FLP and therefore their inclusion in Policy DS1 leads to unnecessary duplication and not in accordance with the NPPF2019. As such, this element of the policy should be deleted as the finer details of each of these issues are dealt with elsewhere within the draft Local Plan.

4.3 Strategic Policy DS2: Development in Strategic Gaps

4.3.1 The above policy identifies two Strategic Gaps whereby development proposals would not be permitted where they significantly affect the integrity of the gap and the physical and visual separation of settlements or the distinctive nature of settlement characters.

4.3.2 Gladman consider that new development can often be located in countryside gaps without leading to the physical or visual merging of settlements, eroding the sense of separation between them or resulting in the loss of openness and character. It is important that such designations are supported by robust evidence and that the policy wording allows for sites to be considered on their individual merits. In this regard, the policy is currently worded in a negative stance which may affect the consideration of development proposals. Gladman consider that the policy should be reconsidered in a positive manner and modified to allow for a balancing exercise to be undertaken which assesses any harm to the visual or functional

separation of settlements against the benefits of the proposal rather than seeking to apply a blanket restriction on development in these areas.

4.4 Strategic Policy H1: Housing Provision

Housing Need

4.4.1 Strategic Policy H1 makes provision for at least 8,389 net additional dwellings across the borough during the period 2021 – 2037. Whilst Gladman acknowledge that the housing requirement is set as a minimum, Policy H1 is not considered positively prepared as it does not provide a strategy which meets housing needs in full.

4.4.2 The level of housing required by the standard methodology as set in NPPF2019 requires provision for a minimum of 514dpa. It should be remembered that the housing need figure calculated using the Standard Method should be considered as a starting point as it does not take into account other factors which affect demographic behaviours (e.g. affordability, economic adjustments etc).

4.4.3 The Council has instead decided to use the Government's proposed housing methodology as announced in the Planning for the Future White Paper which allows LPAs to use either a percentage of the Borough's existing housing stock as the calculation's starting point or the most up-to-date household projections, whichever is the highest before an affordability uplift is applied. The Council has decided it is appropriate to plan for a scale of growth based on the proposed methodology which reduces the housing need figure to 403dpa.

4.4.4 The proposed approach is not appropriate nor justified as it will not deliver the minimum housing required by national policy using the standard method. The Council must remember that the implementation of the White Paper is still subject to the outcome of consultation and may be subject to change. In addition, it is not appropriate to delay the progress of the Local Plan until the measures announced within the White Paper come into force.

4.4.5 Accordingly, the Council should amend the housing requirement back to 514dpa and allocate sufficient sites across a number of locations to meet housing needs in full.

Phasing

4.4.6 Policy H1 outlines the Council's intention to phase the delivery of the housing requirement over the plan period. The housing requirement is phased as follows:

- Approximately 2,250 dwellings (450dpa) between 2021/22 and 2025/26

- Approximately 2,400 dwellings (480dpa) between 2026/27 and 2030/31
- Approximately 3,750 dwellings (625dpa) between 2031/32 and 2036/2037

4.4.7 The result of this element of the policy acts to artificially supress the delivery of development in the early years of the plan due to strategic site issues given the majority of housing supply comprises of the Welborne Garden Village. Indeed, the Council has not achieved annual delivery figures in excess of 450 dwellings since 2007-08 so it is unclear how the Council expects to achieve these delivery rates especially towards the back end of the plan period without a sufficient supply and mix of housing sites.

4.4.8 The Framework is clear in its intention to boost significantly the supply of housing. This strategy is further underlined by the buffers applied by national policy and the PPG's approach that requires local authorities to meet housing shortfall within a five year period.

4.4.9 Gladman consider that the backloading of land supply will likely threaten the overall deliverability of the Plan. Should the Council fail to deliver these higher rates towards the end of the plan period, there is little flexibility or opportunity provided to ensure the housing requirement can be met in full. The phasing approach is therefore unsound and should be deleted and replaced with a flat annual requirement of 514dpa.

Buffer

4.4.10 In principle, Gladman support the inclusion of a 15% buffer to allow for contingency for under delivery associated with the reliance on large strategic sites within the housing supply. However, the buffer does not provide any sort of contingency due to the Council's decision to reduce housing requirement to 403dpa. In reality, it merely provides a level of housing comparable to the amount of housing needed to meet the annual requirement as identified under the Standard Method. Gladman reiterate that the housing requirement should be increased to 514dpa and a buffer applied to this figure.

4.4.11 Notwithstanding the above, Gladman would suggest that given the uncertainty surrounding both the delivery of strategic scale sites and the potential for unmet need within the wider sub-region, that this contingency should be increased to 20% above the Standard Method figure to ensure housing needs are met in full. This will also reflect HBF's advice following Central Government research on this issue.

Housing Provision

4.4.12 Strategic Policy H1 makes provision for at least 8,389 net dwellings across the borough during the period 2021 – 2037 and is comprised of:

- An estimated 552 homes that already have planning permission;
- An estimated 4,858 on sites with resolutions to grant permission as of 1st July 2020, including at Welborne Garden Village;
- Approximately 1,327 homes on sites allocated in the Publication Plan;
- Approximately 428 homes on brownfield sites/regeneration areas; and
- An estimated 1,224 homes delivered through windfall development.

4.4.13 To ensure the soundness of the Plan, Gladman submit that additional housing land is needed to ensure that the Council is able to demonstrate a robust supply of housing land should any of the sites within the Council's supply slip away. This is particularly important due to the reliance on sites with resolutions to grant planning permission and the vast majority of the Council's supply comprising of the Welborne Garden Village.

4.4.14 Whilst Gladman does not wish to comment on the suitability of sites selected, the Council will need to be able to demonstrate that sites will come forward as anticipated and take account of site specific issues and/or reflects the requirements and timescales of key infrastructure to be provided by sites selected. It is imperative that these assumptions are made in collaboration with landowners/land promoters to ensure these details are up-to-date at the point of submission. In this regard, it is difficult to assess the Council's consideration of sites as the Housing Trajectory at Appendix B only provides a cursory overview of expected delivery rates over the plan period and does not provide an individual break down of anticipated delivery rates on individual sites. As such, Gladman reserves the right to provide further detailed comments at the examination should further information be made available.

4.4.15 To ensure the effectiveness of the Plan in ensuring a supply of specific deliverable sites sufficient to maintain a five year housing requirement over the course of the plan period, additional allocations are considered necessary. Indeed, the planning committee has resolved to grant outline planning permission for Welborne Garden City in October 2019 to provide up to 6,000 dwellings over the plan period and beyond. There are a number of key factors that can affect the delivery of Garden Villages, Strategic Sites and smaller scale development opportunities such as the signing of s106 agreements, reserve matters applications and improvements to infrastructure prior to development commencing, discharge of planning conditions, marketing of development and so on, all of which can affect the delivery of homes. The Council will need to avoid a continued reliance associated with the Garden Village and large scale strategic allocations over the plan period and instead allocate additional housing land to ensure a competitive and responsive supply of housing is available to support housing delivery of the Council's large strategic allocations.

4.5 Policy HP1: New Residential Development

4.5.1 Policy HP1 states residential development within the urban area boundary will be supported in principle. Residential development in locations outside of the urban area boundary will only be permitted if it involves the conversion of an existing non-residential building or it is for a replacement dwelling which is of an appropriate character to the location.

4.5.2 Gladman do not consider the above policy to be positively prepared as it is restrictive and goes against the ethos of the Framework to significantly boost the supply of housing. The policy should be amended to be flexible in accordance with the approach outlined in section 4.2 of these representations.

4.6 Policy HP2: New Small-Scale Development Outside the Urban Areas

4.6.1 The above policy states new small-scale development outside the urban area boundary, as shown on the policies map, will be permitted where a site is located within or adjacent to existing areas of housing; or well related to settlement boundary and is within reasonable proximity to high frequency public transportation.

4.6.2 In principle, Gladman support the inclusion of this policy which allows for small scale development beyond the urban area. However, we would question the decision to limit development to no more than 4 units as this is contrary to the ethos of the Framework which seeks to significantly boost housing supply. Gladman consider such a policy should be included within the draft Local Plan without any limitations on size of development to ensure the Council are able to demonstrate a strong and robust housing land supply should sites identified slip away.

4.6.3 In addition, Gladman query how a decision maker is expected to apply this policy consistently and with ease as it contradicts the approach taken in Policy HP1 and reinforces the need for Policy HP1 to be deleted and the criteria listed to be amalgamated into Policy H2.

4.7 Policy HP4: Five-Year Housing Land Supply

4.7.1 Policy HP4 outlines the Council's approach to circumstances where it cannot demonstrate a five year housing land supply, a criteria then follows. In principle, Gladman support this approach but would suggest that the policy is modified to '~~may be~~ <u>will be</u> permitted where they meet the following criteria' as opposed to the current use of wording.

4.7.2 Criterion (a) of the proposed policy suggests that a site needs to be relative in scale to the demonstrated shortfall in the housing land supply. A proposal which comes forward which is

considered to be sustainable and in conformity with other policies of the Local Plan should be considered to be acceptable in planning terms regardless of whether it is relative to the scale and size of the housing land supply shortfall. Gladman consider that the reference to scale should be removed in order to allow for additional flexibility in the supply of housing as it will assist the Council in ensuring that a 5 year housing land supply can be maintained going forward.

4.7.3 In addition, Criterion (b) states that a site should be adjacent to the existing urban settlement boundaries to be considered sustainable. This criterion is too onerous as sites which are well related to, but not directly adjacent to existing settlements could, be considered to be sustainable when assessed against policies contained in the Local Plan as a whole. Again, Criterion (b) should be amended to reflect this.

4.8 Policy HP7: Adaptable and Accessible Dwellings

4.8.1 Policy HP7 requires at least 15% of all new dwellings to be built to optional building regulation M4(2) and on all schemes over 100 dwellings, at least 2% of private housing and 5% of affordable housing shall be provided as wheelchair accessible category M4(3) standard.

4.8.2 In this regard, Gladman refer to the PPG which provides additional guidance on the use of these optional standards. The Council need to ensure that this policy is in line with the guidance and that the justification and specific detail of the policy take account of the various factors which the PPG refers to:

> *"Based on their housing needs assessment and other available datasets it will be for the local planning authorities to set out how they intend to approach the need for Requirement M4(2) (accessible and adaptable dwellings), and / or M4(3) (wheelchair user dwellings), of the Building Regulations. There is a wide range of published official statistics and factors which local planning authorities can consider and take into account, including:*
>
> - *The likely future need for older and disabled people (including wheelchair user dwellings).*
> - *Size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes, or care homes).*
> - *The accessibility and adaptability of existing stock.*
> - *How needs vary across different tenures.*

- *The overall impact of viability."*[4]

4.8.3 Gladman note that these technical standards have deliberately been set as optional standards which, if to be included as a policy in the FLP, would need to be justified by robust evidence.

4.8.4 When considering this policy, the Council need to be aware of the impact that these requirements, particularly M4(3) have on scheme viability (due in part to size requirements) and the knock-on effects that this could have on the delivery of much needed housing. In order to be able to include such requirements in the Local Plan, the Council will need to be able to robustly justify the inclusion and demonstrate that consideration has been given to this requirement within the viability study. The provision of M4(3) wheelchair user dwellings, is far more onerous in terms of size requirements; therefore, it is crucial that the implications of the proposed policy requirement have been properly tested.

4.8.5 In addition to this, with regard to M4(3) Gladman refer to the PPG which states:

> *"Part M of the Building Regulations sets a distinction between wheelchair accessible (a home readily useable by a wheelchair user at the point of completion) and wheelchair adaptable (a home that can be easily adapted to meet the needs of a household including wheelchair users) dwellings.*
>
> *Local plan policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling."*[5]

4.8.6 This clearly demonstrates that M4(3) should only be applied to affordable homes within the Council's control and therefore Policy HP7 should be updated to reflect this and reference to private homes deleted.

4.8.7 Gladman submit that the Council must be able to demonstrate through robust evidence the justification for these policy requirements within the Local Plan in order for them to be found sound at examination. The NPPF footnote 46 states:

> *"Planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties…"*

[4] PPG ID: 56-007-20150327

[5] PPG ID: 56-009-20150327

4.8.8 Gladman do not consider that a general reference to an ageing population to be sufficient justification for the inclusion of these policy requirements. In this regard, Gladman refer to the Inspector's report for the Derby Local Plan (December 2016), which at paragraph 117 states

> *"Although there is general evidence of an ageing population in the SHMA, having regard to the PPG this does not amount to the justification required for the LP to include the optional standards and the specific proportion of Part M4(2) dwellings…"*

4.9 Policy HP9: Self and Custom Build Homes

4.9.1 Whilst Gladman support the inclusion of a policy in relation to self-build and custom build units, as this is in line with Government aims and objectives, we raise concerns regarding the detail within this policy.

4.9.2 It is expected that on sites of 40 dwellings or more (gross), 10% of the overall dwellings shall be provided through the provision of plots for self and custom build homes. Gladman welcome the flexibility provided by this policy which recognises that plots which do not sell within 12 months of initial promotion, are able to be developed for housing other than self-build homes.

4.9.3 However, Gladman query the evidential justification for 40 dwellings (gross) being the trigger for the provision of self-build and custom build housing. The Council's Self Build Register only identifies 180 residents which does not translate to demand for this form of housing. Gladman consider that this policy would benefit from re-wording to state that, rather than being required on all schemes of 40 or more dwellings, that if up-to-date evidence indicates that there is a demand in the particular location then schemes are encouraged to make provision. Such a modification would help ensure that market housing is not unnecessarily delayed for a period of 12 months if there is no interest in self-build housing on individual sites.

4.10 Policy NE2: Biodiversity Net Gain

4.10.1 Policy NE2 requires development of one more or more dwelling or new commercial/leisure buildings to provide at least 10% net gain for biodiversity for the lifetime of the development. Gladman do not consider this policy to be positively prepared as it goes above and beyond that which is required by the NPP2019. Gladman submit that the percentage requirement should be deleted and reference to 'biodiversity net gains' included in the policy wording to ensure compliance with national policy.

4.11 Policy D5: Internal Space Standards

4.11.1 Policy D5 requires all new dwellings, including subdivisions and conversions to meet the nationally described space standards (NDSS) or future equivalent as a minimum.

4.11.2 In this regard Gladman refer to the Written Ministerial Statement (WMS) dated 25th March 2015 which confirms that:

> *"The optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the NPPG".*

4.11.3 Furthermore with particular reference to the NDSS the PPG[6] confirms:

"where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies".

4.11.4 If the Council wishes to adopt this standard it should be justified by meeting the criteria set out in the PPG, including need, viability and impact on affordability.

4.11.5 The Council will need to provide robust evidence to justify the inclusion of the space standards within a policy in the Local Plan. Similarly to the accessibility standards, if it had been the Government's intention that all properties were built to these standards then these standards would have been made mandatory rather than optional.

4.11.6 Gladman's concerns regarding the optional national space standards relates to the additional cost and the implications for affordability. Where, for example, a housebuilder would normally build a standard 2-bedroom unit at 72sqm, the national space standards would require the dwellings to have certain dimensions which would mean they could only be built at a minimum of 79sqm, which could add significantly to the cost of the property and in turn increase the cost of an entry level 2-bedroom house, further exacerbating the affordability issues in the area.

4.11.7 The Council need to take these factors into account and will need robust evidence on both need and viability to support the proposed policy requirements outlined in Policy D5.

[6] ID: 56-020-20150327.

5 OVERALL CONCLUSIONS

5.1.1 These representations have been drafted with reference to the revised NPPF(2019) and the updated PPG. To be found sound at examination the FLP would need to meet the tests set out in paragraph 35 of the NPPF(2019):

- **"Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework."

5.1.2 Having considered the FLP in this context, Gladman are concerned that a number of policies contained within this plan do not accord with national policy and require modification to ensure soundness with the tests set out above.

5.1.3 Gladman believe that further flexibility and contingency is required through the FLP and that, consequently, additional non-strategic housing allocations should be included in the plan.

5.1.4 Gladman welcome this opportunity to comment on the publication draft plan and would like to be kept updated on progress moving forwards with the FLP. Gladman request to participate at the relevant hearing sessions through the examination of the FLP to discuss the matters raised in this submission further.

Sent by email to: planningpolicy@fareham.gov.uk

17/12/2020

Dear Sir/ Madam

Response by the Home Builders Federation to the consultation on the Fareham Local Plan

1. Thank you for consulting the Home Builders Federation (HBF) on the Fareham Local Plan. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year.

We would like to submit the following representations on the Local Plan, and we would welcome, in due course, participating in hearings of the Examination in Public.

Duty to Co-operate

2. We note that the Council is part of the Partnership for South Hampshire and has worked closely with these authorities in determining housing needs and examining opportunities as to how these needs could be addressed. The Local Plan outlines at paragraph 4.4 that there are likely to be significant unmet needs arising in Portsmouth and in response to this the Council has identified a further 847 homes to meet needs. Whilst this increase is welcomed, we are concerned that it does not seem to reflect the scale of the unmet needs identified by the Partnership for South Hampshire (PfSH) of over 10,000 homes. So, whilst the Council appears to have co-operated with its neighbours on the issue of housing needs, we are concerned that its contribution is insufficient when considered against the scale of the issue at hand. It would is also the case that this contribution has been made solely as a result of the Council using the standard method as proposed in the most recent Government consultation, and which to date has not been adopted, that significantly reduces the minimum number of homes to be planned for in Fareham. So whilst it would appear that the Council has co-operated with its neighbours in relation to the legal requirements set out in the Localism Act, the outcomes of that co-operation are insufficient to address the cross boundary issue that has been identified – an issue we will come to in relation to policy H1.

Home Builders Federation
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Policy H1 - Housing Provision

This policy is unsound as it is inconsistent with national policy

Housing needs

3. The Council are clearly aware that the housing requirement within the policy H1 is inconsistent with national policy as it is based on a standard method that has not been adopted by the Government. Whilst we recognise the Government were out to consultation on an alternative approach it was by no means certain that it would be adopted. The uncertainty as to the standard method has now been addressed with the Government publishing its latest Planning Practice Guidance which states at 2a-004 that the Government has retained the 2014-based household projections as the baseline estimates for household growth within the standard method.

4. The application of the standard method as set out in the most up to date guidance would require the Council to deliver 514 new homes each year. As such the 403 dwellings per annum local housing needs assessment is not consistent with planning policy as it currently stands. We hope a similar degree of haste will be taken in adopting this figure as was taken in moving forward with the lower assessment of needs in Fareham. In addition to this issue, we have three further concerns with regard to policy H1, which are:
    - The policy does not include the Council minimum required level of housing delivery;
    - The degree to which unmet needs in neighbouring areas has been taken into account;
    - Whether economic growth aspiration for the south Hampshire area will be supported to proposed levels of housing delivery; and
    - Plan period and past under delivery.

The housing requirement

5. Policy H1 does not set out the minimum number of homes the Council is required to deliver. Rather it sets out the number of homes that are expected to be delivered by the local plan. It is important that the Council sets out in H1 the minimum number of homes it is required to deliver in order to monitor its performance in meeting this requirement with regard to both the five year housing land supply and the housing delivery test. As set out in table 4.1 of the local plan this figure should be the local housing need figure plus any unmet needs within a neighbouring area that the Council has agreed to take.

Unmet needs

6. Paragraph 60 of the NPPF states that "*any needs that cannot be met within neighbouring areas should also be taken into account when establishing the amount of housing to be planned for*". As we note above the Council has, to some

extent, taken account of unmet needs across the south Hampshire sub-region and in response has stated that it will provide a further 847 homes. However, this is a very modest contribution to what is a very high level of unmet needs in the south of Hampshire. The Council state in paragraph 4.4 of the local plan that, based on the current standard method, unmet needs across the sub region of South Hampshire are in the region of 10,750 dwellings. Whilst we recognise that this will change with regard to the amended standard method and as new plans come forward it is unlikely to reduce substantially given that Boroughs such as Portsmouth, Havant, Gosport and Southampton have tight boundaries which will limit any scope for significant increases in provision. Considering the scale of the unmet needs Fareham's decision to contribute just 847 homes to the current shortfall is insufficient.

7. What is evident from the consultation on the Local Plan 2036 supplement was that the Council clearly considered it possible to deliver well above what is being proposed in the published Local Plan 2037. For example, paragraph 3.5 of the supplement to the Local Plan 2036 outlines an annual housing requirement for the Borough of between 572 and 598 homes per annum between 2020 and 2036. This annual rate of delivery would deliver between 9,000 and 9,500 homes over 16 years. It goes on to identify potential sites that could be allocated to support this higher level of delivery.

8. However, the Council has not considered as part of the preparation of the published Local Plan 2037 whether more could have been done to address unmet needs of other areas. In particular we would have expected a higher level of delivery beyond what is proposed in the published local plan to have been considered within the Sustainability Appraisal. However, this issue of unmet needs and increased delivery beyond what is being proposed in policy H1 is not mentioned in the SA published in November 2020 as part of this consultation. As such the Council cannot say whether or not a higher level of housing delivery, which would have done more to address unmet needs across the sub region was a more sustainable approach compared to the chosen strategy. This is not only a concern regarding the soundness of the Council's approach to unmet needs but also the efficacy of the SA that has been prepared to support this local plan.

Growth strategies

9. Paragraph 2a-010 of Planning Practice Guidance (PPG) outlines that there will be circumstances where it is appropriate to plan for a higher housing figure than that identified through the standard method. One of these is where an authority has agreed to take on the unmet needs of another area as discussed above however other situations are identified where housing need may exceed past trends. These include:
    - Deliverable growth strategies
    - Strategic infrastructure improvements likely to drive an increase in homes

10. The Council is clearly committed to economic growth as stated at paragraph 6.1 of the publication local plan but notes at paragraph 6.7 of the Local Plan 2037 that whilst PfSH is committed to reviewing employment requirements published to support the spatial position statement this will not be intime to support this local plan. Due to the absence of this sub regional assessment of employment growth the Council have undertaken its own assessment of the likely increase in jobs over the plan period. The Business Needs, Site Assessment and Employment Land Study (BNSAELS) states at paragraph 6.23 that between 2018 and 2036 it is estimated that a further 4,600 jobs will be created in Fareham. This equates to annual growth in employment from the current baseline of 48,000 jobs of about 0.5% per annum (pa) which is lower than the 0.8% pa jobs growth forecast in the PfSH SHMA update published 2016[1]. This higher level of growth would see the number of jobs in the Borough grow by around 6,900 over the same period as that assessed in BNSAELS. However, no detail has been provided by the Council as to whether the level of housing delivery within Fareham will meet these employment growth expectations let alone whether the wider jobs growth expectations of the sub region will be met.

11. The Strategic Housing Market Assessment published by PfSH in 2016 indicated that between 2011 and 2030 that 4,630 homes were needed each year between 2011 and 2030 to support the expectation that there would be 86,300 additional jobs across South Hampshire. However, housing delivery during this period as set out in Table H1 of the Spatial Position Statement indicates growth of around 4,536. Whilst the shortfall is relatively small across the whole sub region, given that the Council have noted at paragraph 4.5 that both Portsmouth and Gosport will struggle to meet their needs going forward it will be important, prior to submission, for the Council to consider with its partners in the PfSH whether sufficient housing will be provided to support these sub regional growth expectations, or whether further allocations are needed in relatively less constrained areas such as Fareham.

12. If insufficient housing is provided in sub-region, we are also concerned that higher levels of in-commuting will be required in order to support the expected levels of employment growth. This would be inconsistent with paragraphs 102 and 103 of the NPPF which require Council's to consider how they can deliver patterns of growth that seek to limit the need to travel. This is an issue that will also need to be considered by the Council and its neighbours prior to submission of the local plan.

Plan period and past under supply

13. There are also other impacts from the application of the standard method that have not been taken into account by the Council. In particular the Council have not grappled with the issue of under supply from the point at which the standard method was introduced in 2018. Planning Practice Guidance states in relation to

[1] Page 56 of the 2016 SHMA

this:

"*Strategic policy-making authorities will need to calculate their local housing need figure at the start of the plan-making process. This number should be kept under review and revised where appropriate*".

14. As the Council commenced preparation of this local plan in 2017 it is important that and the Council consider housing completions from the introduction of the standard method compared with the level of local housing need from that point. We recognise that the Standard Method takes account of backlog but only in so far as the affordability ratio will have worsened in the years prior to the calculation and does not take account of under provision since then. In these terms, the shortfall between the assessed level of housing need by reference to the Standard Method and actual completions has to be taken into account going forward.

Year	Number of completions/ projected completions	Local housing need	Shortfall
2018/2019	290	520	230
2019/2020	263[2]	520	257
2020/2021	132[3]	520	388

15. The table above indicates in the three years since the Standard Method was first published, the cumulative shortfall in housing completions is expected to be 875. No consideration is given to these unmet needs in the published plan and even if the lower figure of 403 was taken as the level of local housing need, the shortfall would be in excess of 500 new homes.

16. As housing delivery in the Borough has been below both its requirement in the Core Strategy and the measure of local housing need derived from the Standard Method the Council are wrong to have selected a plan period and housing strategy that takes no account of this. It is the antithesis of positive planning and as such we would suggest that the plan period be revised to start from 2019/20 which is the base date from which the affordability evidence is taken.

Housing land supply

17. The HBF would not wish to comment on the merits or otherwise of individual sites selected for allocation but it is critical that the Council's assumptions on lapse rates, non-implementation allowances, lead in times and delivery rates contained within its overall housing land supply, five-year housing land supply and housing trajectory are correct and realistic. These assumptions should be supported by parties responsible for the delivery of housing and sense checked by the Council using historical empirical data and local knowledge. We note that the Council has

[2] Fareham BC Authority Monitoring Report 2018/19 (February 2020)
[3] Fareham BC Five-year housing land supply position report (June 2020)

included a housing trajectory at appendix B of the local plan as required by the NPPF. However, for the purposes of transparency and effective scrutiny of this trajectory it is necessary for the Council to set out in its evidence base trajectories for each of the sites that make up supply across the plan period. We could not find this evidence, and in our experience, it is both helpful to the inspector examining the plan as well as those making representations.

18. We note and welcome the contingency between the Council's requirement and the number of homes it expects to be delivered over the plan period. It is important that there is a significant contingency to take account of any delays in the delivery of key sites or overestimates in the amount of windfall expected in any plan to ensure that development needs are meet in full. As such should the eventual standard method adopted by the Government see housing needs increase in Fareham, we would expect to see this level of contingency within the Council's land supply maintained. Similarly, the Council would probably need to allocate further sites of one hectare or less to ensure it meets the requirement set out in paragraph 64 of the NPPF.

Conclusions on H1

19. The policy is not sound as considered on the basis that:
    - It uses a standard method for assessing housing need that is still out to consultation and potentially subject to change. However, we recognise that the situation is in a state of flux at present and as such recommend the plan is not submitted until the Government have finalised any changes to the standard method;
    - It fails to take sufficient account of the scale of the unmet needs identified within neighbouring areas as required by paragraph 60 of the NPPF;
    - Does not consider whether housing growth will be sufficient to support its economic growth expectations and the impact this would have on in commuting and the need to promote sustainable patterns of growth as required by paragraph 103 of the NPPF.

HP2: New Small-Scale Development outside the Urban Areas

The policy is not sound as it is not consistent with national policy.

20. The HBF's preference would be for the Council to identify appropriate sites and allocate them within the local plan. This would provide the certainty that small developers seek with regard to bringing such sites forward. However, in lieu of allocation the overarching principle of this policy and its aim to support small and medium sized housebuilders and those seeking self-build plots is supported.

21. But we would suggest that at present the policy is not consistent with national policy as it could lead to sites not making the most efficient use of land as required by paragraph 122 of the NPPF. There will be situations where such sites on the edge of urban areas could be developed for more than 4 units without any adverse

impacts. We would therefore suggest that the threshold be increased to 10 units in order to reflect the definition of minor development as well as being consistent with the Government's approach to affordable housing contributions on small sites as set out in paragraph 63 of the NPPF.

Recommendation

22. Part 5a of policy HP2 be amended as set out below:
    a. Of not more than 4 10 units; and

Policy HP4: Five-year housing land supply

Part d of this policy is inconsistent with the NPPF

23. The HBF supports this policy, however we would suggest that the phase "*in the short term"* in part d is unnecessary as the meaning of deliverable with regard to local plans is clearly defined in the glossary of the NPPF. The inclusion of the phrase short term could cause unnecessary confusion for applicants and decision makers.

Recommendation

That the phrase "*in the short term"* is deleted from part d of policy HP4.

HP5 – Provision of affordable housing

The policy is unsound in its consideration of the percentage requrment for affordable home ownership and with regard to its treatment of older peoples housing which is unjustified

24. Firstly, the policy requirement regarding affordable home ownership is inconsistent with paragraph 64 of the NPPF which expects 10% of all homes on major development involving housing provision to be available for affordable home ownership. Footnote 29 then confirms that these homes are then included as part of the affordable housing contribution. For example, on a site of 100 homes paragraph 64 of the NPPF would requires at least 10 homes to be available for affordable home ownership, equating to 25% of the affordable housing delivery on a greenfield site. The Council's policy at present only requires 10% of all affordable housing to be available for affordable home ownership. The Council's policy would require such development to deliver 4 homes for affordable home ownership – just 4% of total delivery on that site. This inconsistency with national policy should be amended.

25. Secondly, whilst we welcome the decision to vary rates within the Borough to reflect viability, we are concerned that despite the evidence the Council will still, seemingly, require specialist development for older people to support the delivery of affordable homes. In section 6.6 of the Viability Study it is clear that both

sheltered housing and extra care housing for older people are not viable at any level of affordable housing. It is therefore surprising that the policy has not removed the requirement for such accommodation to contribute towards the provision of affordable housing.

Recommendation

26. That policy HP5 to be amended as follows:
    - To reflect paragraph 64 of the NPPF
    - To state that specialist residential accommodation for older people be exempt from providing affordable housing.

HP9 – Self and Custom Build Homes

The policy is unsound as it has not been justified

27. Whilst the HBF support the encouragement of self-build housing through the local plan, we do not consider the requirement for sites of over 40 to set aside 10% dwellings to be delivered through serviced plots for self and custom house building to be justified or consistent with national policy.

28. Firstly, the evidence with regard to the demand for, and supply of self-build plots would suggest that a significant proportion of demand for self-build in Fareham will be met through windfall sites. As the Council note in paragraph 5.8 of the Self and Custom Build Background Paper the demand for self-build plots arising within the first base period of the self-build register was addressed through windfall and it would seem that a similar result will occur within the second base period. Therefore, to suggest that 10% of all development over 40 units are required as self-build is not justified as it would seem that the Council through normal development management process is supporting sufficient plots to come forward without recourse to the impositions being proposed in policy H9. In addition, policy HP2 will also support the delivery of additional sites that will clearly be attractive to both self and custom build housing. Whilst the Council may not want to be dependent on windfall development if this approach is meeting identified demand then there is no need to require such plots to be provided on other sites.

29. Secondly, we welcome the Council's review of the self-build register. From this review it is clear that of the 79 people on the register only 56 people are actively pursuing the possibility of building their own home. In addition, only 40 of those said they would consider a plot on a larger self-build development. Even then it is not clear from these answers whether they would be looking for a plot on major housing building site or would prefer a site solely devoted to self-build plots. As such we are concerned that there is not a significant demand for plots on larger housing being developed by housebuilders and that the 10% requirement in HP9 is unjustified.

30. Finally, it is also important to recognise that paragraphs 57-024 and 57-025 of the PPG sets out a variety of approaches that need to be considered – including the use of the Council's own land. This is reiterated in para 57-14 of the PPG which sets out the need for Council's to consider how they can support the delivery of self-build plots through their housing strategy, land disposal and regeneration functions. We would suggest that rather than place additional burdens on house builders for the provision of self-build plots it should utilise its own land or seek to engage with landowners to identify suitable sites on which to deliver serviced self-build plots. Indeed, it would appear from paragraph 5.14 of the Self and Custom Build Background Paper that such an approach has worked in Fareham.

Recommendation

31. That policy HP9 is deleted.

Policy NE2: Biodiversity Net Gain

32. The Council have included the Government's suggestion that new development should improve the biodiversity on their site to show a 10% net gain over the pre-development baseline within this policy. Whilst we recognise that this is the Government's current position favoured position it is likely that there will be transition period to allow the development industry to adapt to the proposed changes. As such we would suggest that the Council remains consistent with paragraph 170 of national policy to seek net gains in biodiversity and not include the requirement to show a 10% net gain. A policy without a specific percentage requirement would be consistent with current policy and should the relevant legislation be enacted as currently proposed such a policy would be sufficiently flexible to support a 10% requirement and any transition period.

Recommendation

33. That the 10% requirement be deleted.

Policy NE8: Air Quality

The policy is unsound as it is not justified

34. The HBF is supportive of encouragement for the use of electric and hybrid vehicles via a national standardised approach implemented through the Building Regulations to ensure a consistent approach to future proofing the housing stock. It is the industry's preference for a national approach to the provision of charging points rather than local authorities setting their own standards. We consider this is necessary to allow research and development and supply chains to focus upon responding to agreed national targets, and for training providers to plan their programmes to equip the labour force to meet these new requirements. It is fundamentally inefficient to create a plurality of standards.

35. The Government has recognised in recent consultations the possible impact of any requirement to provide electric vehicle charging points on housing supply, where the requirements are not technically feasible. The Government's recent consultation proposed introducing exemptions for such developments. The costs of installing the cables and the charge point hardware will vary considerably based on site-specific conditions in relation to the local grid. The introduction of EVCPs in new buildings will impact on the electricity demand from these buildings especially for multi-dwelling buildings. A requirement for large numbers of EVCPs will require a larger connection to the development and will introduce a power supply requirement, which may otherwise not be needed. The level of upgrade needed is dependent on the capacity available in the local network resulting in additional costs in relation to charge point instalment.

36. Where such costs are high the Government are proposing that any potential negative impact on housing supply should be mitigated with an appropriate exemption from the charge point installation requirement based on the grid connection cost. The consultation proposes that the threshold for the exemption is set at £3,600. In the instances the additional costs are likely to make developments unviable, it is the Government's view that the EVCP requirements should not apply and only the minimum Energy Performance of Buildings Directive requirements should be applied.

37. As such we would suggest that the requirement for EVCPs should be deleted because the Government's proposed changes to Building Regulations will provide a more effective framework for the delivery of charging points for electric vehicles.

Recommendation

38. Part A of the third paragraph within policy NE8 is deleted.

D4: Water Quality and resources

The policy is unsound as it is not consistent with national policy.

39. The final sentence of policy D4 is inconsistent with paragraph 16 of the NPPF which requires policies to be unambiguous and evident as to how the decision maker should react. The policy as written could lead to applications being refused by decision makers on the basis that a development does not achieve a standard that is higher than the maximum requirement that can be applied through the adoption of the optional technical standards.

Recommendation

40. The final sentence of this policy is deleted.

D5: Internal Space standards

The policy is unsound as it has not been justified

41. Policy D5 requires development to meet national spaces standards as a minimum. Whilst the HBF share the Council desire good quality homes delivered within Fareham we also consider that space standards can, in some instances, have a negative impact upon affordability issues and reduce customer choice. In terms of choice, for example, some developers will provide entry level two, three and four-bedroom properties which may not meet the optional nationally described space standards but which would allow on lower incomes can afford a property which has their required number of bedrooms.

42. Given the poor affordability of property in the area and the tight constraints on development it is therefore important that the Council can provide, in line with PPG, robust evidence that there is a need to introduce the optional space standards – that these standards are a must have rather than a nice to have policy. However, as the Council note in paragraph 11.59 of the publication local plan most new homes in Fareham are built to a size that is consistent with the nationally described space standards. The only inconsistency they note is that the smallest bedroom often fails to meet the space standards. This evidence does not suggest that there is a pressing need for the introduction of space standard within Fareham but does indicate that requiring larger bedrooms could reduce the number of smaller homes with three or four bedrooms.

43. The HBF is not aware of any evidence that market dwellings in Fareham that do not meet the NDSS remaining unsold or that those living in these dwellings consider that their housing needs are not met. There is no evidence that the size of houses built are considered inappropriate by purchasers or dwellings that do not meet the NDSS are selling less well in comparison with other dwellings. The HBF in partnership with National House Building Council (NHBC) undertake an annual independently verified National New Homes Customer Satisfaction Survey. The 2019 Survey demonstrates that 91% of new home buyers would purchase a new build home again and 89% would recommend their housebuilder to a friend. The results also conclude that 93% of respondents were happy with the internal design of their new home, which does not suggest that significant numbers of new home buyers are looking for different layouts or house sizes to that currently built.

44. Given that there is little to suggest that development below space standards is an endemic concern within Fareham we would suggest that policy D5 is deleted from the plan. This would give the Council greater flexibility to maximise the number of sites that are developable as well as extending consumer choice to more households.

Conclusion

45. At present we do not consider the plan to be sound, as measured against the tests of soundness set out in paragraph 35 of the NPPF, for the following reasons:

- Failure to give sufficient consideration to the housing needs of neighbouring areas and the consequences on the delivery of sustainable development across south Hampshire;
- Housing needs have not been assessed in accordance with standard methodology as set out in PPG;
- Policy H2 inconsistent with national policy with regard to making the most effective use of land;
- Policy HP5 fails to include exemption for older people's housing in line with the Council's viability evidence;
- Requirement for 10% of plots on sites over 40 units be allocated for self-builders is unjustified;
- The adoption of the nationally described space standards in policy D5 has not been adequately justified.

We hope these representations are of assistance in taking the plan forward to the next stage of plan preparation and examination. Should you require any further clarification on the issues raised in this representation please contact me.

Yours faithfully

[redacted]

Mark Behrendt MRTPI
Planning Manager – Local Plans

[redacted]

Representations towards the Fareham Borough Draft Local Plan 2036 Publication Draft (Regulation 19) Consultation on Behalf of Persimmon Homes (South Coast)

December 2020

PERSIMMON
Together we make a home

1. Introduction

Persimmon welcomes the opportunity to comment on the Fareham Draft Local Plan 2036 (DLP) Publication (Regulation 19) consultation.

This letter is set out in sections as summarised below:

- Section 2 sets out our response to Duty to Cooperate issues
- Section 3 sets out our policy specific responses
- Section 4 sets out our response in relation to Omission Sites

2. Duty to Cooperate

The Duty to Cooperate places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters, including housing.

Planning Practice Guidance recommends that authorities should produce, maintain, and update one or more Statement(s) of Common Ground, throughout the plan-making process. The Council has unilaterally produced a 'Statement of Compliance with the Duty to Co-operate' which sets out how the Council claims to have addressed the duty to cooperate, including in relation to addressing the unmet housing need of its neighbouring authorities. This is not an agreed Statement. It is noted that there is little to no explanation within the Statement as to what cross boundary discussions have taken place since the Council has significantly altered its approach with regards to housing need (as detailed below). In Persimmon's view, this information is absent because neighbouring authorities, in particular Portsmouth and Gosport, will not be supportive of Fareham's approach.

As mentioned above, the Council's Regulation 19 consultation document is significantly different from the Regulation 18 draft in terms of its approach to housing. This is largely as a result of it applying the lower Local Housing Need (LHN) as derived from the Government's proposed new Standard Methodology, which has not been approved. The Regulation 18 version of the Plan included a number of Strategic Growth Areas that were identified, in part, to meet the housing needs of neighbouring authorities of Gosport and Portsmouth. These Areas have now been deleted, and do not feature in the Publication Plan.

The Council's decision to use the new Standard Methodology LHN in order to take advantage of lower housing numbers is premature, and is at odds with the approach being taken by nearly all other Local Planning Authorities developing Local Plans in the sub-region, including Gosport and Portsmouth.

It is understood that the SGAs would met at least 1,000 dwellings from Portsmouth's unmet needs, alongside a proportion of Gosport's (quantum not published). However, the Publication Plan suggests that unmet need accommodated by the Plan will only equate to 847 dwellings. By Fareham choosing to use the draft new Standard Methodology and reducing its housing site allocations as well, the scope for the Plan to pick up the housing needs of these neighbouring council areas has been significantly curtailed.

It is Persimmon's view therefore that, given the significant change in approach by Fareham Council, the joint working that it has undertaken on housing issues to date has been fundamentally undermined to a point where it can only be concluded that Council has failed the duty to cooperate.

2. Policy Specific Comments

DEVELOPMENT STRATEGY

Strategic Policy DS1 Development in the Countryside

Policy DS1 provides the policy basis for the delineation of settlement boundaries. In the context of our comments below, notably in relation to not meeting housing need, omission sites and the delineation of Strategic Gaps, the Council should amend the settlement boundaries to allow additional development to come forward.

With regards to the criterion d) of Policy DS1, an allowance for new or replacement building, conversion and/or extension of a school is welcomed. However, the Policy appears to limit re-provision to existing sites shown on the Policies Map. As set out in greater detail in the our response to Policy DS2 and the Omission Site section, discussions are on-going with the Meoncross school to facilitate expansion of the car park and/or playing fields in the short term. The potential relocation of the school to other land within Persimmon's interest at Cuckoo Lane over the longer-term is also being explored. As currently drafted, by strictly limiting development to within an existing educational facility, the Policy would prevent such future improvements and the possible relocation of Meoncross School.

Strategic Policy DS2 Development in Gaps

The Council has commissioned Hampshire County Council to review its Strategic Gaps. The County's methodology for this review is set out in the Technical Review of Areas of Special Landscape Quality and Strategic Gaps (September 2020). This applies 'Primary Measures' (i.e. physical and visual separation) and 'Secondary Measures' (i.e. Green Infrastructure Provision) to define the gaps. We support the inclusion of physical and visual separation as a means of determining the gap boundary, but we see no justification for including the secondary measures as this is outside of the scope of the role of a gap. In any case, Green Infrastructure is an issue that is dealt with separately under Policy NE9 of the draft Plan.

The following commentary on this policy considers each of the Strategic Gaps before comments are made on the content of Policy DS2 itself.

<u>The Fareham-Stubbington Gap</u>

As set out in the recommendations of the Gap Review paper (Chapter 4: Conclusions and Recommendations, Paragraph 10): *'there exists some opportunities for development to be absorbed within the Stubbington-Fareham Strategic Gap, subject to scale and future detailed design, without compromising its Gap function…'* It is surprising then that the Council has not examined this potential in greater details as part of its Publication draft Local Plan, particularly given that the most recent Regulation 18 Local Plan consultation proposed a Strategic Growth Area (SGA) within this gap as a means of accommodating growth.

It is also surprising that the Gap Review Paper does not adequately consider the influence of the Stubbington by-pass on the Fareham-Stubbington Gap. Paragraph 3 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap states that*: 'As the Bypass is currently under construction and its alignment marked out, it is possible to see how it might affect the sense of separation between Fareham and Stubbington.'* The report also states that it is too early to understand the full impact that Stubbington Bypass will have on the landscape character and development pressures of the Gap. This second assertion is contested. Given that the by-pass construction has progressed significantly, and that by-pass proposal has been subject to landscape assessment (including through the ES associated with the application), there is sufficient information available to allow for a robust assessment of the impact of the by-pass on the gap and the landscape to be carried out. A review of the landscape and gap evidence should be carried out prior to submission of the Plan for examination.

There can be no doubt that the by-pass will have a considerable influence on the Fareham-Stubbington Strategic Gap - effectively splitting it two. Once the by-pass is complete, it will form a strong defensible boundary, which will make the difference in the character between areas north and south even more apparent than it is already. This difference in the character requires considered in the Local Plan and its evidence base.

Land to the north of the bypass route is considerably more open in character, with large open fields with limited boundary planting providing prominent views north from the bypass toward the southern urban edge of Fareham, which is well defined by Rowan Way. This area is characterised by a strong sense of tranquillity, and is a much more sensitive landscape that is more befitting of Gap designation in accordance with the Council's own methodology. Land to the south of the bypass, however, comprises considerably more urban influences as demonstrated by existing development along Ranvilles Lane / Titchfield Road, the cemetery south of Oakcroft Land and development around May's Lane / Peak land (including where the urban area of Stubbington protrudes into the gap). This observation is supported by the detailed analysis of gap study area 7a (see Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap, para 8) which states that:

'There exists the potential to ***make modifications to the settlement boundary of North Stubbington: to extend the boundary to run along Oakcroft Lane****, as the isolated field that sits aside Crofton Cemetery, does not protrude into the landscape beyond the current Northern and Western edges of Stubbington. Largely sitting behind a mature line of Poplars also helps this isolated field absorb some development (subject to detail design),* ***without risking the integrity of the Gap, as a whole****.'*
(Persimmon's emphasis)

Paragraph 11, Bullet 2 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review evidence reconfirms the limited role that the area to the north west of Stubbington, south of Oakcroft Lane and east of Ranvilles Lane plays as a gap. The Gap study states that this area has *'the ability to absorb development into the landscape exists, without compromising the integrity of the Gap function'.* The Council will be aware of the planning application within this part of the gap (LPA Application Reference: P/20/0522/FP). This application comprises 209 new homes a considerable area of land to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1. The application is a resubmission of a planning application that addresses technical and design issues raised by the Council previously. It is understood that the application is due to be considered by planning committee in January 2021.

One key consideration when reviewing the boundary of a gap is the consideration that no more land should be included in the gap than is necessary (see adopted Core Strategy Policy CS22, Fareham Borough Council Gap Review 2012 and South Hampshire Strategy 2012). This concept is reiterated in the Gap Review Paper as 'minimum land take'. In light of the above, it is Persimmon's view that the gap evidence should be reconsidered with areas north and south of the by-pass assessed separately to take account of the by-pass. For reasons set out above, and in accordance with the Gap Review methodology, it is considered that a review of the evidence would indicate that the land north of the by-pass should be retained as gap and land to the south should be deleted from the gap designation. Retaining a gap to the north would preserve a c. 800m gap between the by-pass and the southern urban edge of Fareham, which is described in the Gap Review Paper as being *'moderate-large gap'* of a 'good distance' that *'gives the traveller time to experience the countryside after leaving one settlement before joining another.'* Retaining a gap of adequate width in this location is particularly important given the role Peak Lane plays in providing a well utilised north-south link between Stubbington and Fareham.

With regards to land to the east of Stubbington, Paragraph 11, of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review indicates that there is very little opportunity to absorb development in this corridor but that advanced planting along the eastern edge of the settlement would be beneficial. Persimmon Homes have interests in this area (as discussed in detail later in these representations). In summary, the proposals include new residential development, significant new strategic planting and open space along the eastern edge of the site. Discussion are on-going with the

Meoncross School to facilitate expansion of the car park and playing fields in the short term and the potential relocation of the school to other land within Persimmon's interests over the longer-term.

In light of the our comments set out above It is considered that the Fareham-Stubbington Strategic Gap should be redrawn so that land to the south and west of the by-pass is removed from the gap.

Whilst not a gap issue per se, the emerging and previous Local Plans, have tended to avoid allocating any significant growth on the periphery of Stubbington. Sensitively redrawing the gap boundary as suggested above will allow for much needed sustainable development housing to come forward to support the housing aspirations of those wish to live in or remain living in Stubbington.

The Meon Strategic Gap

As touched upon above, the function of a Strategic Gap is to prevent the coalescence of separate settlements. Land to the west of Stubbington is identified as a gap but there is no settlement to the west of the Stubbington that requires protection from coalescence. With regards to Strategic Gap Study Area 6, it is noted that the Gap Review study states that this gap is provided to ensure there is no coalescence between Stubbington and Titchfield along Titchfield Road. Whilst this northern most extent of this study area may serve this purpose, the central and southern parts of the Study Area 6 play no role whatsoever in preventing coalescence. This is recognised in Paragraph 13 of Chapter 4: Strategic Gaps SG 1: The Meon Gap of the Gap Review Study. Nonetheless, the Study recommends that the Gap is retained in this area due to: high levels of tranquillity, its role in providing separation of Portsmouth and Southampton, and to recognise the potential longer-term settlement expansion southwards from Titchfield and South Westwards from Hook. Based on the Council's Gap Review methodology, these are not adequate reasons to include this land within the gap.

A more logical delineation of the gap, which would ensure that no more land than necessary is included within it, could be to end its southernmost extent at Crofton Manor Equestrian Centre where the transition from countryside to urban (as part of Stubbington) becomes apparent. As recognised in the Gap review study, much of the land to the south of the Equestrian Centre is subject to protection under draft Policy DS3 (as discussed below), and ecological constraints which provide adequate protection against inappropriate development in this area. A gap is therefore not necessary.

General Comments on Policy DS2

Notwithstanding our comments above, in our considered view, Policy DS2 is too restrictive. There may be a point within the plan period, for example where the Council is unable to demonstrate a sufficient five year housing land supply, where additional housing may be required over and above those sites identified in the Plan. The Council has persistently struggled to demonstrate a sufficient five year housing land supply in recent years so flexibility in the Policy is required.

As demonstrated through the Council's Regulation 18 draft Plan, a sustainable location for such development may be in the Strategic Gap between Stubbington and Fareham. As such, the Policy should include additional wording to allow for appropriate and sustainable development in the Strategic Gap in such circumstances where housing supply needs to be increased.

The Policy also seeks to prevent development in Strategic Gaps that may significantly affect its 'integrity' and the 'distinctive nature of settlement characters'. This is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. The reference to 'integrity' and the 'distinctive nature of settlement characters' should be deleted from the Policy. The function of a Strategic Gap is to prevent the coalescence of separate settlements, which can be achieved through assessment of the impact of a proposed development on the physical and visual separation of settlements. The other policy criteria are superfluous.

In light of the above, it is considered that the Strategic Policy DS2 - Development in gaps and delineation of the Gap as shown on the draft Policies Map, should be redrawn as set out above. If this is not the case the Policy cannot be said to either justified or effective and is therefore unsound.

Strategic Policy DS3: Landscape

Policy DS3: Landscape identifies a number of Areas of Special Landscape Quality (ASLQ), including the Meon Valley. This is new Policy that does not form part of the adopted Local Plan. The first part of this Policy seeks to significantly restrict development in the Meon valley area. However, considering that the Council has successfully defended the Meon Valley area from a number of hostile planning applications in the recent past without this Policy in place, the justification for it is questionable. Given the prohibitive nature of Policy DS3, the development potential of Site 5 (Cuckoo Lane) for housing and new school provision, will unlikely be realised unless the site is allocated for development in the Local Plan and/or the site is excluded from the Meon Valley ASLQ designation.

HOUSING POLICIES

Strategic Policy H1 Housing Provision

As mentioned in the Duty to Co-operate section above, the Council is applying the Government's former draft Standard Methodology to arrive at its LHN (403 dpa) as opposed to the current Standard Methodology (514 dpa). The draft Standard Methodology is not Government Policy, it is only a consultation draft. The Government has recently (16th December 2020) released revised LHN figures that indicate that the Council's baseline LHN will increase to 514dpa. This increase LHN to exactly the same figure as per the current Standard Methodology. This newly published data clearly undermines the Councils premature decision to use the lower LHN figure. It is also noted that when the current and new LHN figures for Gosport and Southampton are considered both Councils are facing an increase in LHN of 106 dpa and 315 dpa, respectively. This is significant as both of these Authorities may need to look to Fareham to accommodate unmet housing needs. This will place even greater pressure on Fareham Borough Council to increase its housing requirement set out in Policy H1. For completeness, Portsmouth's LHN remains unchanged between the two data sets.

Notwithstanding, our concerns that the Council has failed the legal test with regards to the duty to cooperate, Policy H1 cannot be assumed to be sound as undershoots current and emerging LHN. The Plan cannot therefore be considered consistent with national policy and it is not positively prepared. Should the Council seek to amend its housing requirement (for example using the current Standard Methodology) and make consequential changes to its supply sites, re-consultation on a revised Regulation 19 Plan will be necessary.

Policy H1 includes an estimated 1,224 windfall dwellings. The Council's Housing Windfall Projections Background Paper (June 2020) does not provide a detailed breakdown of which sites are being considered as windfall. The Council's figures cannot therefore be scrutinised. Until such time as the Council publishes this detail underpinning the windfall allowance, this element of the supply should not be counted towards the Council's housing requirement.

The Policy also looks to implement a stepped housing requirement, which backloads housing delivery towards the latter part of the Plan period. This approach is at odds with the NPPF's objective to boost the supply of housing and appears not be justified by the expected rate of delivery of sites as site out in the summary housing trajectory in Appendix B of the Plan. For example, in the first period (2021/22 and 2025/26) the Council proposes a requirement of 2,250 dwellings (averaging 450 dwellings per annum). However its housing trajectory suggests that 3,085 dwellings will be delivered, which is equivalent to 617dpa. As such, Policy H1 should be expressed as an average requirement; it should not be stepped.

The Policy also sets out that approximately 428 homes will be delivered on specified brownfield sites and/or regeneration opportunities in Fareham Town Centre. In some cases deliverability, viability availability (i.e. in existing use) is not assured (notably sites FTC2-5). Whilst Local Plans should be aspiration, they should also be deliverable. Allied to above, a further 1,327 homes are identified on Housing Allocation sites (i.e. allocation prefixed with a HA reference). However, a number of these sites are rolled forward allocations from the current adopted Local Plan, and in some cases (i.e. HA29 and HA30) are site that formed part of the Western Wards growth are that were originally identified

in the 1970's, but have failed to be delivered. As such, it is questionable whether the Council has properly assessed deliverability / developability of some of the sites comprising its supply. It is advisable therefore that the quantum of housing expected from some of the questionable supply sites should not be counted against the housing requirement in the Plan, and alternative sites (such as those set out in the Omission Sites section) should be identified to ensure the Council's housing requirements are met. In additional to the above, the deliverability issues associated with Welborne are well documented. Recently it is understood that due to delays in the site coming forward, the Council has lost external funding to deliver critical highway improvement works. This further underscores the challenges associated with this site. The Council would be well advised to take a highly cautious approach when seeking to include housing supply from Welborne. The draft Plan currently includes 4,020 dwellings as part of the housing supply. In light of the above, this figure is considered to be highly optimistic and should be revised downwards.

Notwithstanding, our concerns regarding the Council's choice of LHN, this figure should be regarded as the starting point for developing the Plan's housing requirement. Councils are advised through national planning policy/ guidance to consider whether any adjustments should be made to the LHN figure to account for other factors such as economic growth (which appears to be absent from the Plan) and unmet need from neighbouring authorities (as discussed above). With regards to affordable housing, the Council commissioned a Housing Needs Survey as part of its previous Regulation 18consultation draft Plan in 2017. At the time, the Survey suggested that there is a net affordable housing need of 302 dpa (i.e. nearly ¾ of the overall annual requirement). Whilst the Standard Methodology accounts for affordability (or lack thereof in Fareham's case), actual affordable housing need indicates that a further uplift to its LHN may be necessary.

Policy HP4 Five-Year Housing Land Supply

Policy HP4 states that development 'may be' permitted where a development meet all the criteria in policy HP4. The Policy should be reworded to positively state that a development *'will be'* permitted if it meets the policy criteria. When determining planning applications, the decision maker is required to read the Local Plan as a whole; there is no reason for the Policy to be equivocal on this matter.

With regards to criterion (b) the policy states that a development should be '…integrated with the neighbouring settlement'. Does this mean a physical link between the development and the adjoining settlement or that a development should be integrated in design terms? This needs to be clarified.

Criterion c) seeks to prevent development in strategic gaps that may significantly affect its integrity. As per our comments in respect of Policy DS2, this is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. It is also noted that Policy DS2 sets out different policy requirement with regards to the protection of Strategic Gap (i.e. proposals should not affect the physical and visual separation of settlements). This has the potential to create an internal conflict within the Plan as it is unclear which policy requirements (either HP4 or DS2) would take precedent where the Council unable to demonstrate adequate five year supply. It is suggested therefore that the wording for Criterion c) is deleted or replaced with a cross reference to Policy DS2 (including Permission's suggested amendment to this DS2).

Policy HP5 Provision of Affordable Housing

With respect to the percentages of affordable housing sought at sites, Policy HP5 should include a viability review mechanism to provide flexibility. This will assist with the viability of schemes should there be a fall in market over the lifetime of the Plan and/or in circumstance where unknown development costs are introduced (nitrate mitigation costs associated with the HRA requirements are a case in point having seriously affected the viability of schemes over the past year or so).

As set out in the supporting text to this Policy (paragraph 5.32), the Council publishes on its website the identified affordable housing need by area of the Borough. The Council's website shows considerably different housing need for each area. The affordable tenure mix is therefore too prescriptive and does not reflect the Council's own evidence base. It is advisable therefore that the

Council replaces criteria i-ii with a statement confirming that affordable housing mix and tenure will be negotiated with the Council evidence base set out its webpage used as the starting point.

Further underscoring our concerns with the nature of the tenure mix, the Council should be aware of the potential practical challenges associated such a small percentage of Affordable Home Ownership. The Policy could be interpreted by officer so that Affordable Home Ownership is provided at 10%, which would be a challenge for reasons set out below. Registered Providers are becoming ever specialised with some only dealing with the shared ownership side and others the rented side. Requiring such a small percentage of Affordable Home Ownership products through this Policy may create challenges in terms the viability of tender bids for this type of unit. In addition, Affordable Home Ownership, including shared ownership schemes, have been shown to be an effective means of getting people on the property ladder. As the Council's own evidence shows 10% is considerably below what is actually needed.

The final element of Policy HP5 addresses the market rent of Affordable Rented units, which will be judged as 80% of market rent or the relevant Local Housing Allowance (LHA), whichever is lower. The NPPF only make provision for rent to be set at 80% of market. It does not state that market rents should be benchmarked against LHA. The reference to LHA should be deleted to ensure that HP5 is in conformity with national policy.

It is also noted in Paragraph 5.42 of the supporting text to HP5 that the Council may need review the Affordable Housing Supplementary Planning Document (SPD) to address changes to the affordable housing and mix. SPDs should not be used to review issues that have a direct impact on viability. This should be tested through the Local Plan review process.

Policy HP7 Adaptable and Accessible Dwellings

The PPG sets out a number of tests against which Councils should consider when seeking to introduce M4(2) and M4(3) policies into its Local Plans. The Council's Specialist Housing Background Paper (September 2020) has been produced which shows how the Council claims to have met these tests.

In terms of need, the Background Paper sets out the population with Long Term Health Problem or Disability based on census data. However, this measures population, not households, so should not be assumed to an accurate proxy for need. It should also be noted that some people who state that they may have a Long Term Health Problem or Disability as part of a Census response may not have an illness that would affect mobility and would not therefore not necessarily require M4(2) or M4(3) dwellings. The evidence base should be updated to reflect the above.

With regards to the provision of Category 3 specifically, the Council's evidence of need is weak being based on a national wheelchair usage that may not reflect the level of need in Fareham Borough. Furthermore, with regards to Category 3 affordable housing, from a practical point of view, Registered Providers are less willing to take on wheelchair dwellings as they can be difficult to occupy. If there is no suitable occupier then the unit could be sat empty for a significant period while a suitable occupier is found. During this time the unit is not generating any income, and could have been used to house a family that is in need at the time.

As the Council correctly identifies, a large proportion of older homeowners will seek to remain within their own homes with care provided in situ. Should these owner occupiers need to downsize or relocate they will be able to utilise the equity built up within their dwellings to access products which meet their specific. This may be sheltered or extra care accommodation. Within recent years, as this market has developed, the industry has responded with a number of private sheltered accommodation schemes approved within Fareham. In this context, the Local Plan also looks to facilitate the delivery of specialist housing through Policy HP8 and through specific housing allocations made in the Plan (HA42 – HA43). The Background Paper does not appear to have factored in the supply of specialist homes that may come forward be on allocated sites and windfall sites permissible under Policy HP8.

With regards to the second test relating to location of specialist housing, as set out HP8, this type of accommodation is best located in accessible locations. Given the mobility challenges which some older people face, town and district centres, with their conveniently located services such as shops and health facilities, are ideal locations for older persons housing. Fareham town centre is a highly accessible location where a significant quantum of flatted housing is proposed with the benefit of a reduced affordable housing policy requirement. District Centres are also highly accessible locations where there is a potential for older persons housing could be delivered. The Council should therefore consider restricting this Policy requirement to areas of high accessibility.

Policy HP9 Self Build and Custom Homes

Policy HP9 sets out a policy requirement for 10% of all units on sites over 40 dwellings to provide plots for sale to address local self or custom build need. It is noted, however, that at Paragraph 5.8 of the Council's Self and Custom Build Housing Background Paper (September 2020) it is stated that that the Council has met its past and future self-build requirements – this has been achieved without the need for a specific policy. It is also noted that the adopted Welborne Plan requires some 1% of its housing to be for self / custom build. Set against the current identified need of 35 net plots it would seem excessive to require a policy to further increase self / custom build supply. This could result in significant over provision of a product for which there is no clear market demand. In light of the above, the justification for Policy HP9 is therefore questionable. The policy does include provision for plot to be developed for non-self-build ,should they not be taken up, however, this Local Plan has made no assessment about the extent to which this would affect cash flow and the viability of developments. It is Persimmon's view therefore that this Policy should be deleted.

Notwithstanding our overarching concerns regarding the justification for this policy, there are a number of practical considerations that the Plan fails to adequately acknowledge. Criterion a) for example, sets out that self or custom build plots should be serviced. The Policy needs to clarify what is meant by 'serviced'. Does serviced this relate highway access, gas, water, electricity and/or broadband, and to which point should the plots be serviced? Turning to criterion c) it is not clear who would be responsible for setting out the design parameters. Placing a requirement to conform to set parameters could put off some prospective self / custom builders. The requirement to provide self and custom build plots may also have a number of practical and management issue, such as:

- Phasing and completion of the wider site.
- Section 106 contributions due to the exemption that applies to self-build housing.
- Delivery of housing in accordance with paragraph 59 of the NPPF to boost significantly housing supply, where supply on an ad hoc basic by self-builders is likely to be slow compared with the remainder of the site or even not take place at all.
- The reserve matters period running out and needing to be extended.
- Ad-hoc builders turning up outside specified hours of work.
- Storage of materials as there is limited room on plot and storage spills onto the market housing part of the site.
- Purchasers having to stop building due to unemployment/lack of funds.
- Purchaser dissatisfaction where building continues on a site which was expected to finish when they moved in.

<u>CLIMATE CHANGE</u>

Strategic Policy CC1 Climate Change

This Policy states that the 'Council will promote mitigation and adaptation to climate change through…' It is unclear whether the criteria will be sought as part of development proposals, or whether the criteria relate to development delivered by the Council. This requires clarification. If it is the former, the Policy should make clear that the criteria are not requirements but should only be met where it is possible to do so.

Policy CC2 Managing Flood Risk and Sustainable Drainage Systems

Policy CC2 requires all developments to be designed in accordance with the CIRIA C753 SuDs Manual or equivalent national or local guidance. The SuDS manual is, however, only guidance. In Persimmon's experience, strict adherence to the guidance can be problematic as the design of a SUDS system also need to consider design, aesthetics, engineering etc. It is recommended therefore that the wording for this bullet point is prefixed with 'Where possible,' to provide the necessary flexibility.

NATURAL ENVIRONMENT

Policy NE2 Biodiversity Net Gain

Policy NE2 sets out a requirement for site to deliver 10% net gain for biodiversity. The Local Plan viability assessment assumes a cost of £500 per dwelling. This development cost is based on limited evidence and seems low, particularly for greenfield sites (as opposed to brownfield equivalents) which are likely to require significant more extensive measures to achieve a 10% net gain. In many cases, the requirement to achieve BNG is likely to negatively impact on the developable area, resulting in a loss of revenue that negatively impacts on viability, rather than be a cost associated with each individual units per se. In Persimmon's view, the viability evidence to support the introduction of this Policy is inadequate. As mentioned above, meeting BNG at 10% can require considerable land take; on some sites Persimmon has been involved in, BNG has required around 50% of the gross site area. It is not clear whether or to what extend the Council has factored in this 'land hungry' BNG requirement as part of its housing allocations capacity estimates. It is also noted that BNG should be achieved across a site, it is not a requirement to be met at the individual plot level (although this might form part of the BNG solution). As such, supporting text Paragraph 32 is misleading and should be deleted.

Policy NE4 Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent

This is new Policy which sets out Fareham's policy approach to dealing with excessive nutrient (nitrate) loading on protected European sites of ecological importance. However, the Policy is light on detail with insufficient guidance as to how applicants will be able to demonstrate conformity. Given Persimmon's significant experience in dealing with such matters, the Company is aware of how this Policy can be implemented in practice, but for less informed developers/applicants this may be more challenging.

Notwithstanding the above, the Company is aware that the primary means of determining whether a development proposal will be able to demonstrate nutrient neutrality is by producing a nutrient budget using the Natural England Methodology. Given that the Natural England Methodology provides a key evidence base and is fundamental to the implementation of Policy NE4, it is critical that this document is examined in detailed alongside the Local Plan. Of particularly concern is that Natural England's Methodology includes a number of onerous stages that result in significantly more mitigation being required than is actually necessary. These provisions include, but are not limited to, housing occupancy rates, internal migration (particularly those households that are occupying new affordable housing) and default permit levels. Furthermore, despite many of steps set out Natural England Methodology taking a precautionary approach to nitrate assessment, an arbitrary buffer of 20% increase in nitrate loading is added at the end of the calculator. This buffer is not required and will further exacerbate the issue of overproviding mitigation land that is not necessary. Lastly, it is noted that the Partnership for South Hampshire has updated the Integrated Water Management Study (IWMS). The IWMS provides a key evidence base underpinning the nitrate assessment work, but the Natural England Methodology does not take into account this new evidence.

Policy NE5 Solent Wader and Goose Sites

Policy NE5 sets out the Council approach to protecting area which are used by Solent Waders and/or Brent Geese. The Policy makes reference to such area as shown on the Policies Map. These

designations are, however, informed by an interactive GIS map provided on the Solent Bird Aware website, which forms a critical evidence base to the development of Policy NE5. It is therefore concerning that, on the same webpage as the bird habitat GIS mapping, members of the public can download a form to report bird sightings. It is not clear whether or to what extent these reported sighting are authenticated / scrutinised by a qualified ecologist. There appears to be wide scope for land to be incorrectly identified as a bird site leading to unnecessary cost being expended to mitigate site, and in the worst cases complete sterilisation of that land. This is certainly the case with a number of sites that are with Persimmon Homes' interests (as detailed later in these representations). There is a concern therefore that the mapping evidence base underpinning Policy NE5 is flawed.

The Policy also does not set provision with regards to bird surveys. The methodology for bird sites allows sites to be identified as habitat even if they are not actually being used by birds. It would seem logical that the policy makes provision for applicant to undertake ecology survey and assessment of bird sites in order to demonstrate the absence or presence of a species. We would recommend that one year's survey data should be sufficient, with further surveys only required if the some activity has been identified at a site.

The Council will also be aware that it is the Solent Bird Aware mapping (not the Policies Map) that is used by consultees (Natural England and the Council's own in-house ecologist), to determine whether a development will impact on any protected bird habitat areas, to avoid any confusion in the future, and to ensure the Policies Map remains in date, it is suggested the Policy Map deletes these designations.

With regards to the criterion a) 'Core and Primary Support Areas' the Policy requires that development on such sites should result in an overall net gain to the Solent Wader and Brent Geese Network. BNG is a requirement of Policy NE2; the concept for which is established in the NPPF. However, Persimmon are unaware of any such requirement in national policy or the evidence base underpinning this policy, for a net gain for specific species, including protected birds.

Policy NE6 Trees, Woodland and Hedgerows

Point a) of this Policy advises that the 'unnecessary loss' of non-protected trees, hedgerow and woodland should be avoided. It is unclear what 'unnecessary loss' means in practice.

Point b) of the Policy should be a new sentence, and what is meant by the term 'unavoidable' in this context should be clarified.

Policy NE8 Air Quality

Criteria a) of this policy requires electricity charging infrastructure to be provided as part of new development (excluding Welborne). It is unclear why this Policy is not to be applied to Welborne. Presumably this is because of the impact of such provision on viability. Viability issues associated with EV charging provision are, however, not limited to Welborne.

The Local Plan Viability study incudes development cost associated with EV charging as part of £10,000 per plot contingency. Paragraph 5.3.8 of the Study states that, *'it is unclear at stage of writing if or when any of these measures will be required, so [the study takes] a very cautious and conservative approach….'* With regards to the EV charging, Policy NE8 requires such provision; there is no uncertainly as to what is expected of a development proposal. As such, the Viability Study should consider this issue in greater detail and not combine this policy requirement with other unknown cost demands on development. Combining these 'unknowns' a single contingency means that is not possible to scrutinise in detail whether the assumptions made with respect to EV is reliable.

We would highlight that the cost for providing EV charging points is around £500-£600 but this does not include additional costs associated with providing additional sub-stations on lager development sites so that all charging points are capable of being used concurrently (alongside all other energy

demands on a development), and the potential to provide enhanced electricity supply (i.e. off-site upgrades) over and above that required for the units that could challenge a scheme's viability.

As current drafted, this element of the Policy is not justified.

TRANSPORT AND OTHER INFRASTUCTURE

Strategic Policy TIN1 Transport Infrastructure, Policy TIN2 Highway Safety and Road Network and Strategic Policy TIN4: Infrastructure Delivery

These policies concern development contributions to the delivery of new infrastructure. However, it is considered the funding for such infrastructure may, in many instances, be a matter for CIL.

Notwithstanding, the above, if such Infrastructure is a requirement to make the development acceptable in planning terms, then such contribution need to meet the relevant tests set out in the CIL Regulations. It is no longer appropriate for blanket contribution to be sought by planning authorities. The Policy should be clear on this matter.

With specific reference to TIN2 it is unclear why the Council has chosen not to show the alignment of the Stubbington by-pass on the Policies Map given its strategic importance. This Policies map should be updated to show this route.

DESIGN

Policy D1 High Quality Design and Place Making

Policy D1 makes reference to a number of principles of policy and urban design, but also makes reference to guidance contained in the supporting text. For clarity and avoid any confusion over what is policy and what is supporting, text, it is suggested that this cross reference to the supporting text contained in the policy wording is deleted.

The Council should also review the policy to remove any duplication with other policies in the Plan, for example the section relating nature.

Consideration should also be given as whether the policy needs to be so detailed given that the Council has comprehensive guidance on design set out in its adopted Design SPD.

Policy D3: Coordination of Development and Piecemeal Proposal

This Policy seeks to avoid ransom situations. However, The Council will be aware of case law that prevents it from interfering on private property rights with regard to depressing or prevent returns to a landowners.

Policy D4: Water Quality and Resource
The second part of this policy requires developers to meet the Optional Technical Housing Standard for Water Efficiently (i.e. 110L/person/day). Meeting these Standards should be optional, not required. Whilst the Natural England Nutrient Methodology for the Solent area requires development to meet these standards as a means of addressing nitrate loading, there may be instances where nutrient neutrality can be achieved without doing so. The justification for requiring proposals to meet this standard are inadequate.

D5 Space Standards

The housing standards review introduced the optional space standards which local authorities could adopt by way of reference in their local plans. However, a prerequisite to the adoption of the space standards are the following tests set out in the planning practice guidance (Paragraph: 020 Reference ID: 56-020-20150327).

"Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- ***need** – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- ***viability** – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- ***timing** – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.'*

In order to meet the policy test for the inclusion of the space standards there is a requirement for the council to establish the need for the adoption of the national space standard. To this end, the Council has published a Specialist Housing Background Paper (September 2020). Para 6.7 of Background Paper states most dwellings that have been consented or are awaiting determination are consistent with the 2015'Technical housing standards –nationally described space standard. The Background paper, makes references to the larger plots not meeting this standard, with an example being made of site ref 14/19. However, on the whole most dwellings considered in the Council's Background Paper, including large units, are meeting the Optional standards. From a need perceptive, it would seem as though there is little justification for the introduction of this Policy.

In terms of first part of the viability test, the Council's Local Plan Viability Study indicates that development viability would not be negatively impacted by the introduction of the standards. This Study, however, is completed at a relatively high level, which makes it difficult to conclude whether this part of the test has been complied with. With regards to the second part of the test, no assessment has been carried out by the Council to demonstrate that the requirement for new development will not negatively impact affordability within the market.

As set out in paragraph 6.10 of the Background Paper, the Council has decided not to set a transition period for the adoption of the national space standards as it is of the view its introduction would not affect viability. For reasons set out above, we do not concur with this assessment, and suggest that a three year grace period is introduced to allow sites that are under a fixed contract to be brought forward. It is also noted that, the Council are looking to apply the draft policies in this Plan, including the requirement for national space standards prior to the examination or adoption of the plan. This contrary to the approach set out in the planning practice guidance. It is not practical to expect development proposals that are currently being considered to suddenly meet space standards.

In light of the above, Policy DS5 is not justified and should be deleted for reasons of soundness.

Local Plan Appendices

Appendix B set out a summary housing trajectory for the sites identified in the Plan. This is inadequate to properly assess the delivery expectation made by the Council with respect to individual sites. To enable proper scrutiny of the trajectory, the Council's housing trajectory should be broken down by individual sites. This is particularly important because the Council has consistently over-estimated the delivery timescales for key sites. For example, Welborne, which was originally identified in the Core Strategy (2011), was expected to commence delivery in 2014/15. The site has still not achieved an implementable planning persimmon, and commenced of development is still some way off.

4. Omission Sites

The following section provides an overview of the sites in Fareham Borough that are in Persimmon's interests, but have not be identified for allocation. These site are largely located on the periphery Stubbington and are within the ownership of the Dunley Estate. The Table below summarises the Dunley land holdings including capacity. The sites are shown on the enclosed Location Plans provided at Appendix 2.

Site Number	Address	Gross Area Acres (Hectares)	Site Capacity Estimate*
1	Land East of Burnt House Lane	23.53 (9.52)	240 - 320
2	Land West of Peak Lane	46.25 (18.72)	TBC
3	Land North of Titchfield Road	4.83 (1.95)	40 -50
4	Land South of Titchfield Road	2.78 (1.12)	10 - 30
5	Land West of Cuckoo Lane	52.76 (21.35)	150-200
6	Land at Oakcroft Lane	41.04 (16.20)	209
	Total	**171.19 (69.28)**	**649 - 809**

*Based on net developable area, not gross area.

Sites 1-3 and Site 6 fall within the South of Fareham SGA that was identified as part of the most recent Regulation 18 draft Plan. The remaining sites (Sites 4 and 5) are located outside of the SGA. The following section addresses each site in turn.

In support of the Draft Local Plan Regulation 19 Plan, the Council updated its Strategic Housing and Employment Land Availability Assessment (SHELAA) in September 2020. This replaces the previous study which published in December 2019. The conclusion of the SHELAA as related to each of the sites shown in the Table above are considered.

Site 1: Land East of Burnt House Lane

This site is located to the eastern edge of the Stubbington. Persimmon has undertaken some initial capacity testing in relation to Site 1, including an initial highways assessment and masterplanning. The outcome of this work indicates that the site is capable of delivering around 240 to 320 new homes. This accounts for on-site constraints including the provision of a noise attenuation bund, and strategic planting to the eastern and northern boundaries of the site. Adjacent to this site is the Meoncross School, which seeking alternative arrangements for playing pitches close to the school (the existing pitches are currently leased and do not adjoin the school) and additional car parking to avoid parents parking on the nearby residential streets. Persimmon is in discussion with the school about how development at the Burnt House Lane may assist in addressing the school's immediate needs. In the longer term, however, given that the school is unable to expand within its existing site, consideration is being given as to whether the facility could be relocated to the Cuckoo Lane site (Site 5) to the west of Stubbington. Permission are strongly of the view that the site is sustainable and suitable for development and it is capable of being brought forward as a standalone allocation site, or as part of a wider masterplan with the South of Fareham SGA, should the Council seek to revisit this project.

The SHELAA 2019 concluded that Site 1 (SHELAA Ref: 1040) was deliverable housing site. However, in the Council SHELAA 2020 the Council considers the site to be undeliverable due a) to a significant visual impact undermining the integrity of the Strategic Gap, and b) the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The

Council ascribes a capacity of 125 dwellings to the site. It is unclear how the Council has reached the conclusions in the new SHELAA given its assessment of the 2019 SHELAA undertaken just nine months prior. Notwithstanding this, as set in these representations, it is Persimmon's view that the Strategic Gap should be redrawn to exclude this site. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the bird site to development is not unachievable. A strategy of improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 2: Land West of Peak Lane

This site is located to the north of the by-pass and extends across much of the gap towards the urban edge of Fareham in the north. Given its location and context, the development potential of this site is considered to be limited. However, the land could be an effective nitrate mitigation and/or bird protected habitat site that mitigation solution that could be used to address the potential impact development on other sites within Permission interests and/or other sites in the Borough the require mitigation solutions.

Site 3: Land North of Titchfield Road

This site is located to the north-west of Stubbington. Whilst this site formed part of the previous SGA, it is clearly distinct from and separate from it. This site is small scale that is well-contained in landscape terms, surrounded by existing built development and is deliverable in the short-term as stand-alone site that can be brought forward either as part of outside of the SGA masterplanning process should the Council seek to revisit this project. Initial capacity assessments of Site 3 indicates that it is capable of delivering around 40-50 new homes.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3190) was a deliverable housing site. However, in the SHELAA 2020 considers the site to be undeliverable due it being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 20 dwellings to the site. It is unclear how the Council has reached these conclusions regarding the suitability of the site given its assessment of the site undertaken just nine months prior. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the site to development is not unachievable. This approach to improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 4: Land South of Titchfield Road

This small site is located to the north-west of Stubbington. It bounded to the north-east and north-west by existing housing fronting Titchfield Road and the Crofton Equestrian Centre. The site's relationship with the wider Meon Valley landscape is limited by the woodland to the south of the site. The woodland to the south and its associated watercourse (which is also within Dunley Estate ownership) is recognised as an important ecological resource. Sensitive site design, however, could provide a means of ensuring the ecological interests at this adjoining site are protected and enhanced. Initial site capacity assessment indicated that the site is capable of delivering between c. 10-30 new homes. Were the Council minded to allocate the site for residential development, it could provide an important contribution towards its small-medium site housing allowance as required by Paragraph 68 of the NPPF.

Site 5: Land West of Cuckoo Lane

This site adjoins the settlement boundary of Stubbington to its north-eastern boundary. It is characterised by a substantial arable field that is well-contained in the north by the built form of Stubbington and substantial woodland. Initial capacity testing of this site, which has allowed for a substantial ecological buffer to the woodland, strategic planting to contain the site from the wider Meon Valley, land for a new school and new parkland further south, indicates that it is capable of delivering around 150-200 new homes.

This site is assessed in the SHELAA as being undeliverable due to being located within a *'highly sensitive landscape (based on the Fareham Landscape Assessment) and within an Area of Special Landscape Quality. Significant ecological constraints associated with the adjacent SPA/SSSI affect the suitability of the site.'* The SHELAA ascribes a capacity of 240 dwellings to the site. Whilst the ecological and landscape challenges associated with this site are recognised, they are not insurmountable. Although not a consideration for the SHELAA per se, the site provides the opportunity to deliver substantial ecological and recreation benefits, alongside community benefits, including new education provision and allotments.

Site 6: Land at Oakcroft Lane

Similar to Sites 1 and 3, the Oakcroft Lane site can be delivered outside of or as part of the SGA process (should the Council revisit this project). However, as demonstrated through the planning application, the site is deliverable now as a standalone development site. Technical issues associated with the development have been resolved and Persimmon are currently awaiting determination of the application by the Council. The site is capable of delivering 209 new homes alongside a considerable area of space to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3141) was a deliverable housing site. However, in the SHELAA 2020 the Council considers the site to be undeliverable due to the site to be undeliverable due to the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 200 dwellings to the site. It is unclear how the Council has reached these conclusions given its assessment of the site undertaken just nine months prior, and considering the site-specific mitigation strategy for protected birds has the support of Natural England and the Council's ecologist via the planning application process.

Appendix 1: Oakcroft Lane Site Layout

Rev	Date	Revision Details	Dr	Ch
E	22.04.20	Bypass junction amended	br	db
D	25.02.20	see planning cover note	br	db
C	05.11.19	see planning cover note	br	db
B	20.09.19	see planning cover note	br	db
A	22.07.19	see planning cover note dated 23 July	br	db

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Job Title
Oakcroft Lane, Stubbington

Drawing Title
Site Layout

Job No	Drawing No	Rev
220	A-02-015-SL	E
Drawn	Checked	Date
BR	DB	March '19

Scale
1:1000 @ A1 / 1:2000 @ A3

metres 20 40 60 80 100

Status
PLANNING

Persimmon Homes. No dimensions to be scaled from drawing except for the puposes of Planning Applications. The contractor should check all dimensions on site. It is the contractors responsibility to ensure compliance with Building Regulations. No drawings should be copied or modified without permission from Persimmon Homes.

File Location: s:\south coast\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Appendix 2 Omission Site Location Plans

Site 1 Location Plan: Burnt House Lane, Stubbington

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Site 2 Location Plan: West of Peak Lane, Stubbington

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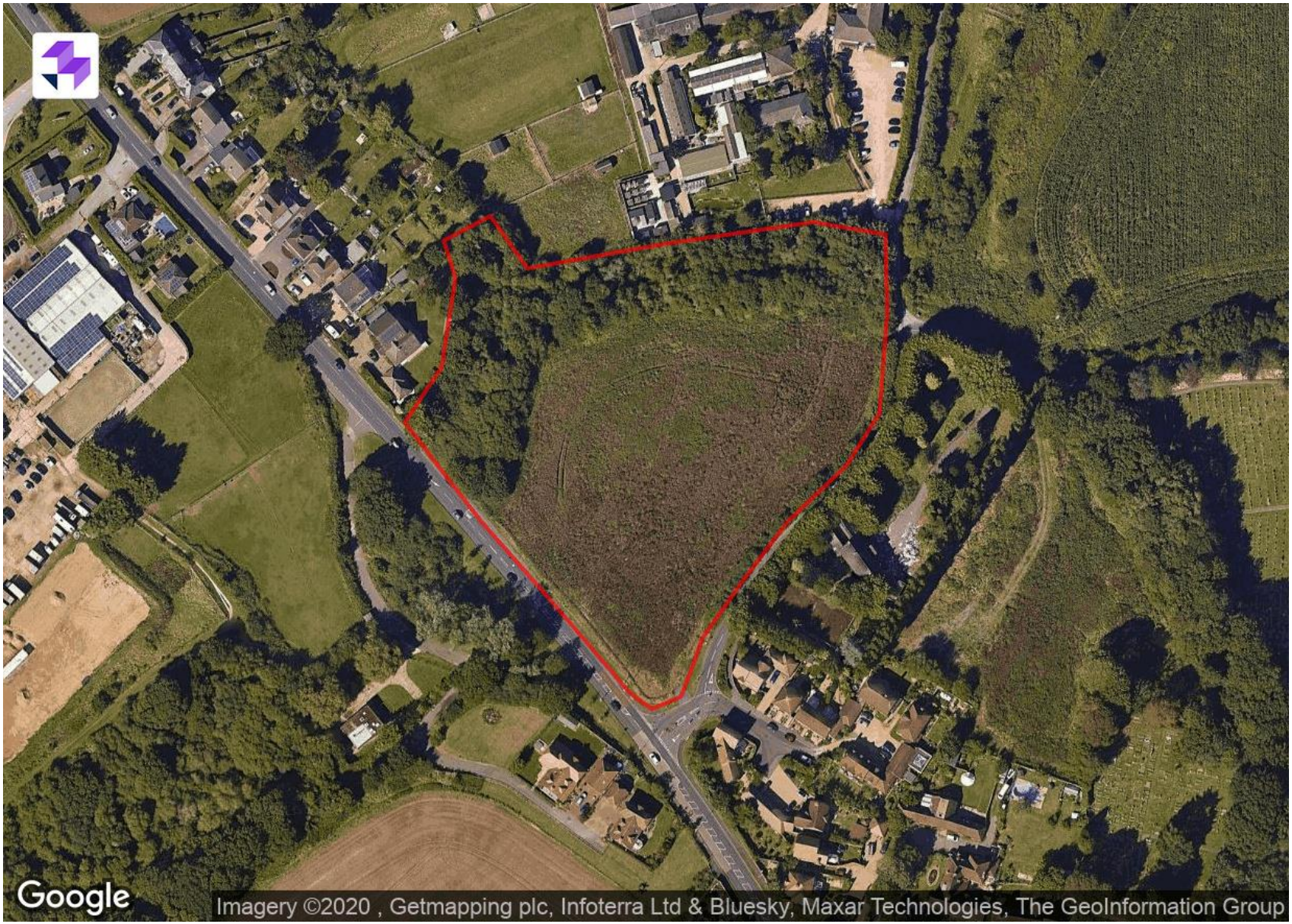

Site 3 Location Plan: North of Titchfield Road, Stubbington

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Site 4 Location Plan: South of Titchfield Road, Stubbington

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Site 5 Location Plan: West of Cuckoo Lane, Stubbington

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OFFICIAL PARTNER

Rev	Date	Revision Details	Dr	Ch
A	22.07.19	see planning cover note dated 23 July	br	db

PERSIMMON
Together, we make a home

Job Title
Oakcroft Lane, Stubbington

Drawing Title
Site Layout

Job No	Drawing No	Rev
220	A-02-015-SL	A
Drawn	**Checked**	**Date**
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Scale
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metres 20 40 60 80 100

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File Location: s:\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Fareham Local Plan 2037 – Publication Version Consultation

Representations on behalf of Solent University in relation to Warsash Maritime Academy (HA7)

December 2020

Turley
Planning

Contents

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3.	Policy HA7: Warsash Maritime Academy,	5
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[redacted]

Client
Solent University

Our reference
SOUS3009
18 December 2020

1. Introduction

1.1 These representations have been prepared by Turley on behalf of Solent University.

1.2 Our client owns the land interest at Warsash Maritime Academy, Fareham which forms the proposed Policy HA7 allocation.

1.3 Each of our responses relates to a particular policy or paragraph and this report is structured accordingly.

1.4 We can confirm we wish to appear at the Examination in Public in due course and look forward to continuing to engage with the Local Plan process.

2. Policy H1: Housing Provision

2.1 Policy H1, of the Publication Version of the Fareham Local Plan 2037 does not properly address housing provision as it does not set out the minimum number of homes the Council is required to deliver.

2.2 It is appreciated that there has been some uncertainty around the housing requirement figure due to on-going national debate relating to the standard method to be adopted by the Government. At the time of submitting this response, the government has confirmed its approach which will require the Council to deliver 508 new homes per annum.

2.3 The 508 dwelling per annum figure should be viewed in the context of the unmet housing need which identifies in adjacent local authority areas, specifically Portsmouth. It is acknowledged that the Council has identified additional homes to help meet the identified short-fall in adjacent areas however this contribution is likely to be insufficient and we consider that the Council should do more to contribute to the substantial unmet needs across the south Hampshire sub-region.

2.4 Paragraph 2a-010 of Planning Practice Guidance (PPG) outlines that there will be circumstances where it is appropriate to plan for a higher housing figure than that identified through the standard method. One of these is where an authority has agreed to take on the unmet needs of another area (in this case Portsmouth) as discussed above. The minimum level of housing required should therefore be the local housing need figure plus unmet need within a neighbouring area which the Council has agreed to take.

2.5 Housing need arising from other growth strategies, for example the Partnership for South Hampshire (PfSH) strategy for sub-regional employment growth should also be taken into account in determining the minimum housing requirement.

2.6 We consider therefore that Policy H1 is not sound as currently drafted on the basis that:

(a) It does not adopt the recently confirmed standard method approach;

(b) It does not take sufficient account of the scale of unmet housing need in adjacent local authority areas, nor make sufficient provision to help address this unmet need, as required by the NPPF;

(c) It does not sufficiently take account of economic growth strategies for the wider (PfSH) area.

3. Policy HA7: Warsash Maritime Academy,

3.1 Part of the land at Warsash Maritime Academy, which is no longer required for educational use, was proposed for allocation in the preceding version of the Fareham Local Plan 2037 and we submitted representations on behalf of Solent University at that stage. A copy of the previous representations is attached as Appendix 1.

3.2 Solent University supports the allocation of the Warsash Maritime Academy site for a primarily residential re-development as proposed by Policy HA7. The site comprises previously developed land which is no longer required for educational use by the University and can be brought forward for redevelopment at an early stage in the local plan period. The Council is at an advanced stage in negotiations for the sale of the site to a third party who will deliver a residential-led redevelopment proposal.

3.3 Whilst the University, as land-owner is fully supportive of the principle of the allocation however, it considers that there are certain detailed requirements within the policy that need to be amended to ensure that Policy HA7 s effective and that development on the site is deliverable, at an early stage in the plan process, and is not unnecessarily constrained. In its current form the policy is considered unsound

3.4 We have set out in detail below the changes which we consider are required to Policy HA7 to ensure that it is effective.

Allocated Use

3.5 The draft allocation identifies the proposed use of the site as "residential" with an indicative yield of 100 dwellings.

3.6 SSU supports this allocation and acknowledges that it is intended to bring forward a residential-led redevelopment of the site. The policy should acknowledge however that the site includes two Listed Buildings (Shackleton and Moyana) which will be retained and converted as part of any redevelopment proposal. Flexibility is sought in terms of other uses that might be provided within these buildings to ensure that the site makes the greatest possible contribution to meeting identified needs (including the need for housing) and that beneficial uses can be found for the Listed Buildings. Whilst it is possible that both Shackleton and Moyana could be redeveloped for residential use, proposals have yet to be developed and the form and internal spaces of the buildings could be equally suited to other uses, for example as commercial space (Use Class E) in the case of Moyana or hotel accommodation in the case of Shackleton. It is not intended that these uses would be prioritised above residential use however, to provide an appropriate degree of flexibility to secure the optimum use of the Listed Buildings, the potential for alternative use should be recognised in the allocation.

3.7 We therefore request that the wording in respect of the Allocated Use is amended to state:

Allocated Use: Residential (including Use Classes CI, C2, C2a C3 and C4) with potential for commercial (Class E), Institutional (Class F1) or Community (Class F2) use of Moyana.

Indicative Yield

3.8 Policy HA7 identifies an Indicative Yield for the allocation of 100 dwellings.

3.9 Having regard to our comments in respect of Policy H1, we consider it important that each allocated housing site should make the maximum possible contribution to meeting identified housing need, compatible with the environmental character of the site and surrounding area.

3.10 The University has previously made submissions to the SHLAA suggesting that the indicative site capacity should be increased and remains of the view that the indicative yield of 100 units is an underestimate of site capacity. Feasibility work undertaken in the context of the disposal of the site indicated that the site could potentially accommodate around 150 homes. The final number of homes delivered will be affected by the nature of the uses introduced to the Listed Buildings and it is acknowledged that if non-residential uses are introduced then the number of dwellings provide as part of the comprehensive redevelopment of the site will be lower.

3.11 We propose that the indicative yield should be amended to refer to 150 units, with the final capacity determined through the development management process taking account of the re-use of the Listed Buildings.

Site Specific Requirements

Requirement (a)

3.12 The University acknowledges that there may be potential for the Listed Shackleton building to be converted to flats however this should not be a requirement. It is possible that alternative uses (for example hotel use (Use Class C1) or residential institutional use (Use Class C2) could be accommodated within the building and would equally, or better, safeguard its architectural and historic interest. The policy does not need to be prescriptive with regard to the use of the Listed building and, to our knowledge, no work has been undertaken by the LPA to establish that conversion to flats would represent the optimal use.

3.13 Accordingly, we request that the words “including conversion of the building currently known as the Shackleton building to flats” are deleted from requirement (a).

Requirement (g)

3.14 The need to deliver an appropriate re-use of the Listed Buildings on the site as part of proposals for the comprehensive redevelopment of the allocated site is recognised. The agreement of Historic England to proposals for re-use of the buildings is not required and there is no reason why Historic England would need to be involved in proposals for the re-use of the buildings which are Listed at Grade II.

3.15 Accordingly we request that the words “(subject to agreement with Historic England) are deleted from requirement (g) and that the words “or other compatible uses” are added at the end of the requirement.

Requirement (j)

3.16 The University recognises that it is important in both landscape and biodiversity terms, to ensure that efforts are made to incorporate the best quality trees into a future development proposal. We object however to the requirement for all trees on the site to be retained.

3.17 Area Tree Preservation Orders are recognised to be a 'blunt-tool' in dealing with tree protection. Moreover, the Area Tree Preservation Order which is imposed upon the site dates from 1993. As part of its work to assess the development potential of the Upper Site the University has commissioned an updated Tree Survey. The University has engaged with the LPA with a view to reviewing and refining the Area Tree Preservation Order such that it identifies and protects the most important tress on the site.

3.18 The university requests that the wording of Requirement (j) is amended to require the submission of a tree survey and arboricultural impact assessment as part of any planning application for the redevelopment of the site such that tree retention can be fully assessed through the development management process. The requirement to retain all trees should be deleted.

4. Policy D5: Internal Space Standards

4.1 Policy D5 requires developments to meet national spaces standards as a minimum.

4.2 The University wishes to see good quality homes delivered on the HA7 allocation site however the presence of Listed Buildings, which will need to be sensitively converted and adapted to new use, means that circumstances may arise on the site, and elsewhere in the Borough, where it may not be possible to fully achieve national space standards working within the existing building fabric.

4.3 We consider that Policy D5 is unsound as it has not been justified and should not be applied in a blanket manner to all developments.

5. Summary and Conclusions

5.1 These representations have been prepared by Turley on behalf of Solent University in respect of the Fareham Borough Local Plan 2037 Consultation.

5.2 Our client owns the land interest at Warsash Maritime Academy, Fareham which forms the proposed Policy HA7 allocation.

5.3 In summary:

- The plan is unsound in that Policy H1 does not set out the minimum number of homes the Council is required to deliver and the quantum of housing being planned for is in itself insufficient to meet identified housing needs when the unmet needs of adjacent areas are taken into account.

- We fully support the proposed allocation of the HA7 site at Warsash Maritime Academy. The land is surplus to the University's requirements as part of its educational estate with teaching and learning activities which previously took place on the site having been relocated. The site is available, and capable of delivering much needed housing, in the early years of the plan period.

- Whilst supporting the principle of the HA7 allocation, we consider that there are various detailed aspects of the allocation policy which require amendment in order for the policy to be effective.

- We have concerns regarding policy D5 - Internal Space Standards which we consider is not justified.

Appendix 1: Representations to Regulation 18 Fareham Local Plan Consultation

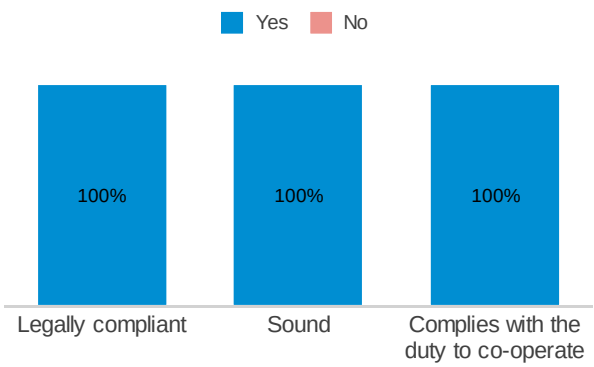
[redacted]

Turley
Planning

Policy | HE1 - Historic Environment and Heritage Assets

1 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	1	1	1
Yes	1 100%	1 100%	1 100%
No	0 0%	0 0%	0 0%



Respondent: Mrs Wendy Ball (2311-221619)

Legally compliant	Yes
Sound	Yes
Complies with the duty to co-operate	Yes

Please provide details you have to support your answers above

HE1-4 The historic environment of Fareham includes a wide-varying and valuable collection of heritage assets (archaeological to 20th century), which it is important to conserve and enhance. It is imperative that the design of any essential development within a historic conservation area should be of high quality compatible with the architecture of the surrounding historic buildings in terms of height, layout, design detailing and material.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Historic England

By email only to: planningpolicy@fareham.gov.uk

Our ref: PL00049426
Your ref:

[redacted]

Date: 18/12/2020

Dear Sir or Madam

Regulation 19 Local Plan Consultation

Thank you for consulting Historic England on the above document. Our main comments are set out in Appendices 1 and 2 to this letter.

Appendix 1 deals with all policies we wish to make comment on, excluding site allocation policies. Site allocation policies are located in Appendix 2. Appendix 3 is the same set of comments in Appendices 1 and 2, The official forms do not appear to be editable, so we have not used them.

We do not consider our appearance to be necessary at examination on any of the points we have raised, however, we would be happy to attend, should the Inspector request this.

Yours faithfully

Edward Winter
Historic Environment Planning Adviser

Appendix 1: Table of Historic England's detailed comments on the Fareham Regulation 19 Local Plan Policies (excluding site allocations: see Appendix B for site allocations)

Policy/section	Soundness/legal compliance/DTC	Comments	Suggested change
Vision, strategic priorities	Not sound.	We welcome the reference to the continued protection of heritage in the vision, and strategic priorities 3 and 10. These are important elements of the positive strategy for the conservation and enjoyment of the historic environment, which the plan should demonstrate, as set out in NPPF paragraph 185. However, to be **consistent with NPPF, and therefore sound**, para 185, in Strategic Priority 10, "historical assets" should be replaced with "historic environment".	In Strategic Priority 10, "historical assets" should be replaced with "historic environment".
Policy HP1: New Residential Development	No comment.	No comment.	
Design chapter, Policy D1	Sound.	We welcome the characterisation of well-designed, contextual development that is "responsive to local history, culture and heritage", and the reference to heritage in criterion (i) in Policy D1.	
Strategic Policy DS3: Landscape	Sound.	We support criterion (f) as part of the positive strategy for conserving and enhancing the historic environment	

Strategic Policy HE1: Historic Environment and Heritage Assets	Sound.	We support having a strategic policy for the historic environment and heritage assets and welcome its identification in paragraph 1.35, which lists those policies that are considered to be strategic, in line with NPPF paragraph 21. The inclusion of a strategic policy for heritage complies with NPPF paragraph 20.	
Historic Environment Chapter (general approach)	Sound.	We support the approach the Council has taken, to have separate policies for conservation areas, listed buildings/structures & settings, archaeology, non-designated assets and heritage at risk. The separation of each of these asset-classes provides more detailed policy for each of the identified types of asset, which should be more useful to applicants and decision-makers. The detailed policies are supported by the strategic policy, which also references national heritage policy. NB: Fareham has locally listed parks and gardens, i.e. non-designated assets, but has no registered parks & gardens i.e. designated assets.	
Background paper	Sound.	We welcome the background paper as a useful tool in demonstrating that a suitable evidence base has informed the plan, in respect of the historic environment.	

Appendix 2: Table of Historic England's detailed comments on the Fareham Regulation 19 Local Plan Site Allocation Policies

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
FTC1	Palmerston Car Park	Sound	A number of grade II listed buildings and structures, as well as a conservation area are located near to the site. These assets should be conserved and enhanced. The historic environment policies in section 12 of the plan and criteria c and d in policy FTC1 are considered appropriate for this purpose.	
FTC2	Market Quay	No comment.	No comment.	
FTC3	Fareham Station East	No comment.	No comment.	
FTC4	Fareham Station West	No comment.	No comment.	
FTC5	Crofton Conservatories	No comment.	No comment.	
FTC6	Magistrates Court	No comment.	No comment.	
HA1	North and South of Greenaway	No comment.	No comment.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
	Lane			
HA3	Southampton Road	No comment.	No comment.	
HA4	Downend Road	Sound	We support criteria (b) and (g).	
HA7	Warsash Maritime Academy	Not sound	We welcome criteria f and g, but we do not consider they go far enough to protect the listed buildings on site. As they stand, we do not consider the policy to be sound, because in offering insufficient protection to heritage assets, in is not consistent with national policy. The policy requirements should make it clear that new development should not be located to the west of the listed buildings. This because the relationship between the River Hamble/Southampton Water and academy is an important element to the significance of the academy. While development to the west of the listed buildings may be less likely, due to the presence of the Area of Special	Change criterion (f) to: **"f) Provision of a heritage statement (in accordance with Policy HE3)that assesses the potential impact of proposals on the significance of the Grade II Listed Buildings and their setting; and"** Add new criterion: • **"No development should be located to the west of the listed buildings"**

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			Landscape Quality and the flood zones 2/3, it is our view that this should be made explicit, through a policy requirement. We recommend adding the following criterion: • "No development should be located to the west of the listed buildings" Alternatively, the site boundary could be redrawn, to exclude this area. In addition to the above, the text in criterion (f) lacks some clarity. We are of the view that it should be amended as follows: "f) Provision of a heritage statement (in accordance with Policy HE3)that assesses the potential impact of proposals on the significance of the Grade II Listed Buildings and their setting; and"	Or, **"Alternatively, the site boundary could be redrawn, to exclude this area"**
HA9	Locks Heath	No comment.	No comment.	
HA10	Funtley Road	No comment.	No comment.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
	South			
HA12	Moraunt Drive	No comment.	No comment.	
HA13	Hunts Pond Road	No comment.	No comment.	
HA15	Beacon Bottom West	No comment.	No comment.	
HA17	69 Botley Road	No comment.	No comment.	
HA19	399-403 Hunts Pond Road	No comment.	No comment.	
HA22	Wynton Way	No comment.	No comment.	
HA23	Stubbington Lane	No comment.	No comment.	
HA24	335-357 Gosport Road	No comment.	No comment.	
HA26	Beacon Bottom East	No comment.	No comment.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
HA27	Rookery Avenue	No comment.	No comment.	
HA28	3-33 West Street	No comment.	No comment.	
HA29	Land East of Church Road	No comment.	No comment.	
HA30	33 Lodge Road	No comment.	No comment.	
HA31	Hammond Industrial Estate	No comment.	No comment.	
HA32	Egmont Nursery, Brook Avenue	No comment.	No comment.	
HA33	Land East of Bye Road, Swanwick	No comment.	No comment.	
HA34	Land South West of Sovereign	No comment.	No comment.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
	Crescent			
HA35	Former Scout Hut, Coldeast Way	No comment.	No comment.	
HA36	Land at Locks Heath District Centre	No comment.	No comment.	
HA37	Former Locks Heath Filling Station	No comment.	No comment.	
HA38	68 Titchfield Park Road	No comment.	No comment	
HA39	Land at 51 Greenaway Lane	No comment.	No comment	
HA40	Land west of Northfield Park	No comment.	No comment.	
HA41	22-27a Stubbington Green	No comment.	No comment.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
HA42	Land South of Cams Alders	Not sound	Proposed site allocation H42 is one of three sites proposed to be allocated for sheltered housing, in this case for 60 dwellings, the site being 1.29 hectares in total area. The site allocation plan shows the extent of the scheduled area of Fort Fareham, as well as a 50m buffer around the monument. The site allocation area, is located approximately 70m due north of the monument, at the closest point. The site allocation area extends to the north-east and north-west of this point, with an irregular shape. The whole of the proposed allocation is considered to be located within the setting of Fort Fareham. The setting of the fort has already been significantly compromised by development in its setting, as well as within the monument itself. The northern corner of the monument, where the proposed allocation is located, therefore represents the only significant area that remains free from development, and this would have been part of the field of fire associated with the fort. This area does contain a tree belt,	**Change criterion (h) to:** **"h. Provision of a heritage statement (in accordance with Policy HE3) that assesses the potential impact of proposals on the significance of Fort Fareham and through development in its setting, together with an archaeological assessment (in accordance with Policy HE4) and a scheme of mitigation to off-set any harm to the setting of the monument."**

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			which, through blocking the field on fire, also compromises the setting, but as this is not development, we consider this is something that has the potential to be reversed at some point in the future. The allocation text or plan does not make clear to what extent the allocated area would be built upon, but with a stated capacity of 60 dwellings on a site of 1.29 hectares, we presume that no significant areas of the site would be left undeveloped. Therefore it is likely that the proposed development will affect the significance of the monument, through development in its setting. The NPPF states that "[heritage] assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations" (184), and that "great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			substantial harm, total loss or less than substantial harm to its significance" (193). "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification" and "scheduled monuments are considered to be assets of the highest significance" (194). The NPPF also states that "significant adverse effects on [any of the sustainability] objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered) (32). We recognise that the site allocation requires a heritage statement and this is welcome.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			In the SA of the publication version of the plan, the main reason for the site selection seems to be based on location: the SA asserts that demand for sheltered housing is most likely to occur in Portchester and Fareham South. Presumably, no other suitable sites are suitable, in terms of location (if other sites were available that do not cause significant adverse effects on a sustainability objective, following NPPF para 32, Land South of Cam Alders should not be allocated). However, given that the impact of the proposed allocation is recognised as 'negative' in the high level assessment result, in the historic environment objective, the policy should reflect the NPPF requirement to mitigate, as set out in para 32. Therefore the site allocation should require a mitigation plan to offset harm to the setting of Fort Fareham. Without this, we consider the policy to be **inconsistent with national policy and therefore unsound**. In addition to the above concern, the	

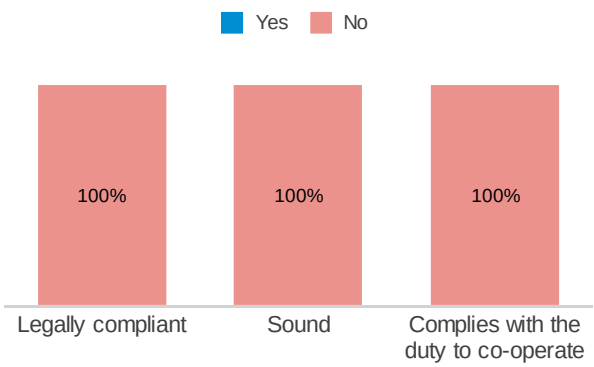
Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			policy is also somewhat unclear in terms of its wording, with regard to "conservation and setting…" and "grade II scheduled monument". Fort Fareham is not a grade II scheduled monument: this classification does not exist. It is both a scheduled monument, AND a grade II listed building. In such cases, the scheduling take precedence. Describing Fort Fareham as a grade II scheduled monument could give the impression that it is not an asset of the highest significance. The reference to "conservation and setting" is considered to lack clarity. We suggest criterion (h) is amended as suggested below, to account for all three of our concerns. Without amendment, we consider the policy to be **inconsistent with national policy and therefore unsound,** for each of the three reasons we cite. **"h. Provision of a heritage statement (in accordance with Policy HE3) that assesses the potential impact of proposals on the significance of Fort Fareham and through development in**	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			its setting, together with an archaeological assessment (in accordance with Policy HE4) and a scheme of mitigation to off-set any harm to the setting of the monument."	
HA43	Corner of Station Road, Portchester	No comment.	No comment.	
HA44	Assheton Court	No comment.	No comment.	
HA45	Rear of 77 Burridge Road	No comment.	No comment.	
E2	Faraday Business Park	No comment.	No comment.	
E3	Swordfish Business Park	No comment.	No comment.	
E4	Solent 2	No comment.	No comment.	

Paragraph | 12.16

1 Representations

	Legally compliant	Sound	Complies with the duty to co-operate
Total	1	1	1
Yes	0 0%	0 0%	0 0%
No	1 100%	1 100%	1 100%



Respondent: Ms Jane Thackker (2411-401558)

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Warmish has a population of approx. 7000, 6% of the total population of Fareham Borough. Yet it is being allocated 929 houses of out 8,389 proposed which is 11%. This does not protect, preserve or enhance the character of Warmish as a conservation area.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Reduce significantly the number of houses allocated to Warmish.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

-

Your suggested revised wording of any policy or text:

-

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

Sent by email to: planningpolicy@fareham.gov.uk

17/12/2020

Dear Sir/ Madam

Response by the Home Builders Federation to the consultation on the Fareham Local Plan

1. Thank you for consulting the Home Builders Federation (HBF) on the Fareham Local Plan. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year.

We would like to submit the following representations on the Local Plan, and we would welcome, in due course, participating in hearings of the Examination in Public.

Duty to Co-operate

2. We note that the Council is part of the Partnership for South Hampshire and has worked closely with these authorities in determining housing needs and examining opportunities as to how these needs could be addressed. The Local Plan outlines at paragraph 4.4 that there are likely to be significant unmet needs arising in Portsmouth and in response to this the Council has identified a further 847 homes to meet needs. Whilst this increase is welcomed, we are concerned that it does not seem to reflect the scale of the unmet needs identified by the Partnership for South Hampshire (PfSH) of over 10,000 homes. So, whilst the Council appears to have co-operated with its neighbours on the issue of housing needs, we are concerned that its contribution is insufficient when considered against the scale of the issue at hand. It would is also the case that this contribution has been made solely as a result of the Council using the standard method as proposed in the most recent Government consultation, and which to date has not been adopted, that significantly reduces the minimum number of homes to be planned for in Fareham. So whilst it would appear that the Council has co-operated with its neighbours in relation to the legal requirements set out in the Localism Act, the outcomes of that co-operation are insufficient to address the cross boundary issue that has been identified – an issue we will come to in relation to policy H1.

Home Builders Federation
HBF House, 27 Broadwall, London SE1 9PL
Tel: 0207 960 1600
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Policy H1 - Housing Provision

This policy is unsound as it is inconsistent with national policy

Housing needs

3. The Council are clearly aware that the housing requirement within the policy H1 is inconsistent with national policy as it is based on a standard method that has not been adopted by the Government. Whilst we recognise the Government were out to consultation on an alternative approach it was by no means certain that it would be adopted. The uncertainty as to the standard method has now been addressed with the Government publishing its latest Planning Practice Guidance which states at 2a-004 that the Government has retained the 2014-based household projections as the baseline estimates for household growth within the standard method.

4. The application of the standard method as set out in the most up to date guidance would require the Council to deliver 514 new homes each year. As such the 403 dwellings per annum local housing needs assessment is not consistent with planning policy as it currently stands. We hope a similar degree of haste will be taken in adopting this figure as was taken in moving forward with the lower assessment of needs in Fareham. In addition to this issue, we have three further concerns with regard to policy H1, which are:
    - The policy does not include the Council minimum required level of housing delivery;
    - The degree to which unmet needs in neighbouring areas has been taken into account;
    - Whether economic growth aspiration for the south Hampshire area will be supported to proposed levels of housing delivery; and
    - Plan period and past under delivery.

The housing requirement

5. Policy H1 does not set out the minimum number of homes the Council is required to deliver. Rather it sets out the number of homes that are expected to be delivered by the local plan. It is important that the Council sets out in H1 the minimum number of homes it is required to deliver in order to monitor its performance in meeting this requirement with regard to both the five year housing land supply and the housing delivery test. As set out in table 4.1 of the local plan this figure should be the local housing need figure plus any unmet needs within a neighbouring area that the Council has agreed to take.

Unmet needs

6. Paragraph 60 of the NPPF states that "*any needs that cannot be met within neighbouring areas should also be taken into account when establishing the amount of housing to be planned for*". As we note above the Council has, to some

extent, taken account of unmet needs across the south Hampshire sub-region and in response has stated that it will provide a further 847 homes. However, this is a very modest contribution to what is a very high level of unmet needs in the south of Hampshire. The Council state in paragraph 4.4 of the local plan that, based on the current standard method, unmet needs across the sub region of South Hampshire are in the region of 10,750 dwellings. Whilst we recognise that this will change with regard to the amended standard method and as new plans come forward it is unlikely to reduce substantially given that Boroughs such as Portsmouth, Havant, Gosport and Southampton have tight boundaries which will limit any scope for significant increases in provision. Considering the scale of the unmet needs Fareham's decision to contribute just 847 homes to the current shortfall is insufficient.

7. What is evident from the consultation on the Local Plan 2036 supplement was that the Council clearly considered it possible to deliver well above what is being proposed in the published Local Plan 2037. For example, paragraph 3.5 of the supplement to the Local Plan 2036 outlines an annual housing requirement for the Borough of between 572 and 598 homes per annum between 2020 and 2036. This annual rate of delivery would deliver between 9,000 and 9,500 homes over 16 years. It goes on to identify potential sites that could be allocated to support this higher level of delivery.

8. However, the Council has not considered as part of the preparation of the published Local Plan 2037 whether more could have been done to address unmet needs of other areas. In particular we would have expected a higher level of delivery beyond what is proposed in the published local plan to have been considered within the Sustainability Appraisal. However, this issue of unmet needs and increased delivery beyond what is being proposed in policy H1 is not mentioned in the SA published in November 2020 as part of this consultation. As such the Council cannot say whether or not a higher level of housing delivery, which would have done more to address unmet needs across the sub region was a more sustainable approach compared to the chosen strategy. This is not only a concern regarding the soundness of the Council's approach to unmet needs but also the efficacy of the SA that has been prepared to support this local plan.

Growth strategies

9. Paragraph 2a-010 of Planning Practice Guidance (PPG) outlines that there will be circumstances where it is appropriate to plan for a higher housing figure than that identified through the standard method. One of these is where an authority has agreed to take on the unmet needs of another area as discussed above however other situations are identified where housing need may exceed past trends. These include:
    - Deliverable growth strategies
    - Strategic infrastructure improvements likely to drive an increase in homes

10. The Council is clearly committed to economic growth as stated at paragraph 6.1 of the publication local plan but notes at paragraph 6.7 of the Local Plan 2037 that whilst PfSH is committed to reviewing employment requirements published to support the spatial position statement this will not be intime to support this local plan. Due to the absence of this sub regional assessment of employment growth the Council have undertaken its own assessment of the likely increase in jobs over the plan period. The Business Needs, Site Assessment and Employment Land Study (BNSAELS) states at paragraph 6.23 that between 2018 and 2036 it is estimated that a further 4,600 jobs will be created in Fareham. This equates to annual growth in employment from the current baseline of 48,000 jobs of about 0.5% per annum (pa) which is lower than the 0.8% pa jobs growth forecast in the PfSH SHMA update published 2016[1]. This higher level of growth would see the number of jobs in the Borough grow by around 6,900 over the same period as that assessed in BNSAELS. However, no detail has been provided by the Council as to whether the level of housing delivery within Fareham will meet these employment growth expectations let alone whether the wider jobs growth expectations of the sub region will be met.

11. The Strategic Housing Market Assessment published by PfSH in 2016 indicated that between 2011 and 2030 that 4,630 homes were needed each year between 2011 and 2030 to support the expectation that there would be 86,300 additional jobs across South Hampshire. However, housing delivery during this period as set out in Table H1 of the Spatial Position Statement indicates growth of around 4,536. Whilst the shortfall is relatively small across the whole sub region, given that the Council have noted at paragraph 4.5 that both Portsmouth and Gosport will struggle to meet their needs going forward it will be important, prior to submission, for the Council to consider with its partners in the PfSH whether sufficient housing will be provided to support these sub regional growth expectations, or whether further allocations are needed in relatively less constrained areas such as Fareham.

12. If insufficient housing is provided in sub-region, we are also concerned that higher levels of in-commuting will be required in order to support the expected levels of employment growth. This would be inconsistent with paragraphs 102 and 103 of the NPPF which require Council's to consider how they can deliver patterns of growth that seek to limit the need to travel. This is an issue that will also need to be considered by the Council and its neighbours prior to submission of the local plan.

Plan period and past under supply

13. There are also other impacts from the application of the standard method that have not been taken into account by the Council. In particular the Council have not grappled with the issue of under supply from the point at which the standard method was introduced in 2018. Planning Practice Guidance states in relation to

[1] Page 56 of the 2016 SHMA

this:

"*Strategic policy-making authorities will need to calculate their local housing need figure at the start of the plan-making process. This number should be kept under review and revised where appropriate*".

14. As the Council commenced preparation of this local plan in 2017 it is important that and the Council consider housing completions from the introduction of the standard method compared with the level of local housing need from that point. We recognise that the Standard Method takes account of backlog but only in so far as the affordability ratio will have worsened in the years prior to the calculation and does not take account of under provision since then. In these terms, the shortfall between the assessed level of housing need by reference to the Standard Method and actual completions has to be taken into account going forward.

Year	Number of completions/ projected completions	Local housing need	Shortfall
2018/2019	290	520	230
2019/2020	263[2]	520	257
2020/2021	132[3]	520	388

15. The table above indicates in the three years since the Standard Method was first published, the cumulative shortfall in housing completions is expected to be 875. No consideration is given to these unmet needs in the published plan and even if the lower figure of 403 was taken as the level of local housing need, the shortfall would be in excess of 500 new homes.

16. As housing delivery in the Borough has been below both its requirement in the Core Strategy and the measure of local housing need derived from the Standard Method the Council are wrong to have selected a plan period and housing strategy that takes no account of this. It is the antithesis of positive planning and as such we would suggest that the plan period be revised to start from 2019/20 which is the base date from which the affordability evidence is taken.

Housing land supply

17. The HBF would not wish to comment on the merits or otherwise of individual sites selected for allocation but it is critical that the Council's assumptions on lapse rates, non-implementation allowances, lead in times and delivery rates contained within its overall housing land supply, five-year housing land supply and housing trajectory are correct and realistic. These assumptions should be supported by parties responsible for the delivery of housing and sense checked by the Council using historical empirical data and local knowledge. We note that the Council has

[2] Fareham BC Authority Monitoring Report 2018/19 (February 2020)
[3] Fareham BC Five-year housing land supply position report (June 2020)

included a housing trajectory at appendix B of the local plan as required by the NPPF. However, for the purposes of transparency and effective scrutiny of this trajectory it is necessary for the Council to set out in its evidence base trajectories for each of the sites that make up supply across the plan period. We could not find this evidence, and in our experience, it is both helpful to the inspector examining the plan as well as those making representations.

18. We note and welcome the contingency between the Council's requirement and the number of homes it expects to be delivered over the plan period. It is important that there is a significant contingency to take account of any delays in the delivery of key sites or overestimates in the amount of windfall expected in any plan to ensure that development needs are meet in full. As such should the eventual standard method adopted by the Government see housing needs increase in Fareham, we would expect to see this level of contingency within the Council's land supply maintained. Similarly, the Council would probably need to allocate further sites of one hectare or less to ensure it meets the requirement set out in paragraph 64 of the NPPF.

Conclusions on H1

19. The policy is not sound as considered on the basis that:
    - It uses a standard method for assessing housing need that is still out to consultation and potentially subject to change. However, we recognise that the situation is in a state of flux at present and as such recommend the plan is not submitted until the Government have finalised any changes to the standard method;
    - It fails to take sufficient account of the scale of the unmet needs identified within neighbouring areas as required by paragraph 60 of the NPPF;
    - Does not consider whether housing growth will be sufficient to support its economic growth expectations and the impact this would have on in commuting and the need to promote sustainable patterns of growth as required by paragraph 103 of the NPPF.

HP2: New Small-Scale Development outside the Urban Areas

The policy is not sound as it is not consistent with national policy.

20. The HBF's preference would be for the Council to identify appropriate sites and allocate them within the local plan. This would provide the certainty that small developers seek with regard to bringing such sites forward. However, in lieu of allocation the overarching principle of this policy and its aim to support small and medium sized housebuilders and those seeking self-build plots is supported.

21. But we would suggest that at present the policy is not consistent with national policy as it could lead to sites not making the most efficient use of land as required by paragraph 122 of the NPPF. There will be situations where such sites on the edge of urban areas could be developed for more than 4 units without any adverse

impacts. We would therefore suggest that the threshold be increased to 10 units in order to reflect the definition of minor development as well as being consistent with the Government's approach to affordable housing contributions on small sites as set out in paragraph 63 of the NPPF.

Recommendation

22. Part 5a of policy HP2 be amended as set out below:
    a. Of not more than 4 10 units; and

Policy HP4: Five-year housing land supply

Part d of this policy is inconsistent with the NPPF

23. The HBF supports this policy, however we would suggest that the phase "*in the short term"* in part d is unnecessary as the meaning of deliverable with regard to local plans is clearly defined in the glossary of the NPPF. The inclusion of the phrase short term could cause unnecessary confusion for applicants and decision makers.

Recommendation

That the phrase "*in the short term"* is deleted from part d of policy HP4.

HP5 – Provision of affordable housing

The policy is unsound in its consideration of the percentage requrment for affordable home ownership and with regard to its treatment of older peoples housing which is unjustified

24. Firstly, the policy requirement regarding affordable home ownership is inconsistent with paragraph 64 of the NPPF which expects 10% of all homes on major development involving housing provision to be available for affordable home ownership. Footnote 29 then confirms that these homes are then included as part of the affordable housing contribution. For example, on a site of 100 homes paragraph 64 of the NPPF would requires at least 10 homes to be available for affordable home ownership, equating to 25% of the affordable housing delivery on a greenfield site. The Council's policy at present only requires 10% of all affordable housing to be available for affordable home ownership. The Council's policy would require such development to deliver 4 homes for affordable home ownership – just 4% of total delivery on that site. This inconsistency with national policy should be amended.

25. Secondly, whilst we welcome the decision to vary rates within the Borough to reflect viability, we are concerned that despite the evidence the Council will still, seemingly, require specialist development for older people to support the delivery of affordable homes. In section 6.6 of the Viability Study it is clear that both

sheltered housing and extra care housing for older people are not viable at any level of affordable housing. It is therefore surprising that the policy has not removed the requirement for such accommodation to contribute towards the provision of affordable housing.

Recommendation

26. That policy HP5 to be amended as follows:
    - To reflect paragraph 64 of the NPPF
    - To state that specialist residential accommodation for older people be exempt from providing affordable housing.

HP9 – Self and Custom Build Homes

The policy is unsound as it has not been justified

27. Whilst the HBF support the encouragement of self-build housing through the local plan, we do not consider the requirement for sites of over 40 to set aside 10% dwellings to be delivered through serviced plots for self and custom house building to be justified or consistent with national policy.

28. Firstly, the evidence with regard to the demand for, and supply of self-build plots would suggest that a significant proportion of demand for self-build in Fareham will be met through windfall sites. As the Council note in paragraph 5.8 of the Self and Custom Build Background Paper the demand for self-build plots arising within the first base period of the self-build register was addressed through windfall and it would seem that a similar result will occur within the second base period. Therefore, to suggest that 10% of all development over 40 units are required as self-build is not justified as it would seem that the Council through normal development management process is supporting sufficient plots to come forward without recourse to the impositions being proposed in policy H9. In addition, policy HP2 will also support the delivery of additional sites that will clearly be attractive to both self and custom build housing. Whilst the Council may not want to be dependent on windfall development if this approach is meeting identified demand then there is no need to require such plots to be provided on other sites.

29. Secondly, we welcome the Council's review of the self-build register. From this review it is clear that of the 79 people on the register only 56 people are actively pursuing the possibility of building their own home. In addition, only 40 of those said they would consider a plot on a larger self-build development. Even then it is not clear from these answers whether they would be looking for a plot on major housing building site or would prefer a site solely devoted to self-build plots. As such we are concerned that there is not a significant demand for plots on larger housing being developed by housebuilders and that the 10% requirement in HP9 is unjustified.

30. Finally, it is also important to recognise that paragraphs 57-024 and 57-025 of the PPG sets out a variety of approaches that need to be considered – including the use of the Council's own land. This is reiterated in para 57-14 of the PPG which sets out the need for Council's to consider how they can support the delivery of self-build plots through their housing strategy, land disposal and regeneration functions. We would suggest that rather than place additional burdens on house builders for the provision of self-build plots it should utilise its own land or seek to engage with landowners to identify suitable sites on which to deliver serviced self-build plots. Indeed, it would appear from paragraph 5.14 of the Self and Custom Build Background Paper that such an approach has worked in Fareham.

Recommendation

31. That policy HP9 is deleted.

Policy NE2: Biodiversity Net Gain

32. The Council have included the Government's suggestion that new development should improve the biodiversity on their site to show a 10% net gain over the pre-development baseline within this policy. Whilst we recognise that this is the Government's current position favoured position it is likely that there will be transition period to allow the development industry to adapt to the proposed changes. As such we would suggest that the Council remains consistent with paragraph 170 of national policy to seek net gains in biodiversity and not include the requirement to show a 10% net gain. A policy without a specific percentage requirement would be consistent with current policy and should the relevant legislation be enacted as currently proposed such a policy would be sufficiently flexible to support a 10% requirement and any transition period.

Recommendation

33. That the 10% requirement be deleted.

Policy NE8: Air Quality

The policy is unsound as it is not justified

34. The HBF is supportive of encouragement for the use of electric and hybrid vehicles via a national standardised approach implemented through the Building Regulations to ensure a consistent approach to future proofing the housing stock. It is the industry's preference for a national approach to the provision of charging points rather than local authorities setting their own standards. We consider this is necessary to allow research and development and supply chains to focus upon responding to agreed national targets, and for training providers to plan their programmes to equip the labour force to meet these new requirements. It is fundamentally inefficient to create a plurality of standards.

35. The Government has recognised in recent consultations the possible impact of any requirement to provide electric vehicle charging points on housing supply, where the requirements are not technically feasible. The Government's recent consultation proposed introducing exemptions for such developments. The costs of installing the cables and the charge point hardware will vary considerably based on site-specific conditions in relation to the local grid. The introduction of EVCPs in new buildings will impact on the electricity demand from these buildings especially for multi-dwelling buildings. A requirement for large numbers of EVCPs will require a larger connection to the development and will introduce a power supply requirement, which may otherwise not be needed. The level of upgrade needed is dependent on the capacity available in the local network resulting in additional costs in relation to charge point instalment.

36. Where such costs are high the Government are proposing that any potential negative impact on housing supply should be mitigated with an appropriate exemption from the charge point installation requirement based on the grid connection cost. The consultation proposes that the threshold for the exemption is set at £3,600. In the instances the additional costs are likely to make developments unviable, it is the Government's view that the EVCP requirements should not apply and only the minimum Energy Performance of Buildings Directive requirements should be applied.

37. As such we would suggest that the requirement for EVCPs should be deleted because the Government's proposed changes to Building Regulations will provide a more effective framework for the delivery of charging points for electric vehicles.

Recommendation

38. Part A of the third paragraph within policy NE8 is deleted.

D4: Water Quality and resources

The policy is unsound as it is not consistent with national policy.

39. The final sentence of policy D4 is inconsistent with paragraph 16 of the NPPF which requires policies to be unambiguous and evident as to how the decision maker should react. The policy as written could lead to applications being refused by decision makers on the basis that a development does not achieve a standard that is higher than the maximum requirement that can be applied through the adoption of the optional technical standards.

Recommendation

40. The final sentence of this policy is deleted.

D5: Internal Space standards

The policy is unsound as it has not been justified

41. Policy D5 requires development to meet national spaces standards as a minimum. Whilst the HBF share the Council desire good quality homes delivered within Fareham we also consider that space standards can, in some instances, have a negative impact upon affordability issues and reduce customer choice. In terms of choice, for example, some developers will provide entry level two, three and four-bedroom properties which may not meet the optional nationally described space standards but which would allow on lower incomes can afford a property which has their required number of bedrooms.

42. Given the poor affordability of property in the area and the tight constraints on development it is therefore important that the Council can provide, in line with PPG, robust evidence that there is a need to introduce the optional space standards – that these standards are a must have rather than a nice to have policy. However, as the Council note in paragraph 11.59 of the publication local plan most new homes in Fareham are built to a size that is consistent with the nationally described space standards. The only inconsistency they note is that the smallest bedroom often fails to meet the space standards. This evidence does not suggest that there is a pressing need for the introduction of space standard within Fareham but does indicate that requiring larger bedrooms could reduce the number of smaller homes with three or four bedrooms.

43. The HBF is not aware of any evidence that market dwellings in Fareham that do not meet the NDSS remaining unsold or that those living in these dwellings consider that their housing needs are not met. There is no evidence that the size of houses built are considered inappropriate by purchasers or dwellings that do not meet the NDSS are selling less well in comparison with other dwellings. The HBF in partnership with National House Building Council (NHBC) undertake an annual independently verified National New Homes Customer Satisfaction Survey. The 2019 Survey demonstrates that 91% of new home buyers would purchase a new build home again and 89% would recommend their housebuilder to a friend. The results also conclude that 93% of respondents were happy with the internal design of their new home, which does not suggest that significant numbers of new home buyers are looking for different layouts or house sizes to that currently built.

44. Given that there is little to suggest that development below space standards is an endemic concern within Fareham we would suggest that policy D5 is deleted from the plan. This would give the Council greater flexibility to maximise the number of sites that are developable as well as extending consumer choice to more households.

Conclusion

45. At present we do not consider the plan to be sound, as measured against the tests of soundness set out in paragraph 35 of the NPPF, for the following reasons:

- Failure to give sufficient consideration to the housing needs of neighbouring areas and the consequences on the delivery of sustainable development across south Hampshire;
- Housing needs have not been assessed in accordance with standard methodology as set out in PPG;
- Policy H2 inconsistent with national policy with regard to making the most effective use of land;
- Policy HP5 fails to include exemption for older people's housing in line with the Council's viability evidence;
- Requirement for 10% of plots on sites over 40 units be allocated for self-builders is unjustified;
- The adoption of the nationally described space standards in policy D5 has not been adequately justified.

We hope these representations are of assistance in taking the plan forward to the next stage of plan preparation and examination. Should you require any further clarification on the issues raised in this representation please contact me.

Yours faithfully

[redacted]

Mark Behrendt MRTPI
Planning Manager – Local Plans
[redacted]

December 2020 | JG | P20-3154

FAREHAM LOCAL PLAN 2037 REPRESENTATIONS

FORMER POLICY HA2 HOUSING ALLOCATION - LAND AT NEWGATE LANE SOUTH, FAREHAM

ON BEHALF OF
THE HAMMOND FAMILY, MILLER HOMES AND BARGATE HOMES

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

Prepared by: Jeremy Gardiner & Trevor Moody

Pegasus Group

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough

DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE

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Accompanying Supporting Specialist Representations
(referred to in these representations):

Pegasus Group – Preliminary Landscape and Visual Appraisal

i-Transport – Transport Delivery Technical Note

WYG (part of Tetra Tech) – Ecology Technical Note

1.0 Introduction

1.1 The following representations are by Pegasus Group on behalf of our clients The Hammond Family, Miller Homes and Bargate Homes. Our clients have interests in land at Newgate Lane South, Fareham which was previously proposed to be allocated for about 475 dwellings in the Regulation 18 version of this plan. For the reasons set out in these representations, our clients are strongly of the view that this allocation should be reinstated in the local plan.

1.2 Our clients are important stakeholders within Fareham and are keen to work with the Council to produce a plan which is legally compliant and meets the tests of soundness set out within the National Planning Policy Framework (NPPF). Currently the plan is neither legally compliant nor sound.

1.3 The following representations utilise the same format as the Council's response form. Each area of the Publication Local Plan (PLP) which is deemed to be either not legally compliant or unsound is clearly outlined below. Proposed changes to the plan in relation to policies, supporting text and the proposals map are provided.

	Agent	**Client**
Title	Mr	The Hammond Family, Miller Homes and Bargate Homes c/o Agent
First Name	Jeremy	
Last Name	Gardiner	
Job Title	Senior Director	
Organisation	Pegasus Group	
Address	[redacted]	
Postcode		
Telephone		
Email		

2.0 Plan Overall

B1 Which part of the Local Plan is this representation about?

2.1 The following comments relate to the overall Local Plan.

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan:

2.2 Paragraphs 1.5 - 1.6, 1.14, 1.17,1.37, 2.12, 3.19 - 3.22, 3.43, 3.46, 3.49 – 3.57, 4.1 - 4.20, Appendices B and C.

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan

2.3 Policies H1, HP4, HP5, HP7, DS1, DS2, DS3, E2, E3, NE5, D1.

B1c Which part of the Policies Map

2.4 Former Policy HA2 allocation site Newgate Lane South, Employment allocations Policies E2 and E3.

B2 Do you think the Publication Local Plan is:

Legally compliant - No

Sound - No

Complies with the duty to co-operate - No

2.5 The Fareham Local Plan is not legally compliant and is unsound as it is not consistent with national policy, effective or justified.

B3 Please provide details you have to support your answers above.

B3.1 The Publication Local Plan is not Legally Compliant

2.6 The Publication Local Plan (PLP) has based its housing proposals on the annual housing target derived from the Government's draft Revised Standard Methodology published in August 2020 in its consultation "Planning for the Future". The Government's response to this consultation was published on 16th December 2020.

The Government does not propose to proceed with the changes to assessing local housing need consulted on earlier this year in "Changes to the Current Planning System"; but instead has published a revised approach to the Standard Method, which retains the method in its previous and current form except for London and 19 of the most populated cites and urban centres.

2.7 The key change is to apply a 35% uplift to the Standard Method for Greater London and the 19 most populated cities and urban areas in England – Birmingham, Liverpool, Bristol, Manchester, Sheffield, Leeds, Leicester, Coventry, Bradford, Nottingham, Kingston upon Hull, Newcastle upon Tyne, Stoke on Trent, Southampton, Plymouth, Derby, Reading, Wolverhampton and Brighton and Hove. The minimum housing requirement for Fareham calculated using the amended standard method therefore remains 514hpa.

2.8 The Government's White Paper, "Changes to the Current Planning System" (published in August 2020 alongside the "Planning for the Future" consultation) provided guidance to local planning authorities which were at or close to the Regulation 19 stage of plan-making at paragraph 43:

2.9 *"Transition*

43.The Government is aware that any change in the standard method will have an impact for plans that are currently under development, as authorities expend considerable resources in developing new plans. To enable an orderly transition to the revised standard method, and achieve as much short-term supply as possible while setting the right expectations for early stage plan-making, we propose that from the publication date of the revised guidance, authorities which are already at the second stage of the strategic plan consultation process (Regulation 19) are given 6 months to submit their plan to the Planning Inspectorate for examination. Authorities close to publishing their second stage consultation (Regulation 19), should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan and a further 6 months to submit their plan to the Planning Inspectorate. This is to strike a balance between allowing an appropriate transition period for plans that are nearly through the process, but without causing a significant delay in planning for a higher level of need." (our underlining)

2.10 This transitional arrangement applied to Fareham at the time, such that the previous Standard Method (514hpa) continued to apply for plan-making purposes

in the borough in any event, but the Council chose not to follow this national guidance.

2.11 The National Planning Policy Framework (NPPF) states (paragraph 16 a)) that Plans should "be prepared with the objective of contributing to the achievement of sustainable development". Footnote 10 confirms that this is a legal requirement of local planning authorities in exercising their plan-making functions. Meeting the objectives of sustainable development includes "…meeting the needs of the present…". By preparing a Plan based on the Consultation draft Standard Methodology target of 403 dwellings per annum, the local planning authority is failing to meet its local objectively assessed need for housing, thereby failing to plan to deliver sustainable development.

2.12 The PPG (ID 2a-003-20190220) is clear that the standard method should be used and any other method should only be used in exceptional circumstances. It further explains that:

2.13 *"…Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination."* (PPG ID 2a-015-20190220).

2.14 As discussed above the extant standard method identifies a requirement of 514hpa. The NPPF (paragraph 60) identifies that the current Standard Method provides a minimum requirement. To depart and provide a figure lower than the current Standard Method requires exceptional circumstances and must be justified by clear and robust evidence. This is absent from the Council's evidence base and as such is an unsound approach.

2.15 The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa) – a requirement confirmed by the Government's announcement of 16th December, 2020. As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the Consultation revised Standard Methodology figure of 403 hpa was procedurally flawed, lacking in evidential basis, premature and misleading.

2.16 The NPPF (paragraph 33) also states that plans should be reviewed every 5 years and updated as necessary. The Inspector's Report on the Examination into the Fareham Local Plan Part 2 (dated 12th May 2015) included modifications which were all proposed by the Council. Its first Main Modification was "a commitment to an early review of the local plan (ie. LP1, LP2 and LP3)". This included a timetable for the local plan review between 2016 and 2018 which the Council has failed to adhere to, having previously expressed its commitment to the Inspector.

2.17 The Local Plan Part 3 is the Welborne Plan which was adopted in 2015.The total quantum of housing to be delivered at Welborne has reduced over the years, and the date for its commencement has repeatedly slipped back. The development is currently running about 5 years late. Recently, serious doubts have been expressed over whether it is deliverable at all given the reported funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10. The development is certainly not currently "deliverable" in NPPF terms. Nonetheless, the PLP relies heavily on the delivery of homes at Welborne as by far the most important source of its housing supply - 4,020 homes (just over 48%) out of a total suggested supply of 8,389 homes are timetabled to be completed at Welborne by 2037, and completions are included in the Council's trajectory for the first five years of the plan. Given the heavy reliance placed on a development which, at best, appears to be at serious risk of continuing to be significantly delayed, the Welborne Plan should be reviewed as a matter of urgency.

2.18 Given the importance of the Welborne Plan to housing delivery this is considered an issue of both soundness and legal non-compliance.

B3.2 The Publication Local Plan is not Sound

2.19 Paragraphs 1.5 – 1.6 of the PLP set out the "Tests of Soundness" which require that the Plan has been "positively prepared, justified, effective and consistent with national policy". The PLB fails to meet the Tests of Soundness for the following reasons:

1. It has not been "positively prepared":

2.20 The Plan does not seek to, as a minimum, meet the area's objectively assessed need. Given that the Core Strategy was adopted on 4th August, 2011, it is significantly out of date such that (as advised by paragraph 73 and footnote 32 of

the NPPF) local housing need should be calculated using the current Standard Methodology. On this basis the local housing need target is 514 homes per annum (hpa) plus the appropriate buffer (5% or 20%). Instead, the PLP plans for 403 hpa, thereby failing to plan for the area's objectively assessed need, and failing to contribute to the achievement of sustainable development.

2.21 The lower housing requirement has also not been the subject of sustainability appraisal (SA). Whilst the SA re-assesses sites based upon a lower housing requirement it fails to consider the implications of a lower housing requirement, compared to the current standard method, upon the delivery of the SA objectives. Even if the lower requirement were justified by national policy, which it is not, the retention of the housing requirement at the level previously consulted upon would be a reasonable alternative.

2.22 The Council published an Affordable Housing Strategy in 2019. On page 14 of the Affordable Housing Strategy, it is suggested that there is a need for 3,500 affordable homes to 2036, or circa 220 per annum. This is based on the existing need for 3,000 affordable homes and an allowance of 500 homes to provide for new households and those falling into need. Given that an average of only 76 affordable homes have been built per annum in Fareham Borough since 2011, there is a significant need to boost the supply of additional affordable housing to address needs. Indeed, the delivery of affordable housing needs to almost treble. The provision of affordable housing to address this need is a significant matter.

2.23 It is also unclear whether the PLP has planned to adequately accommodate unmet need from other authorities. The PPG (ID 2a-010-20190220) identifies that meeting unmet needs from neighbouring authorities as set out in a Statement of Common Ground is one reason why local housing need calculated using the current standard should be exceeded. Contrary to the advice within the PPG (ID 2a-010-20190220) there are currently no Statements of Common Ground identifying if the figure of 847 dwellings is adequate or accepted by other authorities. Rather the Council speculates that this contribution would be "ratified" by a subsequent Partnership for South Hampshire Statement of Common Ground (Duty to Co-operate Statement of Compliance, paragraph 4.5). There is, however, no evidence to support this speculation. Indeed, the only evidence presented confirms a request for Fareham to accommodate 1,000 dwellings from a single neighbouring authority. The PLP has been prepared in advance of the publication of Statements of Common Ground –

as such it's preparation is premature.

2.24 At paragraph 4.4 of the PLP it is stated that unmet need in the sub-region over the plan period could be "circa 10,750 dwellings". At paragraph 4.5, Fareham's "immediate neighbours" are considered, and it is confirmed that Portsmouth City Council has requested that Fareham contributes 1,000 dwellings towards its unmet need, and that Gosport is "likely to have an unmet need issue, currently estimated to be in the region of 2,500 dwellings…". The Council's 'Duty to Co-operate Statement of Compliance' identifies at paragraph 4.6 that instead of responding to the request from Portsmouth the Council is proposing to: "…take the approach that the issue of unmet need is not dealt with as specific to any authority, but as a general contribution." It is not clear how this "general contribution" has been calculated but it appears inadequate. Gosport Borough lies between Portsmouth and Fareham. It is clear that Portsmouth cannot accommodate any of Gosport's unmet need so the obvious place to accommodate it is in Fareham Borough, and Fareham East forms part of the Portsmouth Housing Market Area. Therefore, if Fareham plans to deliver the unmet needs of Portsmouth and Gosport, its contribution would be 3,500 homes. However, the PLP (Table 4.1) proposes a contribution of just 847 dwellings to wider unmet need. This figure should be reviewed.

2.25 In relation to unmet need, it should also be remembered that Welborne (previously known as the North of Fareham SDA) was originally conceived by PUSH (now PfSH) as one of two SDAs which were promoted to meet the sub-regional needs of south Hampshire and brought forward in the "South East Plan". The Inspector's Report on the Examination into the Fareham LDF Core Strategy (dated 20th July, 2011) identified five Main Issues, Main Issue 1 being:

"*7. The North of Fareham SDA represents the most significant and controversial element of the Core Strategy. ….While the principle of the SDA"s development is contained in the regional strategy – policy SH2 of the South East Plan (SEP) – the justification for the proposal derives from evidence prepared by South Hampshire local authorities (the Partnership for Urban South Hampshire [PUSH]) during the SEP"s preparation….The advantages of SDAs are seen as threefold: safeguarding existing towns and villages by reducing coalescence; providing more opportunities for planning gain; and achieving a critical mass to deliver sustainability benefits.*

The development now proposed is one of two SDAs proposed by PUSH and brought forward into the SEP. Both are aimed at meeting sub-regional housing needs and, as such, their housing totals are separated from the housing requirement for the remainder of the Boroughs concerned in the sub-regional strategy and SEP." (our underlining)

2.26 However, the Council is now treating Welborne as a source of housing supply for Fareham Borough only, disregarding its planned sub-regional role. This compounds the lack of positive preparation of the PLP and starkly contrasts the Council's current approach to the delivery of housing to meet sub-regional needs with its approach of a decade ago.

2. It is not Justified:

2.27 The PLP's strategy for housing delivery is not appropriate, because it is based on a need figure derived from the draft revised Standard Methodology which was still the subject of public consultation at the time that the Plan was prepared. The Government's response to the consultation is awaited. The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa). As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa is procedurally flawed, lacking in evidential basis, premature and potentially misleading.

3. It is not Effective:

2.28 Fareham has decided to deliberately plan to not meet its local objectively assessed housing need, so fundamentally the plan will not be effective. This, coupled with its apparent failure to plan to contribute appropriately to the unmet housing need of the sub-region, indicates a failure to work effectively with its neighbouring authorities on cross-boundary strategic planning for housing delivery and a failure "to support the Government's objective of significantly boosting the supply of homes" (NPPF, paragraph 59). Rather, the PLP proposes to restrict the supply of homes in the plan period in a way which will exacerbate the local housing crisis.

4. It is not Consistent with National Policy:

2.29 The PLP is not consistent with the NPPF because:

- It will not contribute to the achievement of sustainable development by not, as a minimum, planning to meet its local objectively assessed housing need;
- It is not planning to adequately meet the unmet housing needs of neighbouring authorities in the sub-region;
- It has not based its housing proposals on the current Standard Methodology annual housing need figure of 514 hpa;
- Its strategy lacks a robust evidential justification;
- It's proposed housing land supply includes a majority of housing from sites which are not "deliverable" as defined by the NPPF

B3.3 The Publication Local Plan does not Comply with the Duty to Co-operate

2.30 As stated at B3.1 above, it is unclear whether the PLP has planned to adequately accommodate unmet need from other authorities.

2.31 Against a sub-regional unmet need figure of "circa 10,750 dwellings", and in the context of both neighbouring authorities of Portsmouth City Council and Gosport Borough Council having "unmet need issue(s)", and Havant Borough Council being expressly unable to accommodate any unmet need, the PLP (Table 4.1) proposes a contribution of 847 dwellings to wider unmet need. It is not clear how this has been calculated and it appears inadequate.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

1. Plan to meet, as a minimum, the area's objectively assessed housing need. The current Standard Methodology annual housing need figure is currently 514 hpa.
2. Provide Statements of Common Ground in relation to unmet need from neighbouring and PfSH authorities. Any agreements will need to be included as additional housing to the minimum 514hpa.
3. In any event, plan for a level of housing which contributes to the

achievement of sustainable development.

4. Treat this plan as an interim plan and reaffirm the Council's commitment to undertake an urgent a review of the Welborne Plan for incorporation into a consolidated early review of this plan.

5. The Council has not undertaken SA of all reasonable alternative housing requirements;

6. The Council has not planned to meet current housing needs, opting instead to phase its housing supply in a way which will exacerbate the current significant under-supply problems;

2.32 Consequential to the above, the Council must allocate additional sites for housing in this interim plan (ahead of the urgent review of the Welborne Plan) to meet its confirmed housing target of 514 hpa, including reinstating the allocation of the former Policy HA2 site, Newgate Lane South.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

2.33 The role of plan-making in contributing to the achievement of sustainable development is a legal requirement (Section 39(2) of the Planning and Compulsory Purchase Act 2004).

2.34 Revisions to the plan so that it plans, as a minimum, to meet the local objectively assessed need for housing, meet affordable housing need and adequately contribute to meeting unmet need would assist the PLP to meet the Tests of Soundness.

3.0 Specific Proposed Changes

B4c Suggested revised wording of any policy or text:

Policy H1: Housing provision

3.1 Completely revise the proposed housing target on the basis of the confirmed Standard Methodology figure for the Borough of a minimum of 514 hpa plus an appropriate contribution to meeting sub-regional unmet needs.

3.2 Ensure that the revised housing target includes the delivery of a minimum of 220 affordable homes per annum.

3.3 Plan to deliver the revised housing target including a five year supply of deliverable sites. In this regard, Welborne (the supply of housing from which is relied on heavily by the PLP) cannot currently be regarded as "deliverable" as defined in the NPPF.

3.4 Consequential updates to paragraphs 4.1 – 4.20 including Tables 4.1, 4.2, 4.3.

3.5 Consequential revisions to the list of Housing Allocation Policies under paragraph 4.20 to include allocations sufficient to deliver the revised housing and affordable housing targets, including the re-instatement of HA2 Newgate Lane South for about 500 dwellings.

3.6 Policy H1 also seeks to identify a 'phased' requirement. The overall supply is described as at least 8,389 dwellings - this is just 165 dwellings greater than the requirement when the correct local housing need standard method is applied. Given the need to provide for unmet needs from neighbouring authorities this is clearly insufficient and as such further allocations are required.

3.7 Policy H1 seeks to 'phase' this supply identifying the following:

- Approximately 2,250 dwellings (averaging 450 dwellings per annum) between 2021/22 and 2025/2613,
- Approximately 2,400 dwellings (averaging 480 dwellings per annum) between 2026/27 and 2030/31,

- Approximately 3,750 dwellings (averaging 625 dwellings per annum) between 2031/32 and 2036/2037.

3.8 This phasing clearly will not meet the overall plan requirement. The rationale for this phasing is due to an anticipation that many of the housing allocations will begin to deliver later in the plan period. This is simply a factor of the sites chosen rather than an evidence-based approach to need. The net effect is that in the early part of the plan period the full need will not be met, exacerbating the current significant housing land supply shortfall in the Borough. This will mean households will either be unable to form or will be forced to move elsewhere to find appropriate accommodation. This not only has an impact upon affordability through increased demand but also has implications for social mobility and health for young and old alike.

3.9 The lack of housing to meet needs in the short-term is exacerbated by recent under-delivery of both market and affordable housing. The Council recognises it has under-delivered in recent years due to the reference to the need for a 20% buffer in accordance with NPPF, paragraph 73 (paragraph 4.16, PLP).

3.10 The housing requirement in the PLP should not be phased to manufacture a five-year housing land supply in the short-term. The plan should seek to address housing need now - to do otherwise is not justified or effective.

3.11 The second part of Policy H1 identifies the sources of supply. Whilst our clients do not wish to comment upon individual sites, we do have significant concerns that the sources of supply will not deliver the plan period housing requirement in full. The PLP, paragraph 4.16, acknowledges that many of the chosen sites will not deliver until later in the plan period therefore any slippage in timescale could well push delivery beyond the plan period. Furthermore, the Council is heavily reliant upon delivery at Welborne. Within our comments upon the Plan overall we identify the need for delivery from this site to be reviewed and indeed question whether it is deliverable at all given the funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10.

3.12 Furthermore, the Council cannot currently demonstrate a five-year housing land supply. The Council's most recent assessment of its five-year housing land supply suggests a 4.03-year supply. This assessment appears optimistic given recent

appeal decisions which identify it is closer 2.4 years. Given these shortcomings it is essential that the PLP seeks to address this under-supply in the short-term.

Development Strategy

3.13 This section is substantially focussed on restricting development outside the existing settlement policy boundaries of urban areas. This marks a significant change in approach since the Regulation 18 version of this plan when the emphasis was on a strategy for locating development sustainably. This is in conflict with the NPPF, paragraph 11, which advises that "Plans and decisions should apply a presumption in favour of sustainable development" and that "For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their areas, and be sufficiently flexible to adapt to rapid change".

3.14 The highly restrictive strategic policy approach introduced into the PLP does not accord with this national guidance.

Policy DS1: Development in the Countryside

3.15 For housing development which is brought forward in the absence of a 5 year housing land supply, Policy HP4 applies. This will necessarily introduce new built form onto greenfield sites adjacent or well related to existing urban area boundaries. This will inevitably cause a change to the landscape character of the site and immediately adjacent land. Criteria ii) and iii) require proposals to "conserve and enhance landscapes" and "recognise the intrinsic character and beauty of the countryside". It is not clear which "landscapes" are being referred to – presumably this should be restricted to formally designated landscapes or defined "valued" landscapes because otherwise it could be applied to every area of countryside. It is also not clear how, for example, a housing development can "conserve and enhance" a landscape – relevant measures should be defined. Moreover, it is not clear how the extent to which a proposal has recognised "the intrinsic character of the beauty of the countryside" can be measured. After all, those attributes can be "recognised" but then disregarded. It is true that every area of countryside has a "character" but not that every area of countryside has "beauty".

3.16 Criterion v) should include an exception for development which is brought forward under Policy HP4, where the application of the "tilted balance" would allow the loss of BMVAL.

3.17 Paragraph 3.39 fails to explain how this policy works in relation to housing policies.

Policy DS2: Development in Strategic Gaps

3.18 Strategic Gap 2 "Fareham / Bridgemary and Stubbington / Lee-on-the-Solent" should be redefined to exclude all land to the east of Newgate Lane, between Newgate Lane and the urban settlement boundary of Bridgemary.

3.19 Paragraph 3.46 states:

".Further to the east, retaining the gap will help maintain the separation of Stubbington and Lee-on-the-Solent from Fareham and Bridgemary along with maintaining the separate identity of Peel Common." (our underlining)

3.20 Peel Common is not an urban settlement with a separate identity which merits protection. It has resulted from an evolution of wayside development into ribbon development and even now is, in landscape terms, non-descript as a settlement. The purpose of the gap should be to maintain the separation of Stubbington from Fareham and Lee-on-the-Solent; and the separation of Lee-on-the-Solent from Rowner.

3.21 Paragraph 3.43 refers to "The need to respect settlement boundaries and protect the identity of our key settlements". Peel Common is not a key settlement and it does not have a settlement boundary. The deletion of housing allocation Policy HA2 Newgate Lane South from this version of the local plan has been accompanied by the extension of the Strategic Gap designation across the HA2 site to the settlement boundary of Bridgemary on the Proposals Map. It is suspected that the reference to Peel Common having a "separate identity" in the supporting text has been inserted to attempt to justify the extension of the gap designation over land which has previously been assessed as being suitable for development.

3.22 Paragraph 3.46 states that *"Although no boundary changes are proposed at this time, evidence has shown (that the) boundary of this strategic gap could be redrawn whilst retaining its important function of preventing settlement coalescence.".* This is a key failure of the process at this stage. The Council has a quite recent landscape character assessment as part of the evidence base (2017) and a very recent gap study. There are also two strategic road schemes (one complete, one in construction) that affect the landscape character of this gap. This is surely the time for the Council to redraw the boundaries of this strategic gap and strategically plan for growth.

3.23 In this regard, these representations are accompanied by a Preliminary Landscape and Visual Appraisal prepared by Pegasus Group of the former Policy HA2 site, Newgate Lane South. The Summary and Conclusions of this Appraisal include the following:

"7.7. In summary the site sits within a variable pocket of landscape. In isolation the site comprises remnant agricultural enclosures however it cannot be separated from the extensive urbanising influences which surround and frame it, particularly in the context of the more recent severance of the agricultural land that has arisen from the route of the bypass (Newgate Lane East East)….

7.16. In terms of the Fareham and Stubbington strategic gap, the site (along with its local landscape context), is well placed to accommodate some form of development without undue consequences or impacts on the role and function of the Strategic Gap as a whole. This is on the basis that:

- *A substantial distance will be retained across the wider gap, between the site and Stubbington;*
- *In terms of visibility, the site is physically and visually well contained, placed as the area is within a strong framework of green infrastructure and the settlement edge – furthermore, the site (and potential development) will not be visible across the gap from Stubbington;*
- *The surrounding context and urbanising influences, including the residential areas of Peel Common, Bridgemary and Woodcot which reduce the degree of change as they provide a relevant settlement edge context;*

- *The opportunity to contribute to, and maintain, a strong green infrastructure network and facilitate a strategic green infrastructure connection through the area that will reinforce and connect the linear routes which cross broadly north to south through this area; and*

- *In connection with the green infrastructure provision, the ability to incorporate substantial mitigation that will successfully avoid or minimise landscape and visual effects.*

3.24 These conclusions are consistent with the evidence base in relation to the Strategic Gap which acknowledges that the gap designation does not relate to landscape quality, value or condition; that development can be accommodated within gaps without undermining their function; and that urban influences can detract from the functioning of the gap, to the extent that they present a clear justification for amending the boundaries of the gap. The study concludes that the part of the gap between Peel Common and Bridgemary is weak and under development pressure, particularly with the recently constructed Newgate Lane East now forming such a strong urbanising feature in the local landscape context. The Policy HA2 site is not considered to form part of a priority area which is required to maintain the integrity and function of the Fareham / Stubbington Strategic Gap and it is concluded that the site is well placed to accommodate development that could come forward as a well-connected urban extension without significantly affecting the integrity of the gap and the physical and visual separation of settlements. Indeed, this was the Council's previous conclusion when it proposed to allocate the Policy HA2 site. Its December 2019 SHELAA included commentary on the three land parcels (SHELAA sites 3002, 3028 and 3057) which together make up the Policy HA2 site. The Suitability Comment for sites 3002 and 3028 (the smaller northern and southern parcels) were:

"The site is considered suitable for development as part of the proposed housing allocation. Development could be accommodated without significant effects on the landscape character of the wider area."

3.25 For site 3057 (the larger central parcel) the Suitability Comment was:

> *"Development could be accommodated without significant effects on the landscape character of the wider area (following construction of Newgate Lane South) or the integrity of the Strategic Gap…."*

3.26 All three component parcels of the HA2 site were described as Suitable, Available and Achievable. Nothing has changed in this regard.

Policy DS3: Landscape

3.27 This draft policy designates about a quarter of the land area of the Borough as "Areas of Special Landscape Quality" (as shown on Figure 3.3).

3.28 From the commentary provided in paragraph 3.49, it appears that the Council is equating its 'Areas of Special Landscape Quality' (ASLQ) with 'valued landscapes'. This is questionable. All landscapes are valued at some level by different people. NPPF paragraph 170 triggers a need to consider when landscape value is just a local consideration, or when landscapes are more 'out of the ordinary'. Fundamentally, for a landscape to be a valued landscape, it does not have to be designated - so by designating the ASLQ (or by creating a valued landscape designation) the Council is at risk of creating a policy that is irrelevant, because guidance says that non designated landscapes can be valued, so site-by-site assessments will be required in any event.

3.29 Paragraph 3.55 states that "…all parts of the Borough have some landscape quality and may be sensitive to landscape change". This is ambiguous. All landscape will be of 'a quality' but quality (in GLVIA3 aligned with condition) is only one consideration of landscape sensitivity.

3.30 With regard to "How the policy works", paragraph 3.56 states that *"The criteria within the policy (points a-g) are derived from the Guidelines for Landscape and Visual Impact Assessment (GLVIA 3) published by the Landscape Institute.".* The GLVIA is an extensive and diverse document and, if it is to be used as basis for this policy then a specific reference or explanation should be provided as to how points a-g have been derived.

3.31 Paragraph 3.57 refers to the submission of "…a proportionate Landscape Assessment". This should be amended to require the submission of a 'Landscape and Visual Impact Assessment'. There are many applications of LVIA and several forms of reporting. Reference to LVIA would be specific and clear as to what is required (and incidentally relates better to the approaches set out in GLVIA3).

Policy HP1: New Residential Development

3.32 This policy relates to all new housing proposals. However, it only envisages housing coming forward outside Urban Area boundaries through either the conversion of a non-residential building or as a replacement dwelling. It should also cross-refer to Policy HP4 which allows housing to come forward on land outside Urban Area boundaries if the Council cannot demonstrate a Five Year Housing Land Supply.

3.33 Therefore add:

> **"c) It is for additional housing in circumstances where the Council cannot demonstrate a Five Year Housing Land Supply and Policy HP4 applies."**

Policy HP4: Five-Year Housing Land Supply

3.34 The housing requirement set out in Policy H1 must be re-calculated using the current Standard methodology as described in our comments on draft Policy H1 above.

3.35 Paragraph 5.24 infers that Policy HP4 reproduces Local Plan Part 2 Policy DSP40. However, the third criterion in Policy DSP40 was as follows:

> *"iii) The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;"*

3.36 This has been replaced in Policy HP4 by:

> *"c) The proposal is sensitively designed to reflect the landscape character and setting of the settlement, is of a scale proportionate to its setting and recognises the intrinsic character and beauty of the countryside and, if relevant, does not significantly affect the integrity of a Strategic Gap;"*

3.37 If a five year housing land supply cannot be demonstrated, then in accordance with the NPPF, paragraph 11d, the most relevant policies in the plan would be out of date and the presumption in favour of sustainable development would apply. This policy may therefore be judged to be inappropriate because it adds restrictions which may prevent sustainable sites from coming forward. However,

if such a policy is held to be necessary, then a faithful reproduction of Policy DSP40 iii) is strongly preferred. See our comments on Policy DS1 in this regard.

Policy HP5: Provision of Affordable Housing

3.38 This draft policy states that "affordable housing must be provided" (our underlining) in the following proportions:

i. At least 10% as Social Rent; and

ii. At least 55% as Affordable Rent or Social Rent; and

iii. The remainder, but no less than 10% as Affordable Home Ownership.

iv. The mix of property size and type should reflect the local need and the site characteristics.

3.39 As drafted this policy is not sufficiently flexible. As acknowledged at paragraph 5.36, development viability will be an issue on some sites. As acknowledged at paragraph 5.39, occasionally the tenure mix prescribed by the policy will not be appropriate; and as acknowledged at paragraph 5.34, other exceptional circumstances may arise (such as abnormal costs) which dictate that a non-standard provision of affordable housing is demonstrated to be appropriate.

3.40 Therefore, amend the first part of the policy to read:

"Sites that can accommodate 10 or more dwellings or sites with an area of 0.5 hectares or more shall normally provide: …"

3.41 And amend the second part of the policy to read:

"The affordable housing shall normally be provided in accordance with the following proportions: …"

Policy HP7: Adaptable and Accessible Dwellings

3.42 This draft policy states:

"Development proposals for all new dwellings shall provide:

a) At least 15% of all new dwellings at Category 2 standard; and

b) On schemes of over 100 dwellings (gross), at least 2% of private housing and 5% of affordable housing shall be provided as wheelchair accessible Category 3 properties."

3.43 Similar to Policy HP5 above, as drafted this policy is not sufficiently flexible. It is acknowledged that this policy is based on the requirements of Part M of the Building Regulations but it must allow for circumstances arising which mean that these requirements cannot be delivered (fully or otherwise).

3.44 Therefore, amend the first line of the policy to read:

"Development proposals for all new dwellings shall normally provide: …"

3.45 Paragraph 5.57 of the supporting text states:

"The cost to development for providing Category 2 and 3 is relatively minimal. Flexibility for additional costs have been factored into the viability evidence base and this indicates that the requirements for Category 2 and 3 should have no detrimental impact on the viability of schemes in the Borough..."

3.46 This statement is strongly disputed. In reality, these costs will not be factored into a developer's viability calculations (particularly in relation to Category 3 requirements) because option agreements / conditional contracts will have already been agreed on the sites that the Council want to see come forward, so these costs will not have been anticipated. The Category 3 requirements must be substantiated by quantified evidence of the need for such units in the Borough.

Policy HP9: Self and Custom Build Homes

3.47 This policy requires 10% of dwellings on sites of 40 dwellings or more to be provided for Self and Custom Build Homes. The practical implications of managing self or custom build developments on sites otherwise being constructed by housing developers or housing associations must be carefully considered. There is concern that 40 dwellings is too small a threshold at which to introduce this requirement due to the potentially onerous construction management implications which will arise. It would be preferable for the Council to allocate specific sites for self and custom build developments instead of requiring this element on all housing developments of 40 dwellings or more.

3.48 It is noted that, as stated at paragraph 5.70, only 1% of housing plots at Welborne are required to be provided for self or custom build under the Welborne Plan (2015). Strategic allocations such as Welborne provide the ideal opportunity for parcels of land to be allocated for self or custom build, so that opportunity should not be missed. This should be addressed in the review of the Welborne Plan which is overdue and necessary.

Policy E2: Faraday Business Park

3.49 This draft policy proposes the allocation of land for 65,000 sq. metres of employment development (in addition to the 22,000 sq. metres already consented). The site is designated as a Low Use site for Brent Geese and Waders.

3.50 Criterion e) of the policy states:

> "e) Proposals shall meet the requirements of Policy NE5 given the site's Low Use status for Solent Waders and Brent Geese…"

3.51 The two site-specific reasons for the deletion of housing allocation HA2 Newgate Lane South given in the Fareham SHLAA (in the context of the Council planning for a reduced housing requirement in the PLP) are that the site lies within a Strategic Gap and that the site is designated as a Low Use site for Brent Geese and Waders. Given the proposed allocation at the Faraday Business Park, a site's designation as of Low Use status for Solent Waders and Brent Geese clearly does not prevent a site from being allocated for development.

Policy E3: Swordfish Business Park

3.52 This draft policy proposes the allocation of land for 12,100 sq. metres of employment development (in addition to the 28,000 sq. metres already consented). The site is designated as a Low Use site for Brent Geese and Waders.

3.53 Criterion f) of the policy states:

> "f) Proposals shall meet the requirements of Policy NE5 given the site's Low Use status for Solent Waders and Brent Geese…"

3.54 The two site-specific reasons for the deletion of housing allocation HA2 Newgate Lane South given in the Fareham SHLAA (in the context of the Council planning for a reduced housing requirement in the PLP) are that the site lies within a

Strategic Gap and that the site is designated as a Low Use site for Brent Geese and Waders. Given the proposed allocation at the Swordfish Business Park, a site's designation as of Low Use status for Solent Waders and Brent Geese clearly does not prevent a site from being allocated for development.

Policy NE5: Solent Wader and Brent Goose Sites

3.55 Accompanying these representations is a WYG Technical Note in relation to Ecology and the former Policy HA2 Newgate Lane South housing allocation. This addresses the two proposed options for mitigating the impact of development of Low Use SWBG sites. Policy NE5 limits mitigation solutions to either on-site provision or a financial contribution towards mitigation on a suitable identified site. However, as reported in the Technical Note, an off-site solution has been proposed as part of outline application P/19/1260/OA Land East of Newgate Lane East (that application site being the southern part of the former HA2 allocation), and that solution has been reviewed by the Council's Ecologist and found to be acceptable. This therefore represents a compliant solution which can be replicated for other developments in similar circumstances. Policy NE5 should be amended to include this additional option.

Policy D1: High Quality Design and Place Making

3.56 This is a highly aspirational policy which sets out ten criteria ("key characteristics of high quality design") against which all development proposals will be judged "to ensure the creation of quality places." It is not clear what a "quality place" is – this should be defined. The ten criteria push the "bar" too high – all proposals cannot be expected to "create places that are attractive, memorable, distinctive and of strong character", for example, laudable though those aspirations are. In practice, very few proposals would receive planning permission if assessed against this requirement.

Appendix B: Housing Trajectory

3.57 This appendix must be updated as it does not reflect the quantum of housing required to meet the local needs. It also projects completions of 975 homes in 2023/24 and 961 homes in 2024/5, which are at risk due to the delays to Welborne which continue. Completions from Welborne should be shown separately as previously.

Appendix C:

3.58 The purpose of the inclusion of the Local Ecological Network Map at Appendix C is not understood. It includes the identification of land as "Network Opportunities". This does not appear to have a basis in the policies of the PLP. The former Policy HA2 Newgate Lane South site is identified as a Network Opportunity on this plan. This is not explained. This appendix should be deleted, as happened to a similar plan appended to the Regulation 19 Chichester District Local Plan.

Reinstatement of the Policy HA2: Newgate Lane South housing allocation

3.59 The Council omitted a number of previous housing allocation sites for the Regulation 19 PLP on the basis that the PLP plans for the reduced housing requirement of 403 hpa. We have asserted that this approach fails to comply with legal requirements and is unsound. It is foreseeable that the Council's housing requirement may increase and in such circumstances Policy HA2 should be reintroduced and updated to allocate the site for about 500 dwellings.

3.60 The Policy HA2 site is comprised of three SHELAA sites:

- Copps Field, Newgate Lane, Peel Common (3028);
- Land East of Newgate Lane, Peel Common (3057); and
- Land East of Newgate Lane East, Peel Common (3002).

3.61 In the Council's SHELAA of December 2019, the commentary on each of these sites concluded with a "Suitability" (for allocation for development) Comment. For sites 3002 and 3028 (the smaller northern and southern parcels) the Suitability Comments were:

"The site is considered suitable for development as part of the proposed housing allocation. Development could be accommodated without significant effects on the landscape character of the wider area."

3.62 For site 3057 (the larger central parcel) the Suitability Comment was:

"Development could be accommodated without significant effects on the landscape character of the wider area (following construction of Newgate Lane South) or the integrity of the Strategic Gap…."

3.63 All three component parcels of the HA2 site were described as Suitable, Available and Achievable. Nothing has changed in this regard.

3.64 In omitting Policy HA2 form the PLP, the Council also updated its SHELAA for consistency with the PLP and justified the omission of the HA2 allocation due to the impact of development on the strategic gap, and the fact that the site is a low use SWBG site. Gosport Borough Council also previously objected to the HA2 allocation due to its alleged traffic impact on Newgate Lane East. Taking each of these matters in turn:

Strategic Gap:

3.65 These representations are accompanied by a Preliminary Landscape and Visual Appraisal prepared by Pegasus Group of the former Policy HA2 site, Newgate Lane South. This study concludes that the part of the gap between Peel Common and Bridgemary is weak and under development pressure, particularly with the recently constructed Newgate Lane East now forming such a strong urbanising feature in the local landscape context. The Policy HA2 site is not considered to form part of a priority area which is required to maintain the integrity and function of the Fareham / Stubbington Strategic Gap and it is concluded that the site is well placed to accommodate development that could come forward without significantly affecting the integrity of the gap and the physical and visual separation of settlements. This was the Council's previous conclusion when it proposed to allocate the Policy HA2 site, as evidenced by the quotations from the December 2019 SHELAA above.

Low Use SWBG site:

3.66 It is noted that Employment allocations E2 and E3 are similarly designated. These representations are accompanied by an Ecology Technical Note prepared by WYG which describes the off-site mitigation solution already advanced and agreed by the Council's ecologist in relation to a planning application for housing on the southern part of the HA2 site. Demonstrably, this is not an issue which would prevent development coming forward in principle on this site.

Transport impact:

3.67 These representations are accompanied by a Transport Technical Note prepared by i-Transport. This reports that the Council's transport evidence base was substantially prepared before the Council amended its spatial strategy in response to the draft revised Standard Methodology housing target so it included assessments of the Policy HA2 site, together with other housing allocations since omitted including the two Strategic Growth Areas (SGAs). On this basis the Council's Strategic Transport Assessment concludes that the plan is deliverable and sound from a transport perspective.

3.68 The Transport TN reviews the sustainable transport credentials of the HA2 site. The site is very well served by public transport – it is within a 5-10 minute walk of the South East Hampshire Rapid Transit system, and is close to local bus routes. HCC and its partners have recently submitted funding bids to Government for later stages of the SEHRT which includes a potential extension of the SEHRT to the site and the Solent Enterprise Zone. This will further improve the accessibility of the site to public transport services.

3.69 The site lies in close proximity (comfortable walk or short cycle trip) to major employment areas (Fareham Business Park, Newgate Lane Industrial Estate, Solent EZ) and supermarkets (such as Asda next to the site) for convenience shopping.

3.70 The primary vehicular access to the site will be from a new roundabout on Newgate Lane South. This has been designed to minimise interruptions to traffic flows on Newgate Lane South. The operation of this junction has been modelled, and this confirmed that the greatest queueing delay on any arm during peak periods is about 8 seconds. Thus the roundabout will operate wholly within capacity with a "Level of Service" rating of "A", classified as "Free Flow", such that it will not prejudice the benefits of the recent road project.

3.71 Hampshire County Council has not raised any in principle design or safety concerns with the junction and following substantial dialogue has accepted the junction modelling as a basis to consider the operation of the junction but required consideration of the corridor effects of the junction within the Local Plan evidence base.

3.72 This wider corridor assessment has now been completed with the release of the FBC SRTM Assessment, summarised in Section 4 of the accompanying Transport

TN. In summary this demonstrates that there are no material impacts on the wider Newgate Lane corridor that result from the delivery of an access to the HA2 site from Newgate Lane. Any objection to the allocation of the HA2 site on this basis is therefore not sustainable.

3.73 For all of these reasons, the Council is encouraged to reinstate the Policy HA2 housing allocation for about 500 dwellings. The site is controlled by two highly reputable housing developers – Miller Homes and Bargate Homes – who have a strong local track record of delivery and who are keen to bring it forward for development immediately, such that the site can make a significant contribution to the Council's five year housing land supply.

4.0 Participation at the examination hearing sessions

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session.

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To contribute to testing the legal compliance and soundness of the PLP for the reasons set out in these representations.

December 2020 | JG | P20-3146

FAREHAM LOCAL PLAN 2037 REPRESENTATIONS

LAND ADJACENT TO 75 HOLLY HILL LANE, SARISBURY

ON BEHALF OF
BARGATE HOMES

Pegasus Group

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough

DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE

Pegasus Group is a trading name of Pegasus Planning Group Limited (07277000) registered in England and Wales
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APPENDICES:

1.0 Landscape Response prepared by Terra Firma Consultancy including Opportunities and Constraints Plan

1.0 Introduction

1.1 The following representations are prepared by Pegasus Group on behalf of our client, Bargate Homes. Our client has interests in Land adjacent to 75 Holly Hill Lane in Sarisbury.

1.2 The site is irregular in shape and extends to approximately 2.6 hectares. It is accessed via Holly Hill Lane, which adjoins the south-western boundary of the site, and the majority of the site lies to the east (rear) of the properties which front Holly Hill Lane. The southern boundary of the site adjoins Holly Hill Woodland Park and the eastern boundary extends as far as the boundaries of the properties on Mulberry Lane (accessed from Barnes Lane). The site has previously been promoted through Fareham Borough Council's (FBC) Strategic Housing and Employment Land Availability Assessment (SHELAA) – Site ID 1005.

1.3 For the reasons set out in these representations, our client is strongly of the view that this site should be allocated for residential development in the Fareham Local Plan 2037 (hereafter referred to as the Publication Local Plan). It is estimated that the site could accommodate approximately 30 dwellings. These representations also set out our client's position in relation to required amendments to some of the more general policies proposed within the Publication Local Plan (PLP).

1.4 Our client is an important stakeholder within Fareham and is keen to work with the Council to produce a plan which is legally compliant and meets the tests of soundness set out within the National Planning Policy Framework (NPPF). Currently the plan is neither legally compliant nor sound.

1.5 The following representations utilise the same format as the Council's response form. Each area of the PLP which is deemed to be either not legally compliant or unsound is clearly outlined below. Proposed changes to the plan in relation to policies, supporting text and the proposals map are provided.

	Agent	Client
Title	Mr	Bargate Homes c/o Agent
First Name	Jeremy	
Last Name	Gardiner	
Job Title	Senior Director	
Organisation	Pegasus Group	
Address	[redacted]	
Postcode	[redacted]	
Telephone	[redacted]	
Email	[redacted]	

2.0 Plan Overall

B1 Which part of the Local Plan is this representation about?

2.1 The following comments relate to the overall Local Plan.

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan:

2.2 Paragraphs 1.5–1.6, 1.14, 1.17, 1.37, 2.12, 3.19–3.22, 3.49–3.57, 4.1–4.20, Appendix B.

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan

2.3 Policies H1, HP1, HP4, HP5, HP6, HP7, HP9, DS1, DS3, NE8, D1.

B2 Do you think the Publication Local Plan is:

Legally compliant – No
Sound – No
Complies with the duty to co-operate – No

2.4 The Fareham Local Plan is not legally compliant and is unsound as it is not consistent with national policy, effective or justified.

B3 Please provide details you have to support your answers above.

B3.1 The Publication Local Plan is not Legally Compliant

2.5 The Publication Local Plan (PLP) has based its housing proposals on the annual housing target derived from the Government's draft Revised Standard Methodology published in August 2020 in its consultation "Planning for the Future". The Government's response to this consultation was published on 16th December 2020. The Government does not propose to proceed with the changes to assessing local housing need consulted on earlier this year in

"Changes to the Current Planning System"; but instead has published a revised approach to the Standard Method, which retains the method in its previous and current form except for London and 19 of the most populated cites and urban centres.

2.6 The key change is to apply a 35% uplift to the Standard Method for Greater London and the 19 most populated cities and urban areas in England – Birmingham, Liverpool, Bristol, Manchester, Sheffield, Leeds, Leicester, Coventry, Bradford, Nottingham, Kingston upon Hull, Newcastle upon Tyne, Stoke on Trent, Southampton, Plymouth, Derby, Reading, Wolverhampton and Brighton and Hove. The minimum housing requirement for Fareham calculated using the amended standard method therefore remains 514hpa.

2.7 The Government's White Paper, "Changes to the Current Planning System" (published in August 2020 alongside the "Planning for the Future" consultation) provided guidance to local planning authorities which were at or close to the Regulation 19 stage of plan-making at paragraph 43:

"Transition

43.The Government is aware that any change in the standard method will have an impact for plans that are currently under development, as authorities expend considerable resources in developing new plans. To enable an orderly transition to the revised standard method, and achieve as much short-term supply as possible while setting the right expectations for early stage plan-making, we propose that from the publication date of the revised guidance, authorities which are already at the second stage of the strategic plan consultation process (Regulation 19) are given 6 months to submit their plan to the Planning Inspectorate for examination. Authorities close to publishing their second stage consultation (Regulation 19), should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan and a further 6 months to submit their plan to the Planning Inspectorate. This is to strike a balance between allowing an appropriate transition period for plans that are nearly through the process, but without causing a significant delay in planning for a higher level of need."

2.8 This transitional arrangement applies to Fareham at the time, such that the previous Standard Method (514 hpa) continued to apply for plan-making purposes in the borough in any event, but the Council chose not to follow this national guidance.

2.9 The National Planning Policy Framework (NPPF) states (paragraph 16 a)) that Plans should "be prepared with the objective of contributing to the achievement of sustainable development". Footnote 10 confirms that this is a legal requirement of local planning authorities in exercising their plan-making functions. Meeting the objectives of sustainable development includes "…meeting the needs of the present…". By preparing a Plan based on the revised draft Standard Methodology target of 403 dwellings per annum, the local planning authority is failing to meet its local objectively assessed need for housing, thereby failing to plan to deliver sustainable development.

2.10 The PPG (ID 2a-003-20190220) is clear that the standard method should be used and any other method should only be used in exceptional circumstances. It further explains that:

"…Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination." (PPG ID 2a-015-20190220).

2.11 As discussed above the extant standard method identifies a requirement of 514hpa. The NPPF (paragraph 60) identifies that the current standard method provides a minimum requirement. To depart and provide a figure lower than the current Standard Method requires exceptional circumstances and must be justified by clear and robust evidence. This is absent from the Council's evidence base and as such is an unsound approach.

2.12 The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa) – a requirement confirmed by the Government's

announcement of 16th December 2020. As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa was procedurally flawed, lacking in evidential basis, premature and misleading.

2.13 The NPPF (paragraph 33) also states that plans should be reviewed every 5 years and updated as necessary. The Inspector's Report on the Examination into the Fareham Local Plan Part 2 (dated 12th May 2015) included modifications which were all proposed by the Council. Its first Main Modification was "a commitment to an early review of the local plan (ie. LP1, LP2 and LP3)". This included a timetable for the local plan review between 2016 and 2018 which the Council has failed to adhere to, having previously expressed its commitment to the Inspector.

2.14 The Local Plan Part 3 is the Welborne Plan which was adopted in 2015.The total quantum of housing to be delivered at Welborne has reduced over the years, and the date for its commencement has repeatedly slipped back. The development is currently running about 5 years late. Recently, serious doubts have been expressed over whether it is deliverable at all given the reported funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10. The development is certainly not currently "deliverable" in NPPF terms. Nonetheless, the PLP relies heavily on the delivery of homes at Welborne as by far the most important source of its housing supply - 4,020 homes (just over 48%) out of a total suggested supply of 8,389 homes are timetabled to be completed at Welborne by 2037, and completions are included in the Council's trajectory for the first five years of the plan. Given the heavy reliance placed on a development which, at best, appears to be at serious risk of continuing to be significantly delayed, the Welborne Plan should be reviewed as a matter of urgency.

2.15 Given the importance of the Welborne Plan to housing delivery this is considered an issue of both soundness and legal non-compliance.

B3.2 The Publication Local Plan is not Sound

2.16 Paragraphs 1.5 – 1.6 of the PLP set out the "Tests of Soundness" which require

that the Plan has been "positively prepared, justified, effective and consistent with national policy". The PLP fails to meet the Tests of Soundness for the following reasons:

1. It has not been "positively prepared"

2.17 The Plan does not seek to, as a minimum, meet the area's objectively assessed need. Given that the Core Strategy was adopted on 4th August 2011, it is significantly out of date such that (as advised by paragraph 73 and footnote 32 of the NPPF) local housing need should be calculated using the current Standard Methodology. On this basis the local housing need target is 514 homes per annum (hpa) plus the appropriate buffer (5% or 20%). Instead, the PLP plans for 403 hpa, thereby failing to plan for the area's objectively assessed need, and failing to contribute to the achievement of sustainable development.

2.18 The lower housing requirement has also not been the subject of sustainability appraisal (SA). Whilst the SA re-assesses sites based upon a lower housing requirement it fails to consider the implications of a lower housing requirement, compared to the current standard method, upon the delivery of the SA objectives. Even if the lower requirement were justified by national policy, which it is not, the retention of the housing requirement at the level previously consulted upon would be a reasonable alternative.

2.19 The Council published an Affordable Housing Strategy in 2019. On page 14 of the Affordable Housing Strategy, it is suggested that there is a need for 3,500 affordable homes to 2036, or circa 220 per annum. This is based on the existing need for 3,000 affordable homes and an allowance of 500 homes to provide for new households and those falling into need. Given that an average of only 76 affordable homes have been built per annum in Fareham Borough since 2011, there is a significant need to boost the supply of additional affordable housing to address needs. Indeed, the delivery of affordable housing needs to almost treble. The provision of affordable housing to address this need is a significant matter.

2.20 It is also unclear whether the PLP has planned to adequately accommodate unmet need from other authorities. The PPG (ID 2a-010-20190220) identifies

that meeting unmet needs from neighbouring authorities as set out in a Statement of Common Ground is one reason why local housing need calculated using the current standard should be exceeded. Contrary to the advice within the PPG (ID 2a-010-20190220) there are currently no Statements of Common Ground identifying if the figure of 847 dwellings is adequate or accepted by other authorities. Rather the Council speculates that this contribution would be "ratified" by a subsequent Partnership for South Hampshire Statement of Common Ground (Duty to Co-operate Statement of Compliance, paragraph 4.5). There is, however, no evidence to support this speculation. Indeed, the only evidence presented confirms a request for Fareham to accommodate 1,000 dwellings from a single neighbouring authority. The PLP has been prepared in advance of the publication of Statements of Common Ground – as such its preparation is premature.

2.21 At paragraph 4.4 of the PLP it is stated that unmet need in the sub-region over the plan period could be "circa 10,750 dwellings". At paragraph 4.5, Fareham's "immediate neighbours" are considered, and it is confirmed that Portsmouth City Council has requested that Fareham contributes 1,000 dwellings towards its unmet need, and that Gosport is "likely to have an unmet need issue, currently estimated to be in the region of 2,500 dwellings…". The Council's 'Duty to Co-operate Statement of Compliance' identifies at paragraph 4.6 that instead of responding to the request from Portsmouth the Council is proposing to: "…take the approach that the issue of unmet need is not dealt with as specific to any authority, but as a general contribution." It is not clear how this "general contribution" has been calculated but it appears inadequate. Gosport Borough lies between Portsmouth and Fareham. It is clear that Portsmouth cannot accommodate any of Gosport's unmet need so the obvious place to accommodate it is in Fareham Borough. Therefore, if Fareham plans to deliver the unmet needs of Portsmouth and Gosport, its contribution would be 3,500 homes. However, the PLP (Table 4.1) proposes a contribution of just 847 dwellings to wider unmet need. This figure should be reviewed.

2.22 In relation to unmet need, it should also be remembered that Welborne (previously known as the North of Fareham SDA) was originally conceived by PUSH (now PfSH) as one of two SDAs which were promoted to meet the sub-regional needs of south Hampshire and brought forward in the "South East

Plan". The Inspector's Report on the Examination into the Fareham LDF Core Strategy (dated 20th July 2011) identified five Main Issues, Main Issue 1 being:

"*7. The North of Fareham SDA represents the most significant and controversial element of the Core Strategy. ….While the principle of the SDA"s development is contained in the regional strategy – policy SH2 of the South East Plan (SEP) – the justification for the proposal derives from evidence prepared by South Hampshire local authorities (the Partnership for Urban South Hampshire [PUSH]) during the SEP"s preparation….The advantages of SDAs are seen as threefold: safeguarding existing towns and villages by reducing coalescence; providing more opportunities for planning gain; and achieving a critical mass to deliver sustainability benefits. The development now proposed is one of two SDAs proposed by PUSH and brought forward into the SEP. Both are aimed at meeting sub-regional housing needs and, as such, their housing totals are separated from the housing requirement for the remainder of the Boroughs concerned in the sub-regional strategy and SEP."* (our underlining)

2.23 However, the Council is now treating Welborne as a source of housing supply for Fareham Borough only, disregarding its planned sub-regional role. This compounds the lack of positive preparation of the PLP and starkly contrasts the Council's current approach to the delivery of housing to meet sub-regional needs with its approach of a decade ago.

2. It is not "justified":

2.24 The PLP's strategy for housing delivery is not appropriate, because it is based on a need figure derived from the draft revised Standard Methodology which was still the subject of public consultation at the time that the Plan was prepared. Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa) – a requirement confirmed by the Government's announcement of 16th December 2020. As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa is procedurally flawed, lacking in evidential basis, premature and potentially misleading.

3. It is not "effective":

2.25 Fareham has decided to deliberately plan to not meet its local objectively assessed housing need, so fundamentally the plan will not be effective. This, coupled with its apparent failure to plan to contribute appropriately to the unmet housing need of the sub-region, indicates a failure to work effectively with its neighbouring authorities on cross-boundary strategic planning for housing delivery and a failure "to support the Government's objective of significantly boosting the supply of homes" (NPPF, paragraph 59). Rather, the PLP proposes to restrict the supply of homes in the plan period in a way which will exacerbate the local housing crisis.

4. It is not "consistent with national policy":

2.26 The PLP is not consistent with the NPPF because:

- It will not contribute to the achievement of sustainable development by not, as a minimum, planning to meet its local objectively assessed housing need;
- It is not planning to adequately meet the unmet housing needs of neighbouring authorities in the sub-region;
- It has not based its housing proposals on the current Standard Methodology;
- Its strategy lacks a robust evidential justification; and
- Its proposed housing land supply includes a majority of housing from sites which are not "deliverable" as defined by the NPPF.

B3.3 The Publication Local Plan does not Comply with the Duty to Co-operate

2.27 As stated at B3.1 above, it is unclear whether the PLP has planned to adequately accommodate unmet need from other authorities.

2.28 Against a sub-regional unmet need figure of "circa 10,750 dwellings", and in the context of both neighbouring authorities of Portsmouth City Council and

Gosport Borough Council having "unmet need issue(s)", and Havant Borough Council being expressly unable to accommodate any unmet need, the PLP (Table 4.1) proposes a contribution of 847 dwellings to wider unmet need. It is not clear how this has been calculated and it appears inadequate.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

1. Plan to meet, as a minimum, the area's objectively assessed housing need. The current Standard Methodology annual housing need figure is currently 514 hpa.
2. Provide Statements of Common Ground in relation to unmet need from neighbouring and PfSH authorities. Any agreements will need to be included as additional housing to the minimum 514hpa.
3. In any event, plan for a level of housing which contributes to the achievement of sustainable development.
4. Treat this plan as an interim plan and reaffirm the Council's commitment to undertake an urgent a review of the Welborne Plan for incorporation into a consolidated early review of this plan.
5. The Council has not undertaken SA of all reasonable alternative housing requirements.
6. The Council has not planned to meet current housing needs, opting instead to phase its housing supply in a way which will exacerbate the current significant under-supply problems.

2.29 Consequential to the above, the Council must allocate additional sites for housing in this interim plan (ahead of the urgent review of the Welborne Plan) to meet its confirmed housing target of 514 hpa, including the allocation of our client's interest at Land adjacent to 75 Holly Hill Lane, Sarisbury for approximately 30 dwellings.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

2.30 The role of plan-making in contributing to the achievement of sustainable development is a legal requirement (Section 39(2) of the Planning and

Compulsory Purchase Act 2004).

2.31 Revisions to the plan so that it plans, as a minimum, to meet the local objectively assessed need for housing, meet affordable housing need and adequately contribute to meeting unmet need would assist the PLP to meet the Tests of Soundness.

3.0 Specific Proposed Changes

B4c Suggested revised wording of any policy or text

Policy H1: Housing provision

3.1 Completely revise the proposed housing target on the basis of the current Standard Methodology figure for the Borough of a minimum of 514 hpa plus an appropriate contribution to meeting sub-regional unmet needs.

3.2 Ensure that the revised housing target includes the delivery of a minimum of 220 affordable homes per annum.

3.3 Plan to deliver the revised housing target including a five-year supply of deliverable sites. In this regard, Welborne (the supply of housing from which is relied on heavily by the PLP) cannot currently be regarded as "deliverable" as defined in the NPPF.

3.4 Consequential updates to paragraphs 4.1 – 4.20 including Tables 4.1, 4.2, 4.3.

3.5 Consequential revisions to the list of Housing Allocation Policies under paragraph 4.20 to include allocations sufficient to deliver the revised housing and affordable housing targets, including the allocation of Land adjacent to 75 Holly Hill Lane, Sarisbury for approximately 30 dwellings.

3.6 Policy H1 also seeks to identify a 'phased' requirement. The overall supply is described as at least 8,389 dwellings - this is just 165 dwellings greater than the requirement when the correct local housing need standard method is applied. Given the need to provide for unmet needs from neighbouring authorities this is clearly insufficient and as such further allocations are required.

3.7 Policy H1 seeks to 'phase' this supply identifying the following:

- Approximately 2,250 dwellings (averaging 450 dwellings per annum) between 2021/22 and 2025/2613;

- Approximately 2,400 dwellings (averaging 480 dwellings per annum) between 2026/27 and 2030/31; and
- Approximately 3,750 dwellings (averaging 625 dwellings per annum) between 2031/32 and 2036/2037.

3.8 This phasing clearly will not meet the overall plan requirement. The rationale for this phasing is due to an anticipation that many of the housing allocations will begin to deliver later in the plan period. This is simply a factor of the sites chosen rather than an evidence-based approach to need. The net effect is that in the early part of the plan period the full need will not be met, exacerbating the current significant housing land supply shortfall in the Borough. This will mean households will either be unable to form or will be forced to move elsewhere to find appropriate accommodation. This not only has an impact upon affordability through increased demand but also has implications for social mobility and health for young and old alike.

3.9 The lack of housing to meet needs in the short-term is exacerbated by recent under-delivery of both market and affordable housing. The Council recognises it has under-delivered in recent years due to the reference to the need for a 20% buffer in accordance with NPPF, paragraph 73 (paragraph 4.16, PLP).

3.10 The housing requirement in the PLP should not be phased to manufacture a five-year housing land supply in the short-term. The plan should seek to address housing need now – to do otherwise is not justified or effective.

3.11 The second part of Policy H1 identifies the sources of supply. Whilst our client does not wish to comment upon individual sites, we do have significant concerns that the sources of supply will not deliver the plan period housing requirement in full. The PLP, paragraph 4.16, acknowledges that many of the chosen sites will not deliver until later in the plan period therefore any slippage in timescale could well push delivery beyond the plan period. Furthermore, the Council is heavily reliant upon delivery at Welborne. Within our comments upon the Plan overall we identify the need for delivery from this site to be reviewed and indeed question whether it is deliverable at all given the funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10.

3.12 Furthermore, the Council cannot currently demonstrate a five-year housing land supply. The Council's most recent assessment of its five-year housing land supply suggests a 4.03-year supply. This assessment appears optimistic given recent appeal decisions which identify it is closer 2.4 years. Given these shortcomings it is essential that the PLP seeks to address this under-supply in the short-term.

Section 3: Development Strategy

3.13 This section is substantially focussed on restricting development outside the existing settlement policy boundaries of urban areas. This is in conflict with the NPPF, paragraph 11, which advises that "Plans and decisions should apply a presumption in favour of sustainable development" and that "For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their areas, and be sufficiently flexible to adapt to rapid change".

3.14 The highly restrictive strategic policy approach introduced into the PLP does not accord with this national guidance.

3.15 Paragraph 3.9 of the PLP states:

"Recent planning appeal decisions in the Borough have highlighted the need to consider the designation of valued landscapes as part of the Local Plan. Previous Local Plans have included the demarcation of 'Areas of Special Landscape Quality' in the Borough which were used to help shape planning strategy and decisions on planning applications. These areas were the Meon, Hamble and Hook valleys, Portsdown Hill and the Forest of Bere. Both the Landscape Assessment (2017), and the more recent 'Technical Review of Areas of Special Landscape Quality and the Strategic Gaps' (2020) still recognise the intrinsic character and distinctiveness of these relatively undeveloped areas of the Borough and so their locations have been used to shape the development strategy. <u>There is a presumption against major development in these areas, unless it can be demonstrated through a landscape assessment that the quality</u>

and distinctiveness of the landscape character can be conserved. For these reasons there remain no development allocations in these areas." (our underlining)

Our client objects to the identification of the Areas of Special Landscape Quality (ASLQ) in the borough, and particularly to the presumption against development in ASLQ and against allocation any sites for development within these areas. This is discussed in detail in the section relating to Policy DS3: Landscape below.

Policy DS1: Development in the Countryside

3.16 For housing development which is brought forward in the absence of a 5-year housing land supply, Policy HP4 applies. This will necessarily introduce new built form onto greenfield sites adjacent or well related to existing urban area boundaries. This will inevitably cause a change to the landscape character of the site and immediately adjacent land. Criteria ii) and iii) require proposals to "conserve and enhance landscapes" and "recognise the intrinsic character and beauty of the countryside". It is not clear which "landscapes" are being referred to – presumably this should be restricted to formally designated landscapes or defined "valued" landscapes because otherwise it could be applied to every area of countryside. It is also not clear how, for example, a housing development can "conserve and enhance" a landscape – relevant measures should be defined. Moreover, it is not clear how the extent to which a proposal has recognised "the intrinsic character of the beauty of the countryside" can be measured. After all, those attributes can be "recognised" but then disregarded. It is true that every area of countryside has a "character" but not that every area of countryside has "beauty".

3.17 Criterion v) should include an exception for development which is brought forward under Policy HP4, where the application of the "tilted balance" would allow the loss of BMVAL.

3.18 Paragraph 3.39 fails to explain how this policy works in relation to housing policies.

Policy DS3: Landscape

3.19 This draft policy designates about a quarter of the land area of the Borough as "Areas of Special Landscape Quality" (as shown on Figure 3.3).

3.20 From the commentary provided in paragraph 3.49, it appears that the Council is equating its 'Areas of Special Landscape Quality' (ASLQ) with 'valued landscapes'. This is questionable. All landscapes are valued at some level by different people. NPPF paragraph 170 triggers a need to consider when landscape value is just a local consideration, or when landscapes are more 'out of the ordinary'. Fundamentally, for a landscape to be a valued landscape, it does not have to be designated - so by designating the ASLQ (or by creating a valued landscape designation) the Council is at risk of creating a policy that is irrelevant, because guidance says that non-designated landscapes can be valued, so site-by-site assessments will be required in any event. **Given that Policy DS3 is irrelevant, it is unnecessary and it should be deleted.**

3.21 However, if it is held that Policy DS3 should not be deleted, the following comments apply.

3.22 Paragraph 3.55 states that "…all parts of the Borough have some landscape quality and may be sensitive to landscape change". This is ambiguous. All landscape will be of 'a quality' but quality (in GLVIA3 aligned with condition) is only one consideration of landscape sensitivity.

3.23 With regard to "How the policy works", paragraph 3.56 states that "*The criteria within the policy (points a-g) are derived from the Guidelines for Landscape and Visual Impact Assessment (GLVIA 3) published by the Landscape Institute.".* The GLVIA3 is an extensive and diverse document and, if it is to be used as basis for this policy then a specific reference or explanation should be provided as to how points a-g have been derived.

3.24 Paragraph 3.57 refers to the submission of "…a proportionate Landscape Assessment". In the event that Policy DS3 is not deleted, this should be amended to require the submission of a 'Landscape and Visual Impact Assessment'. There are many applications of Landscape Assessment and

several forms of reporting. Reference to LVIA would be specific and clear as to what is required (and incidentally relates better to the approaches set out in GLVIA3).

3.25 Having specific regard to our client's land interest adjacent to 75 Holly Hill Lane in Sarisbury, the site has previously been promoted through FBC's SHELAA dated September 2020 (Site ID 1005) and was discounted solely because it is located within an ASLQ. Consequently, our client has appointed Terra Firma Consultancy to review this matter and a Landscape Response is attached to these representations at Appendix 1, together with an Opportunities and Constraints Plan for the site.

3.26 In summary, it is considered that if Policy DS3 is not deleted, it should better allow for flexibility when it can be proven that parcels of land within the ASLQ, when taken in isolation and studied in depth, can accommodate sensitive small-scale development. It is considered that our client's site has capacity for development without detriment to the wider Landscape Character Area and would also create opportunities for landscape enhancement and protection. Further site-specific details for Land adjacent to 75 Hilly Hill Lane are provided at the end of this section.

Policy HP1: New Residential Development

3.27 This policy relates to all new housing proposals. However, it only envisages housing coming forward outside Urban Area boundaries through either the conversion of a non-residential building or as a replacement dwelling. It should also cross-refer to Policy HP4 which allows housing to come forward on land outside Urban Area boundaries if the Council cannot demonstrate a Five-Year Housing Land Supply.

3.28 Therefore add:

"c) It is for additional housing in circumstances where the Council cannot demonstrate a Five Year Housing Land Supply and Policy HP4 applies."

Policy HP4: Five-Year Housing Land Supply

3.29 The housing requirement set out in Policy H1 must be re-calculated using the current Standard methodology as described in our comments on draft Policy H1 above.

3.30 Paragraph 5.24 infers that Policy HP4 reproduces Local Plan Part 2 Policy DSP40. However, the third criterion in Policy DSP40 was as follows:

"iii) The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;"

3.31 This has been replaced in Policy HP4 by:

"c) The proposal is sensitively designed to reflect the landscape character and setting of the settlement, is of a scale proportionate to its setting and recognises the intrinsic character and beauty of the countryside and, if relevant, does not significantly affect the integrity of a Strategic Gap;"

3.32 If a five-year housing land supply cannot be demonstrated, then in accordance with the NPPF, paragraph 11d, the most relevant polices in the plan would be out of date and the presumption in favour of sustainable development would apply. This policy may therefore be judged to be inappropriate because it adds restrictions which may prevent sustainable sites from coming forward. However, if such a policy is held to be necessary, then a faithful reproduction of Policy DSP40 iii) is strongly preferred. See our comments on Policy DS1 in this regard.

Policy HP5: Provision of Affordable Housing

3.33 This draft policy states that "affordable housing <u>must</u> be provided" (our underlining) in the following proportions:

i. At least 10% as Social Rent; and
ii. At least 55% as Affordable Rent or Social Rent; and

iii. The remainder, but no less than 10% as Affordable Home Ownership.
iv. The mix of property size and type should reflect the local need and the site characteristics.

3.34 As drafted this policy is not sufficiently flexible. As acknowledged at paragraph 5.36, development viability will be an issue on some sites. As acknowledged at paragraph 5.39, occasionally the tenure mix prescribed by the policy will not be appropriate; and as acknowledged at paragraph 5.34, other exceptional circumstances may arise (such as abnormal costs) which dictate that a non-standard provision of affordable housing is demonstrated to be appropriate.

3.35 Therefore, amend the first part of the policy to read:

"Sites that can accommodate 10 or more dwellings or sites with an area of 0.5 hectares or more shall normally provide: ..."

3.36 And amend the second part of the policy to read:

"The affordable housing shall normally be provided in accordance with the following proportions: ..."

Policy HP7: Adaptable and Accessible Dwellings

3.37 This draft policy states:

"Development proposals for all new dwellings shall provide:
a) At least 15% of all new dwellings at Category 2 standard; and
b) On schemes of over 100 dwellings (gross), at least 2% of private housing and 5% of affordable housing shall be provided as wheelchair accessible Category 3 properties."

3.38 Similar to Policy HP5 above, as drafted this policy is not sufficiently flexible. It is acknowledged that this policy is based on the requirements of Part M of the Building Regulations but it must allow for circumstances arising which mean that these requirements cannot be delivered (fully or otherwise).

3.39 Therefore, amend the first line of the policy to read:

"Development proposals for all new dwellings shall normally provide: ..."

3.40 Paragraph 5.57 of the supporting text states:

"The cost to development for providing Category 2 and 3 is relatively minimal. Flexibility for additional costs have been factored into the viability evidence base and this indicates that the requirements for Category 2 and 3 should have no detrimental impact on the viability of schemes in the Borough..."

3.41 This statement is strongly disputed. In reality, these costs will not be factored into a developer's viability calculations (particularly in relation to Category 3 requirements) because option agreements / conditional contracts will have already been agreed on the sites that the Council want to see come forward, so these costs will not have been anticipated. The Category 3 requirements must be substantiated by quantified evidence of the need for such units in the Borough.

Policy HP9: Self and Custom Build Homes

3.42 This policy requires 10% of dwellings on sites of 40 dwellings or more to be provided for Self and Custom Build Homes. The practical implications of managing self or custom build developments on sites otherwise being constructed by housing developers or housing associations must be carefully considered. There is concern that 40 dwellings is too small a threshold at which to introduce this requirement due to the potentially onerous construction management implications which will arise. It would be preferable for the Council to allocate specific sites for self and custom build developments instead of requiring this element on all housing developments of 40 dwellings or more.

3.43 It is noted that, as stated at paragraph 5.70, only 1% of housing plots at Welborne are required to be provided for self or custom build under the Welborne Plan (2015). Strategic allocations such as Welborne provide the ideal opportunity for parcels of land to be allocated for self or custom build, so that

opportunity should not be missed. This should be addressed in the review of the Welborne Plan which is overdue and necessary.

Policy D1: High Quality Design and Place Making

3.44 This is a highly aspirational policy which sets out ten criteria ("key characteristics of high quality design") against which all development proposals will be judged "to ensure the creation of quality places." It is not clear what a "quality place" is – this should be defined. The ten criteria push the "bar" too high – all proposals cannot be expected to "create places that are attractive, memorable, distinctive and of strong character", for example, laudable though those aspirations are. In practice, very few proposals would receive planning permission if assessed against this requirement.

Appendix B: Housing Trajectory

3.45 This appendix must be updated as it does not reflect the quantum of housing required to meet the local needs. It also projects completions of 975 homes in 2023/24 and 961 homes in 2024/5, which are at risk due to the delays to Welborne which continue. Completions from Welborne should be shown separately as previously.

Allocation of Land adjacent to 75 Holly Hill Lane, Sarisbury

3.46 Our client's land interest adjacent to 75 Holly Hill Lane in Sarisbury has previously been promoted through the Council's Strategic Housing and Employment Land Availability Assessment (SHELAA) dated September 2020. The site is discounted solely for the reason that it is located within a SLQA and our client's objection to this is set out above.

3.47 Otherwise, the SHELAA confirms that the principle of highway access to the site is acceptable, subject to allowing for the turning of refuse vehicles within the design of the access road, which could be addressed. It is confirmed that there are no known conservation constraints or noise/air quality constraints, and that the site is not within an identified area of archaeological potential. The SHELAA suggests that there is the potential for moderate to high quality

habitats and ecological interest within the woodland areas, but this could be assessed and appropriately mitigated.

3.48 In terms of its accessibility and sustainability, the SHELAA confirms that the site is located within 800m of accessible green space or play space, within 800m of a community/leisure facility, within 1,200m of a Primary School and within 1,600m of a Secondary School. It is also noted that the site is located 0.5 miles (by road) to the south of the A27 and its associated local facilities and services. There are also bus routes that run along Barnes Lane to the east, and the A27.

3.49 The SHELAA concludes that the site is both available and achievable but that it is not suitable due to its location within an ASLQ.

3.50 The Landscape Response prepared by Terra Firma Consultancy, enclosed at Appendix A, includes an Opportunities and Constraints Plan for the site which identifies an indicative developable area extending to approximately 0.93 hectares. On the basis of a development density of 30-35 dph, this would equate to the provision of between 28-33 dwellings on the site.

3.51 On the basis of the above, the Council is encouraged to allocate Land adjacent to 75 Holly Hill Lane in Sarisbury for approximately 30 dwellings. This site is controlled by a highly reputable local housing developer – Bargate Homes – who has a strong local track record of delivery and is keen to bring it forward for development immediately, such that the site can make an important contribution to the Council's five-year housing land supply.

4.0 Participation at the Examination Hearing Sessions

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

4.1 Yes, we want to take part in a hearing session.

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

4.2 To contribute to testing the legal compliance and soundness of the PLP for the reasons set out in these representations.

APPENDIX 1

Landscape Response prepared by Terra Firma Consultancy and associated Opportunities and Constrains Plan

December 2020 | JG | P20-3153

FAREHAM LOCAL PLAN 2037
REPRESENTATIONS

LAND WEST OF OLD STREET, STUBBINGTON

ON BEHALF OF BARGATE HOMES

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

Prepared by: Jeremy Gardiner & Trevor Moody

Pegasus Group

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough

DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE

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1.0 Introduction

1.1 The following representations are by Pegasus Group on behalf of our client, Bargate Homes. These representations are consistent with and build upon the previous representations submitted to the Council by WYG in relation to this site in response to the Fareham Draft Local Plan 2036 Supplement in February 2020, and we ask that those previous representations are also considered alongside this submission because their content is not repeated here.

1.2 Our client has an interest in **land to the west of Old Street, Stubbington** which was previously the subject of development proposals for up to 160 (reduced to 150) new homes (planning application P/17/1451/OA refused on 23 March 2018, and appeal ref. APP/A1720/W/18/3200409 dismissed on 22 January 2019 refer). Since this appeal decision, and in the light of the Inspector's reasoning, extensive belts of strategic woodland planting have been undertaken at the site which will have the effect of visually detaching part of the site from the Meon Valley and creating a more modest sustainably located site for about 75 new homes on the edge of the urban area of Stubbington. Our client is strongly of the view that these material changes of circumstances at the site, coupled with the need for the Council to meet its local housing target of a minimum of 514 homes per annum, justify the allocation of the site for about 75 dwellings in the local plan.

1.3 Our client is an important stakeholder within Fareham and is keen to work with the Council to produce a plan which is legally compliant and meets the tests of soundness set out within the National Planning Policy Framework (NPPF). Currently the plan is neither legally compliant nor sound.

1.4 The following representations utilise the same format as the Council's response form. Each area of the Publication Local Plan (PLP) which is deemed to be either not legally compliant or unsound is clearly outlined below. Proposed changes to the plan in relation to policies, supporting text and the proposals map are provided.

	Agent	**Client**
Title	Mr	Bargate Homes c/o Agent
First Name	Jeremy	
Last Name	Gardiner	
Job Title	Senior Director	
Organisation	Pegasus Group	
Address	[redacted]	

Postcode
Telephone
Email
[redacted]

2.0 Plan Overall

B1 Which part of the Local Plan is this representation about?

2.1 The following comments relate to the overall Local Plan.

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan:

2.2 Paragraphs 1.5 - 1.6, 1.14, 1.17,1.37, 2.12, 3.19 - 3.22, 3.43, 3.46, 3.49 – 3.57, 4.1 - 4.20, Appendices B and C.

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan

2.3 Policies H1, HP4, HP5, HP7, DS1, DS2, DS3, E2, E3, NE5, D1.

B1c Which part of the Policies Map

2.4 Remove Strategic Gap designation from Land West of Old Street, Stubbington.

B2 Do you think the Publication Local Plan is:

Legally compliant - No

Sound - No

Complies with the duty to co-operate - No

2.5 The Fareham Local Plan is not legally compliant and is unsound as it is not consistent with national policy, effective or justified.

B3 Please provide details you have to support your answers above.

B3.1 The Publication Local Plan is not Legally Compliant

2.6 The Publication Local Plan (PLP) has based its housing proposals on the annual housing target derived from the Government's draft Revised Standard Methodology published in August 2020 in its consultation "Planning for the Future". The Government's response to this consultation was published on 16th December 2020. The Government does not propose to proceed with the changes to assessing local

housing need consulted on earlier this year in "Changes to the Current Planning System"; but instead has published a revised approach to the Standard Method, which retains the method in its previous and current form except for London and 19 of the most populated cites and urban centres.

2.7 The key change is to apply a 35% uplift to the Standard Method for Greater London and the 19 most populated cities and urban areas in England – Birmingham, Liverpool, Bristol, Manchester, Sheffield, Leeds, Leicester, Coventry, Bradford, Nottingham, Kingston upon Hull, Newcastle upon Tyne, Stoke on Trent, Southampton, Plymouth, Derby, Reading, Wolverhampton and Brighton and Hove. The minimum housing requirement for Fareham calculated using the amended standard method therefore remains 514hpa.

2.8 The Government's White Paper, "Changes to the Current Planning System" (published in August 2020 alongside the "Planning for the Future" consultation) provided guidance to local planning authorities which were at or close to the Regulation 19 stage of plan-making at paragraph 43:

2.9 "Transition

43.The Government is aware that any change in the standard method will have an impact for plans that are currently under development, as authorities expend considerable resources in developing new plans. To enable an orderly transition to the revised standard method, and achieve as much short-term supply as possible while setting the right expectations for early stage plan-making, we propose that from the publication date of the revised guidance, authorities which are already at the second stage of the strategic plan consultation process (Regulation 19) are given 6 months to submit their plan to the Planning Inspectorate for examination. Authorities close to publishing their second stage consultation (Regulation 19), should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan and a further 6 months to submit their plan to the Planning Inspectorate. This is to strike a balance between allowing an appropriate transition period for plans that are nearly through the process, but without causing a significant delay in planning for a higher level of need." (our underlining)

2.10 This transitional arrangement applied to Fareham at the time, such that the previous Standard Method (514hpa) continued to apply for plan-making purposes in the borough in any event, but the Council chose not to follow this national

guidance.

2.11 The National Planning Policy Framework (NPPF) states (paragraph 16 a)) that Plans should "be prepared with the objective of contributing to the achievement of sustainable development". Footnote 10 confirms that this is a legal requirement of local planning authorities in exercising their plan-making functions. Meeting the objectives of sustainable development includes "…meeting the needs of the present…". By preparing a Plan based on the Consultation draft Standard Methodology target of 403 dwellings per annum, the local planning authority is failing to meet its local objectively assessed need for housing, thereby failing to plan to deliver sustainable development.

2.12 The PPG (ID 2a-003-20190220) is clear that the standard method should be used and any other method should only be used in exceptional circumstances. It further explains that:

2.13 *"…Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination."* (PPG ID 2a-015-20190220).

2.14 As discussed above the extant standard method identifies a requirement of 514hpa. The NPPF (paragraph 60) identifies that the current Standard Method provides a minimum requirement. To depart and provide a figure lower than the current Standard Method requires exceptional circumstances and must be justified by clear and robust evidence. This is absent from the Council's evidence base and as such is an unsound approach.

2.15 The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa) – a requirement confirmed by the Government's announcement of 16th December, 2020. As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the Consultation revised Standard Methodology figure of 403 hpa was procedurally flawed, lacking in evidential basis, premature

and misleading.

2.16 The NPPF (paragraph 33) also states that plans should be reviewed every 5 years and updated as necessary. The Inspector's Report on the Examination into the Fareham Local Plan Part 2 (dated 12th May 2015) included modifications which were all proposed by the Council. Its first Main Modification was "a commitment to an early review of the local plan (ie. LP1, LP2 and LP3)". This included a timetable for the local plan review between 2016 and 2018 which the Council has failed to adhere to, having previously expressed its commitment to the Inspector.

2.17 The Local Plan Part 3 is the Welborne Plan which was adopted in 2015.The total quantum of housing to be delivered at Welborne has reduced over the years, and the date for its commencement has repeatedly slipped back. The development is currently running about 5 years late. Recently, serious doubts have been expressed over whether it is deliverable at all given the reported funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10. The development is certainly not currently "deliverable" in NPPF terms. Nonetheless, the PLP relies heavily on the delivery of homes at Welborne as by far the most important source of its housing supply - 4,020 homes (just over 48%) out of a total suggested supply of 8,389 homes are timetabled to be completed at Welborne by 2037, and completions are included in the Council's trajectory for the first five years of the plan. Given the heavy reliance placed on a development which, at best, appears to be at serious risk of continuing to be significantly delayed, the Welborne Plan should be reviewed as a matter of urgency.

2.18 Given the importance of the Welborne Plan to housing delivery this is considered an issue of both soundness and legal non-compliance.

B3.2 The Publication Local Plan is not Sound

2.19 Paragraphs 1.5 – 1.6 of the PLP set out the "Tests of Soundness" which require that the Plan has been "positively prepared, justified, effective and consistent with national policy". The PLB fails to meet the Tests of Soundness for the following reasons:

1. It has not been "positively prepared":

2.20 The Plan does not seek to, as a minimum, meet the area's objectively assessed

need. Given that the Core Strategy was adopted on 4th August, 2011, it is significantly out of date such that (as advised by paragraph 73 and footnote 32 of the NPPF) local housing need should be calculated using the current Standard Methodology. On this basis the local housing need target is 514 homes per annum (hpa) plus the appropriate buffer (5% or 20%). Instead, the PLP plans for 403 hpa, thereby failing to plan for the area's objectively assessed need, and failing to contribute to the achievement of sustainable development.

2.21 The lower housing requirement has also not been the subject of sustainability appraisal (SA). Whilst the SA re-assesses sites based upon a lower housing requirement it fails to consider the implications of a lower housing requirement, compared to the current standard method, upon the delivery of the SA objectives. Even if the lower requirement were justified by national policy, which it is not, the retention of the housing requirement at the level previously consulted upon would be a reasonable alternative.

2.22 The Council published an Affordable Housing Strategy in 2019. On page 14 of the Affordable Housing Strategy, it is suggested that there is a need for 3,500 affordable homes to 2036, or circa 220 per annum. This is based on the existing need for 3,000 affordable homes and an allowance of 500 homes to provide for new households and those falling into need. Given that an average of only 76 affordable homes have been built per annum in Fareham Borough since 2011, there is a significant need to boost the supply of additional affordable housing to address needs. Indeed, the delivery of affordable housing needs to almost treble. The provision of affordable housing to address this need is a significant matter.

2.23 It is also unclear whether the PLP has planned to adequately accommodate unmet need from other authorities. The PPG (ID 2a-010-20190220) identifies that meeting unmet needs from neighbouring authorities as set out in a Statement of Common Ground is one reason why local housing need calculated using the current standard should be exceeded. Contrary to the advice within the PPG (ID 2a-010-20190220) there are currently no Statements of Common Ground identifying if the figure of 847 dwellings is adequate or accepted by other authorities. Rather the Council speculates that this contribution would be "ratified" by a subsequent Partnership for South Hampshire Statement of Common Ground (Duty to Co-operate Statement of Compliance, paragraph 4.5). There is, however, no evidence to support this speculation. Indeed, the only evidence presented confirms a request for Fareham

to accommodate 1,000 dwellings from a single neighbouring authority. The PLP has been prepared in advance of the publication of Statements of Common Ground – as such it's preparation is premature.

2.24 At paragraph 4.4 of the PLP it is stated that unmet need in the sub-region over the plan period could be "circa 10,750 dwellings". At paragraph 4.5, Fareham's "immediate neighbours" are considered, and it is confirmed that Portsmouth City Council has requested that Fareham contributes 1,000 dwellings towards its unmet need, and that Gosport is "likely to have an unmet need issue, currently estimated to be in the region of 2,500 dwellings…". The Council's 'Duty to Co-operate Statement of Compliance' identifies at paragraph 4.6 that instead of responding to the request from Portsmouth the Council is proposing to: "…take the approach that the issue of unmet need is not dealt with as specific to any authority, but as a general contribution." It is not clear how this "general contribution" has been calculated but it appears inadequate. Gosport Borough lies between Portsmouth and Fareham. It is clear that Portsmouth cannot accommodate any of Gosport's unmet need so the obvious place to accommodate it is in Fareham Borough, and Fareham East forms part of the Portsmouth Housing Market Area. Therefore, if Fareham plans to deliver the unmet needs of Portsmouth and Gosport, its contribution would be 3,500 homes. However, the PLP (Table 4.1) proposes a contribution of just 847 dwellings to wider unmet need. This figure should be reviewed.

2.25 In relation to unmet need, it should also be remembered that Welborne (previously known as the North of Fareham SDA) was originally conceived by PUSH (now PfSH) as one of two SDAs which were promoted to meet the sub-regional needs of south Hampshire and brought forward in the "South East Plan". The Inspector's Report on the Examination into the Fareham LDF Core Strategy (dated 20th July, 2011) identified five Main Issues, Main Issue 1 being:

"*7. The North of Fareham SDA represents the most significant and controversial element of the Core Strategy. ….While the principle of the SDA"s development is contained in the regional strategy – policy SH2 of the South East Plan (SEP) – the justification for the proposal derives from evidence prepared by South Hampshire local authorities (the Partnership for Urban South Hampshire [PUSH]) during the SEP"s preparation….The advantages of SDAs are seen as threefold: safeguarding existing towns and villages by reducing coalescence; providing more opportunities*

for planning gain; and achieving a critical mass to deliver sustainability benefits. The development now proposed is one of two SDAs proposed by PUSH and brought forward into the SEP. Both are aimed at meeting sub-regional housing needs and, as such, their housing totals are separated from the housing requirement for the remainder of the Boroughs concerned in the sub-regional strategy and SEP." (our underlining)

2.26 However, the Council is now treating Welborne as a source of housing supply for Fareham Borough only, disregarding its planned sub-regional role. This compounds the lack of positive preparation of the PLP and starkly contrasts the Council's current approach to the delivery of housing to meet sub-regional needs with its approach of a decade ago.

2. It is not Justified:

2.27 The PLP's strategy for housing delivery is not appropriate, because it is based on a need figure derived from the draft revised Standard Methodology which was still the subject of public consultation at the time that the Plan was prepared. The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa). As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa was procedurally flawed, lacking in evidential basis, premature and misleading (as confirmed by the Government's announcement on 16 December 2020 that the Council's annual housing target is to remain at 514 homes per annum).

3. It is not Effective:

2.28 The Council has decided to deliberately plan to not meet its local objectively assessed housing need, so fundamentally the plan will not be effective. This, coupled with its apparent failure to plan to contribute appropriately to the unmet housing need of the sub-region, indicates a failure to work effectively with its neighbouring authorities on cross-boundary strategic planning for housing delivery and a failure "to support the Government's objective of significantly boosting the supply of homes" (NPPF, paragraph 59). Rather, the PLP proposes to restrict the supply of homes in the plan period in a way which will exacerbate the local housing crisis.

4. It is not Consistent with National Policy:

The PLP is not consistent with the NPPF because:

- It will not contribute to the achievement of sustainable development by not, as a minimum, planning to meet its local objectively assessed housing need;
- It is not planning to adequately meet the unmet housing needs of neighbouring authorities in the sub-region;
- It has not based its housing proposals on the current Standard Methodology annual housing need figure of 514 hpa;
- Its strategy lacks a robust evidential justification;
- It's proposed housing land supply includes a majority of housing from sites which are not "deliverable" as defined by the NPPF

B3.3 The Publication Local Plan does not Comply with the Duty to Co-operate

2.29 As stated at B3.1 above, it is unclear whether the PLP has planned to adequately accommodate unmet need from other authorities.

2.30 Against a sub-regional unmet need figure of "circa 10,750 dwellings", and in the context of both neighbouring authorities of Portsmouth City Council and Gosport Borough Council having "unmet need issue(s)", and Havant Borough Council being expressly unable to accommodate any unmet need, the PLP (Table 4.1) proposes a contribution of 847 dwellings to wider unmet need. It is not clear how this has been calculated and it appears inadequate.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

1. Plan to meet, as a minimum, the area's objectively assessed housing need. The current Standard Methodology annual housing need figure is currently 514 hpa.
2. Provide Statements of Common Ground in relation to unmet need from neighbouring and PfSH authorities. Any agreements will need to be

included as additional housing to the minimum 514 hpa.

3. In any event, plan for a level of housing which contributes to the achievement of sustainable development.

4. Treat this plan as an interim plan and reaffirm the Council's commitment to undertake an urgent a review of the Welborne Plan for incorporation into a consolidated early review of this plan.

5. The Council has not undertaken SA of all reasonable alternative housing requirements;

6. The Council has not planned to meet current housing needs, opting instead to phase its housing supply in a way which will exacerbate the current significant under-supply problems;

2.31 Consequential to the above, the Council must allocate additional sites for housing in this interim plan (ahead of the urgent review of the Welborne Plan) to meet its confirmed housing target of 514 hpa, including the allocation of Land West of Old Street, Stubbington for about 75 dwellings.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

2.32 The role of plan-making in contributing to the achievement of sustainable development is a legal requirement (Section 39(2) of the Planning and Compulsory Purchase Act 2004).

2.33 Revisions to the plan so that it plans, as a minimum, to meet the local objectively assessed need for housing, meet affordable housing need and adequately contribute to meeting unmet need would assist the PLP to meet the Tests of Soundness.

3.0 Specific Proposed Changes

B4c Suggested revised wording of any policy or text:

Policy H1: Housing provision

3.1 Completely revise the proposed housing target on the basis of the confirmed Standard Methodology figure for the Borough of a minimum of 514 hpa plus an appropriate contribution to meeting sub-regional unmet needs.

3.2 Ensure that the revised housing target includes the delivery of a minimum of 220 affordable homes per annum.

3.3 Plan to deliver the revised housing target including a five year supply of deliverable sites. In this regard, Welborne (the supply of housing from which is relied on heavily by the PLP) cannot currently be regarded as "deliverable" as defined in the NPPF.

3.4 Consequential updates to paragraphs 4.1 – 4.20 including Tables 4.1, 4.2, 4.3.

3.5 Consequential revisions to the list of Housing Allocation Policies under paragraph 4.20 to include allocations sufficient to deliver the revised housing and affordable housing targets, including the allocation of Land West of Old Street, Stubbington for about 75 dwellings.

3.6 Policy H1 also seeks to identify a 'phased' requirement. The overall supply is described as at least 8,389 dwellings - this is just 165 dwellings greater than the requirement when the correct local housing need standard method is applied. Given the need to provide for unmet needs from neighbouring authorities this is clearly insufficient and as such further allocations are required.

3.7 Policy H1 seeks to 'phase' this supply identifying the following:

- Approximately 2,250 dwellings (averaging 450 dwellings per annum) between 2021/22 and 2025/2613,
- Approximately 2,400 dwellings (averaging 480 dwellings per annum) between 2026/27 and 2030/31,

- Approximately 3,750 dwellings (averaging 625 dwellings per annum) between 2031/32 and 2036/2037.

3.8 This phasing clearly will not meet the overall plan requirement. The rationale for this phasing is due to an anticipation that many of the housing allocations will begin to deliver later in the plan period. This is simply a factor of the sites chosen rather than an evidence-based approach to need. The net effect is that in the early part of the plan period the full need will not be met, exacerbating the current significant housing land supply shortfall in the Borough. This will mean households will either be unable to form or will be forced to move elsewhere to find appropriate accommodation. This not only has an impact upon affordability through increased demand but also has implications for social mobility and health for young and old alike.

3.9 The lack of housing to meet needs in the short-term is exacerbated by recent under-delivery of both market and affordable housing. The Council recognises it has under-delivered in recent years due to the reference to the need for a 20% buffer in accordance with NPPF, paragraph 73 (paragraph 4.16, PLP).

3.10 The housing requirement in the PLP should not be phased to manufacture a five-year housing land supply in the short-term. The plan should seek to address housing need now - to do otherwise is not justified or effective.

3.11 The second part of Policy H1 identifies the sources of supply. Whilst our clients do not wish to comment upon individual sites, we do have significant concerns that the sources of supply will not deliver the plan period housing requirement in full. The PLP, paragraph 4.16, acknowledges that many of the chosen sites will not deliver until later in the plan period therefore any slippage in timescale could well push delivery beyond the plan period. Furthermore, the Council is heavily reliant upon delivery at Welborne. Within our comments upon the Plan overall we identify the need for delivery from this site to be reviewed and indeed question whether it is deliverable at all given the funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10.

3.12 Furthermore, the Council cannot currently demonstrate a five-year housing land supply. The Council's most recent assessment of its five-year housing land supply suggests a 4.03-year supply. This assessment appears optimistic given recent

appeal decisions which identify it is closer 2.4 years. Given these shortcomings it is essential that the PLP seeks to address this under-supply in the short-term.

Development Strategy

3.13 This section is substantially focussed on restricting development outside the existing settlement policy boundaries of urban areas. This marks a significant change in approach since the Regulation 18 version of this plan when the emphasis was on a strategy for locating development sustainably. This is in conflict with the NPPF, paragraph 11, which advises that "Plans and decisions should apply a presumption in favour of sustainable development" and that "For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their areas, and be sufficiently flexible to adapt to rapid change".

3.14 The highly restrictive strategic policy approach introduced into the PLP does not accord with this national guidance.

Policy DS1: Development in the Countryside

3.15 For housing development which is brought forward in the absence of a 5 year housing land supply, Policy HP4 applies. This will necessarily introduce new built form onto greenfield sites adjacent or well related to existing urban area boundaries. This will inevitably cause a change to the landscape character of the site and immediately adjacent land. Criteria ii) and iii) require proposals to "conserve and enhance landscapes" and "recognise the intrinsic character and beauty of the countryside". It is not clear which "landscapes" are being referred to – the spatial extent of 'landscapes' should be defined here to avoid ambiguity. While the landscape as a whole could be enhanced by carefully designed development proposals, the principle of landscape change within the site itself should be established. If this requirement to 'conserve and enhance landscapes' is applied to the landscape features and character of a potential development site, then this requirement is excessive and unachievable once the landscape 'change' from an undeveloped site to a developed site is taken into account. Either the spatial extent of 'landscapes' should be defined or the requirement to 'enhance landscapes' be removed from the policy.

3.16 Moreover, it is not clear how the extent to which a proposal has recognised "the intrinsic character of the beauty of the countryside" can be measured. After all, those attributes can be "recognised" but then disregarded. It is true that every area of countryside has a "character" but not that every area of countryside has "beauty".

3.17 Criterion v) should include an exception for development which is brought forward under Policy HP4, where the application of the "tilted balance" would allow the loss of BMVAL.

3.18 Paragraph 3.39 fails to explain how this policy works in relation to housing policies.

Policy DS2: Development in Strategic Gaps

3.19 Under the heading 'Why we need this policy', Paragraph 3.43 of the Publication Local Plan states that "Strategic Gaps do not necessarily have intrinsic landscape value but are important in maintaining the settlement pattern, defining settlement character and providing green infrastructure opportunities". The introduction of 'settlement character' into the policy wording is not consistent with the evidence base which confirms at paragraph 2 in Chapter 4 of the Technical Review of Areas of Special Landscape Quality and Strategic Gaps that the "primary purpose of identifying Strategic Gaps is to prevent the coalescence of separate settlements and help maintain distinct community identities. Strategic Gaps do not necessarily have intrinsic landscape value but are important in maintaining the settlement pattern, protecting settlement identity and providing green infrastructure opportunities".

3.20 Strategic Policy DS2: Development in Strategic Gaps should only apply to land which provides a spatial function to maintain separation of settlements and define settlement pattern rather than defining settlement character. Land west of Old Street, Stubbington does not contribute to the spatial separation of settlements, therefore Strategic Policy DS2 should not be applied to this land.

3.21 This view is supported by the Inspector for the appeal relating to Land west of Old Street, Stubbington APP/A1720/W/18/3200409 who stated that:

"The Meon Gap lies between Fareham/ Stubbington and the Western Wards/Whiteley. Policy CS22 requires the integrity of the gap to be maintained and the physical and visual separation of settlements to be respected. In terms of separation of settlements there is no dispute that there would be no diminution either in physical or visual terms if the development were to go ahead. The policy indicates that the gap boundaries will be reviewed to ensure that no more land than necessary is included in order to maintain gap function". (our underlining)

3.22 The Inspector goes on to state:

"It should be remembered that gap policy is a spatial tool. The Council referred to the role of the gap in maintaining the character or setting of Stubbington. This is considered in the 2017 LCA where the strategic gap designation is reviewed. However, the document makes clear that its purpose is to consider what role the landscape plays within the strategic gaps. It is not intended to examine the designation criteria, or the broad areas identified. This is important to note because it is landscape rather than spatial considerations that are key to settlement character and setting. The character and setting of Stubbington is not pertinent to gap designation or function in policy CS22".

3.23 The Inspector concluded:

"I appreciate that a review of gap boundaries was undertaken in 2012 and that no changes were recommended in relation to the land immediately adjacent to Stubbington. However, for the reasons I have given I do not consider that the proposed development of the appeal site would adversely affect the integrity of the Meon Gap". (our underlining)

3.24 For this reason, Strategic Policy DS2 should not apply to Land west of Old Street, Stubbington, because it has been confirmed that this land does not contribute to the function of the Strategic Gap. The Meon Valley is protected by many environmental designations which prevent development into this area from the Fareham side of the valley. The designated valley floor of the Meon Valley maintains separation of settlements to an extent that an adequate gap is maintained without the inclusion of Land west of Old Street, Stubbington within the Strategic Gap. Fareham Policy CS: 22: Strategic Gaps, states that "In

defining the extent of a gap, no more land than is necessary to prevent the coalescence of settlements should be included having regard to maintaining their physical and visual separation." It is therefore unnecessary for Strategic Policy DS2 to apply Land west of Old Street, Stubbington.

3.25 At paragraph 7 of Chapter 4 of the Technical Review of Areas of Special Landscape Quality and Strategic Gaps states that "Where it is considered that there is capacity to absorb more development within the Fareham-Stubbington Strategic Gap, GI mitigation will be required, to a greater or lesser extent depending on the scale and nature of any development". Again, at paragraph 11 of the chapter 4 summary the Technical Review states "The ability to absorb development into the landscape exists, without compromising the integrity of the Gap function, again on the understanding that the settlement edges must include appropriate Green Infrastructure".

3.26 We submit that there is similar potential within the Meon Gap where the Gap is significantly wider than is the case for the Fareham-Stubbington Strategic Gap. This is particularly the case for Land west of Old Street, Stubbington where advance planting and green infrastructure has already been implemented during 2019 and is establishing well. This will continue to develop and establish a wooded edge to the Meon Valley, providing separation between the Meon Valley and Land west of Old Street, Stubbington. This would reinforce the wooded edge characteristics of settlements which are a feature throughout Fareham Borough, as referred to within the Fareham Borough Gap Review 2012, which states "The edges of new housing are often more visible than older housing stock as a result of garden tree planting, which has helped to screen the older properties adjoining the gap. Properties which back onto woodland have the most robust edge to the gap". In the case of Land west of Old Street, Stubbington the advance planting will create a wooded edge, providing a strong boundary between the site and the Meon Valley (stronger than is the case for the older housing at Hill Head where rear garden boundaries are visible from the Meon Valley) and in so doing it would be more consistent with the character of the settlement edges of the Borough. These green infrastructure enhancements already implemented will bring benefits to the biodiversity of the Meon Valley through enhanced planting and management of the existing farmland.

Policy DS3: Landscape

3.27 This draft policy designates about a quarter of the land area of the Borough as "Areas of Special Landscape Quality" (as shown on Figure 3.3).

3.28 From the commentary provided in paragraph 3.49, it appears that the Council is equating its 'Areas of Special Landscape Quality' (ASLQ) with 'valued landscapes'. This is questionable. All landscapes are valued at some level by different people. NPPF paragraph 170 triggers a need to consider when landscape value is just a local consideration, or when landscapes are more 'out of the ordinary'. Fundamentally, for a landscape to be a valued landscape, it does not have to be designated - so by designating the ASLQ (or by creating a valued landscape designation) the Council has created a policy that is irrelevant, because guidance says that non designated landscapes can be valued, so site-by-site assessments will be required in any event. **Given that Policy DS3 is irrelevant, it is unnecessary and it should be deleted.**

3.29 However, if it is held that Policy DS3 should not be deleted, the following comments apply:

3.30 Paragraph 3.55 states that "…all parts of the Borough have some landscape quality and may be sensitive to landscape change". This is ambiguous. All landscape will be of 'a quality' but quality (in GLVIA3 aligned with condition) is only one consideration of landscape sensitivity.

3.31 With regard to "How the policy works", paragraph 3.56 states that *"The criteria within the policy (points a-g) are derived from the Guidelines for Landscape and Visual Impact Assessment (GLVIA 3) published by the Landscape Institute."*. The GLVIA is an extensive and diverse document and, if it is to be used as basis for this policy then a specific reference or explanation should be provided as to how points a-g have been derived.

3.32 Paragraph 3.57 refers to the submission of "…a proportionate Landscape Assessment". In the event that Policy DS3 is not deleted, this should be amended to require the submission of a 'Landscape and Visual Impact Assessment'. There are many applications of Landscape Assessment and several forms of reporting. Reference to LVIA would be specific and clear as to what is required (and incidentally relates better to the approaches set out in GLVIA3).

3.33 The local plan evidence at page 50 of the Technical Review of Areas of Special Landscape Quality and Strategic Gaps does not include the requirement for the landscape to be "protected and enhanced". The requirement to "protect and enhance" the landscape is ambiguous because it is not clear whether it is intended to refer to the landscape of the ASLQ as a whole or if it would apply to a potential development site, within which the requirement to enhance is excessive and unachievable once the landscape 'change' from an undeveloped site to a developed site is taken into account. As an example, a development could provide enhancement to the ASLQ landscape through restoration of landscape features or new green infrastructure, but at a site scale the landscape 'change' from an undeveloped site to a developed site is unlikely to result in 'enhancement'.

3.34 Each of the Candidate Areas of Special Landscape Quality have been assessed against the GLVIA3 Box 5.1 criteria, which is an accepted tool to assess landscape value. Land west of Old Street, Stubbington is located within ASLQ 4: Meon Valley and in LLCA 6.1c which is described as within the Landscape Assessment (2017) as:

> *"On the eastern side of the valley floor, area 6.1c is occupied by similar land uses but with greater variation in field pattern and enclosure. The area comprises a mosaic of smaller-scale pastures bounded by strong hedgerows and trees (particularly within the northern and southern ends of the area), two small-scale enclosed tributary valleys and some larger fields with a more open, denuded character within the central section around the Crofton Manor Equestrian Centre. Together with the adjacent horticultural glasshouses and other commercial operations, this lends a localised fringe character to the landscape but does not detract significantly from the essentially rural characteristics of the overall area".*

3.35 At Figure 3.3 each of the LCA within Fareham is assessed against the GLVIA3 'valued landscape' criteria. Figure 1.3 explains the criteria in more detail, defining a 'High match', 'Good match', 'Fair match' and 'Partial match'.

3.36 Land west of Old Street, Stubbington is located within LLCA 6.1c which is assessed as a 'good match' for all criteria, except 'Associations' which is a 'partial match'. Figure 3.2 defines a 'Good match' as *"The area's scenic quality and condition are both relatively high. It has a generally unspoilt, intact and coherent character with a good level of topographic and visual unity. It has several*

features of note, including natural and cultural designations, and is valued for its recreational opportunities. There are some detracting influences, but these do not generally intrude".

3.37 We submit that the assessment of LLCA 6.1c has attributed a higher value for the 'Recreational value' criteria than can be justified. The southern half of LLCA 6.1c does not have any means of public access so can not be described as being 'valued for its recreational opportunities'. In the northern half there are infrequent public footpaths and the Crofton Manor Equestrian Centre, neither of which justify the area being defined as 'valued for its recreational opportunities'. Instead, the term 'Recreational value is relatively limited' is a fair reflection of the recreation provision within LLCA 6.1c as a whole, which is the definition applicable to a 'Partial Match'.

3.38 Landscape quality (condition) is also assessed as a 'Good Match', despite the Landscape Assessment (2017) acknowledging its 'denuded character' and 'fringe character'. This character is a feature of LLCA 6.1c, and for this reason the 'Good Match' definition as 'generally unspoilt, intact and coherent character' is not justifiable. A 'Fair Match' is most applicable to LLCA 6.1c, defined as "condition is moderate to good. It is generally intact and coherent with some unspoilt characteristics".

3.39 The criteria of 'Conservation interests' is also assessed as a 'Good Match', defined as "It has a number of features of note, including natural and cultural designations". We submit that 'Fair Match' is a more balanced description of LLCA 6.1c, defined as "some features of note which may include natural or cultural designations".

Policy HP1: New Residential Development

3.40 This policy relates to all new housing proposals. However, it only envisages housing coming forward outside Urban Area boundaries through either the conversion of a non-residential building or as a replacement dwelling. It should also cross-refer to Policy HP4 which allows housing to come forward on land outside Urban Area boundaries if the Council cannot demonstrate a Five Year Housing Land Supply.

3.41 Therefore add:

"c) It is for additional housing in circumstances where the Council cannot demonstrate a Five Year Housing Land Supply and Policy HP4 applies."

Policy HP4: Five-Year Housing Land Supply

3.42 The housing requirement set out in Policy H1 must be re-calculated using the current Standard methodology as described in our comments on draft Policy H1 above.

3.43 Paragraph 5.24 infers that Policy HP4 reproduces Local Plan Part 2 Policy DSP40. However, the third criterion in Policy DSP40 was as follows:

> *"iii) The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;"*

3.44 This has been replaced in Policy HP4 by:

> *"c) The proposal is sensitively designed to reflect the landscape character and setting of the settlement, is of a scale proportionate to its setting and recognises the intrinsic character and beauty of the countryside and, if relevant, does not significantly affect the integrity of a Strategic Gap;"*

3.45 If a five year housing land supply cannot be demonstrated, then in accordance with the NPPF, paragraph 11d, the most relevant policies in the plan would be out of date and the presumption in favour of sustainable development would apply. This policy may therefore be judged to be inappropriate because it adds restrictions which may prevent sustainable sites from coming forward. However, if such a policy is held to be necessary, then a faithful reproduction of Policy DSP40 iii) is strongly preferred. See our comments on Policy DS1 in this regard.

Policy HP5: Provision of Affordable Housing

3.46 This draft policy states that "affordable housing <u>must</u> be provided" (our underlining) in the following proportions:

i. At least 10% as Social Rent; and

ii. At least 55% as Affordable Rent or Social Rent; and

iii. The remainder, but no less than 10% as Affordable Home Ownership.

iv. The mix of property size and type should reflect the local need and the site characteristics.

3.47 As drafted this policy is not sufficiently flexible. As acknowledged at paragraph 5.36, development viability will be an issue on some sites. As acknowledged at paragraph 5.39, occasionally the tenure mix prescribed by the policy will not be appropriate; and as acknowledged at paragraph 5.34, other exceptional circumstances may arise (such as abnormal costs) which dictate that a non-standard provision of affordable housing is demonstrated to be appropriate.

3.48 Therefore, amend the first part of the policy to read:

"Sites that can accommodate 10 or more dwellings or sites with an area of 0.5 hectares or more shall normally provide: ..."

3.49 And amend the second part of the policy to read:

"The affordable housing shall normally be provided in accordance with the following proportions: ..."

Policy HP7: Adaptable and Accessible Dwellings

3.50 This draft policy states:

"Development proposals for all new dwellings shall provide:

a) At least 15% of all new dwellings at Category 2 standard; and

b) On schemes of over 100 dwellings (gross), at least 2% of private housing and 5% of affordable housing shall be provided as wheelchair accessible Category 3 properties."

3.51 Similar to Policy HP5 above, as drafted this policy is not sufficiently flexible. It is acknowledged that this policy is based on the requirements of Part M of the Building Regulations but it must allow for circumstances arising which mean that these requirements cannot be delivered (fully or otherwise).

3.52 Therefore, amend the first line of the policy to read:

"Development proposals for all new dwellings shall normally provide: …"

3.53 Paragraph 5.57 of the supporting text states:

"The cost to development for providing Category 2 and 3 is relatively minimal. Flexibility for additional costs have been factored into the viability evidence base and this indicates that the requirements for Category 2 and 3 should have no detrimental impact on the viability of schemes in the Borough..."

3.54 **This statement is strongly disputed**. In reality, these costs will not be factored into a developer's viability calculations (particularly in relation to Category 3 requirements) because option agreements / conditional contracts will have already been agreed on the sites that the Council want to see come forward, so these costs will not have been anticipated. The Category 3 requirements must be substantiated by quantified evidence of the level of need for such units in the Borough – in the absence of this it is not clear whether the level of provision sought by this policy is appropriate.

Policy HP9: Self and Custom Build Homes

3.55 This policy requires 10% of dwellings on sites of 40 dwellings or more to be provided for Self and Custom Build Homes. The practical implications of managing self or custom build developments on sites otherwise being constructed by housing developers or housing associations must be carefully considered. There is concern that 40 dwellings is too small a threshold at which to introduce this requirement due to the potentially onerous construction management implications which will arise. It would be preferable for the Council to allocate specific sites for self and custom build developments instead of requiring this element on all housing developments of 40 dwellings or more.

3.56 It is noted that, as stated at paragraph 5.70, only 1% of housing plots at Welborne are required to be provided for self or custom build under the Welborne Plan (2015). The total number of homes to be delivered by Welborne has reduced considerably over the last five years so this level of requirement should be reviewed as it will not yield the number of self or custom build homes as was anticipated at the time the Welborne Plan was prepared. Strategic allocations

such as Welborne provide the ideal opportunity for parcels of land to be allocated for self or custom build, so that opportunity should not be missed. This should be addressed in the review of the Welborne Plan which is overdue and necessary.

Policy D1: High Quality Design and Place Making

3.57 This is a highly aspirational policy which sets out ten criteria ("key characteristics of high quality design") against which all development proposals will be judged "to ensure the creation of quality places." It is not clear what a "quality place" is – this should be defined. The ten criteria push the "bar" too high – all proposals cannot be expected to "create places that are attractive, memorable, distinctive and of strong character", for example, laudable though those aspirations are. In practice, very few proposals would receive planning permission if assessed against this requirement.

Appendix B: Housing Trajectory

3.58 This appendix must be updated as it does not reflect the quantum of housing required to meet the local needs. It also projects completions of 975 homes in 2023/24 and 961 homes in 2024/5, which are at risk due to the delays to Welborne which continue. Completions from Welborne should be shown separately as previously.

Proposed housing allocation of Land West of Old Street, Stubbington for about 75 dwellings

3.59 In 2019 the appeal Inspector concluded that the development of the site would not adversely affect the integrity of the Meon Valley Strategic Gap. Clearly, therefore, the site should be excluded from the Strategic Gap boundary. The boundaries of the strategic gap were defined in relation to Core Strategy Policy CS22 and they were drawn in the context of the understanding of development needs at that time – an understanding which no longer reflects current reality, that being a very substantial shortfall in housing land supply and the preparation of the PLP by the Council which plans to under-provide housing against the Council's annual housing requirement of 514 homes per annum. Strategic Gap boundaries must be reviewed as part of the process of allocating additional sites for housing in this local plan, and our client's site west of Old Street, Stubbington should be removed from the Strategic Gap.

3.60 The 2019 appeal Inspector found that the West of Old Street, Stubbington site lay in an area of valued landscape. In this context, the value of the site's landscape has been re-assessed as part of our commentary on Policy DS3 above, against the GLVIA3 'valued landscape' criteria. As described, the site performs no better than as a Fair or Partial match against these criteria. When account is taken of the effect of the structural woodland planting undertaken over time, it is clear that development of the eastern part of the site will only have a minor impact on the wider landscape at most. Lying adjacent to the existing settlement of Stubbington, the introduction of development will appear entirely characteristic within the receiving landscape, while providing a strong, vegetated edge to the countryside in perpetuity. There is no doubt that the character of the developed part of the site would change, but that is no different for any greenfield development. There is no reason to assume that the site's development will be anything other than an attractive extension to Stubbington and one which is entirely congruous with its surroundings. The site's landscape containment has been enhanced through woodland planting which will both screen it from the Meon Valley and enhance its biodiversity.

3.61 Moreover, the western part of the site, beyond the woodland planting belt, is being used to provide mitigation habitat for Solent Waders and Brent Geese, off-setting development impact on low use SWBG sites elsewhere in borough. The segregation of this part of the site acknowledges this function and avoids its disturbance.

3.62 The West of Old Street site is also sustainably located for access to services and facilities and to sustainable transport modes (walking, cycling and public transport).

3.63 For all of these reasons, the Council is encouraged to allocate Land West of Old Street, Stubbington for about 75 dwellings. The site is controlled by a highly reputable local housing developer – Bargate Homes – which has a strong local track record of delivery and is keen to bring it forward for development immediately, such that the site can make an important contribution to the Council's five year housing land supply.

4.0 Participation at the examination hearing session

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session.

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To contribute to testing the legal compliance and soundness of the PLP for the reasons set out in these representations.

December 2020 | JG | P20-2401 & 2402

FAREHAM LOCAL PLAN 2037 REPRESENTATIONS

POLICY HA1 HOUSING ALLOCATION – LAND NORTH AND SOUTH OF GREENAWAY LANE, WARSASH

ON BEHALF OF
BARGATE HOMES

Pegasus Group

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough

DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE

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APPENDICES:

Appendix 1 - Site Location Plan (Drawing No. FLPR-LP.01 – Rev P1)

1.0 Introduction

1.1 The following representations are prepared by Pegasus Group on behalf of our client, Bargate Homes. Our client has interests in three parcels of land that all form part of the proposed Policy HA1 housing allocation – Land North and South of Greenaway Lane, Warsash, identified within the emerging Fareham Local Plan 2037 (hereafter referred to as the Publication Local Plan).

1.2 The three land interests are as follows: 1. Land South of Greenaway Lane (adjacent to 125 Greenaway Lane); 2. Land East of Brook Lane and West of Lockswood Road (our client controls all but the easternmost part of this site); and 3. Land East of Brook Lane and North of Warsash Road. A Site Location Plan (Drawing No. FLPR-LP.01 – Rev P1) is attached at Appendix 1.

1.3 At the time of writing these representations, all three sites are subject to outline planning applications, which have all been considered by Fareham Borough Council's (FBC) Planning Committee. Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) has a resolution to grant outline planning permission for the construction of up to 100 dwellings (Ref. No. P/19/0402/OA). Land East of Brook Lane and West of Lockswood Road has a resolution to grant outline planning permission for the construction of up to 157 dwellings (Ref. No. P/17/0998/OA). Land East of Brook Lane and North of Warsash Road has a resolution to grant outline planning permission for up to 140 dwellings (Ref. No. P/17/0752/OA).

1.4 For the reasons set out in these representations, our client strongly supports the allocation of their three land interests as part of Policy HA1. However, their view is that amendments are required to the specific wording of this policy. These representations also set out our client's position in relation to required amendments to some of the more general policies proposed within the Publication Local Plan (PLP).

1.5 Our client is an important stakeholder within Fareham and is keen to work with the Council to produce a plan which is legally compliant and meets the tests of soundness set out within the National Planning Policy Framework (NPPF). Currently the plan is neither legally compliant nor sound.

1.6 The following representations utilise the same format as the Council's response form. Each area of the PLP which is deemed to be either not legally compliant or unsound is clearly outlined below. Proposed changes to the plan in relation to policies, supporting text and the proposals map are provided.

	Agent	**Client**
Title	Mr	Bargate Homes c/o Agent
First Name	Jeremy	
Last Name	Gardiner	
Job Title	Senior Director	
Organisation	Pegasus Group	
Address	[redacted]	
Postcode		
Telephone		
Email		

2.0 Plan Overall

B1 Which part of the Local Plan is this representation about?

2.1 The following comments relate to the overall Local Plan.

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan:

2.2 Paragraphs 1.5–1.6, 1.14, 1.17, 1.37, 2.12, 3.19–3.22, 3.49–3.57, 4.1–4.20, Appendix B.

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan

2.3 Policies H1, HA1, HP1, HP4, HP5, HP6, HP7, HP9, DS1, DS3, NE8, D1.

B1c Which part of the Policies Map

2.4 Policy HA1 allocation site – Land North and South of Greenaway Lane, Warsash.

B2 Do you think the Publication Local Plan is:

Legally compliant – No
Sound – No
Complies with the duty to co-operate – No

2.5 The Fareham Local Plan is not legally compliant and is unsound as it is not consistent with national policy, effective or justified.

B3 Please provide details you have to support your answers above.

B3.1 The Publication Local Plan is not Legally Compliant

2.6 The Publication Local Plan (PLP) has based its housing proposals on the annual housing target derived from the Government's draft Revised Standard

Methodology published in August 2020 in its consultation "Planning for the Future". The Government's response to this consultation was published on 16th December 2020. The Government does not propose to proceed with the changes to assessing local housing need consulted on earlier this year in "Changes to the Current Planning System"; but instead has published a revised approach to the Standard Method, which retains the method in its previous and current form except for London and 19 of the most populated cites and urban centres.

2.7 The key change is to apply a 35% uplift to the Standard Method for Greater London and the 19 most populated cities and urban areas in England – Birmingham, Liverpool, Bristol, Manchester, Sheffield, Leeds, Leicester, Coventry, Bradford, Nottingham, Kingston upon Hull, Newcastle upon Tyne, Stoke on Trent, Southampton, Plymouth, Derby, Reading, Wolverhampton and Brighton and Hove. The minimum housing requirement for Fareham calculated using the amended standard method therefore remains 514hpa.

2.8 The Government's White Paper, "Changes to the Current Planning System" (published in August 2020 alongside the "Planning for the Future" consultation) provided guidance to local planning authorities which were at or close to the Regulation 19 stage of plan-making at paragraph 43:

"Transition

43.The Government is aware that any change in the standard method will have an impact for plans that are currently under development, as authorities expend considerable resources in developing new plans. To enable an orderly transition to the revised standard method, and achieve as much short-term supply as possible while setting the right expectations for early stage plan-making, we propose that from the publication date of the revised guidance, authorities which are already at the second stage of the strategic plan consultation process (Regulation 19) are given 6 months to submit their plan to the Planning Inspectorate for examination. Authorities close to publishing their second stage consultation (Regulation 19), should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan and a further 6 months to submit their plan to the Planning

Inspectorate. This is to strike a balance between allowing an appropriate transition period for plans that are nearly through the process, but without causing a significant delay in planning for a higher level of need."

2.9 This transitional arrangement applies to Fareham at the time, such that the previous Standard Method (514 hpa) continued to apply for plan-making purposes in the borough in any event, but the Council chose not to follow this national guidance.

2.10 The National Planning Policy Framework (NPPF) states (paragraph 16 a)) that Plans should "be prepared with the objective of contributing to the achievement of sustainable development". Footnote 10 confirms that this is a legal requirement of local planning authorities in exercising their plan-making functions. Meeting the objectives of sustainable development includes "…meeting the needs of the present…". By preparing a Plan based on the revised draft Standard Methodology target of 403 dwellings per annum, the local planning authority is failing to meet its local objectively assessed need for housing, thereby failing to plan to deliver sustainable development.

2.11 The PPG (ID 2a-003-20190220) is clear that the standard method should be used and any other method should only be used in exceptional circumstances. It further explains that:

"…Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination." (PPG ID 2a-015-20190220).

2.12 As discussed above the extant standard method identifies a requirement of 514hpa. The NPPF (paragraph 60) identifies that the current standard method provides a minimum requirement. To depart and provide a figure lower than the current Standard Method requires exceptional circumstances and must be justified by clear and robust evidence. This is absent from the Council's evidence base and as such is an unsound approach.

2.13 The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa) – a requirement confirmed by the Government's announcement of 16th December 2020. As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa was procedurally flawed, lacking in evidential basis, premature and misleading.

2.14 The NPPF (paragraph 33) also states that plans should be reviewed every 5 years and updated as necessary. The Inspector's Report on the Examination into the Fareham Local Plan Part 2 (dated 12th May 2015) included modifications which were all proposed by the Council. Its first Main Modification was "a commitment to an early review of the local plan (ie. LP1, LP2 and LP3)". This included a timetable for the local plan review between 2016 and 2018 which the Council has failed to adhere to, having previously expressed its commitment to the Inspector.

2.15 The Local Plan Part 3 is the Welborne Plan which was adopted in 2015.The total quantum of housing to be delivered at Welborne has reduced over the years, and the date for its commencement has repeatedly slipped back. The development is currently running about 5 years late. Recently, serious doubts have been expressed over whether it is deliverable at all given the reported funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10. The development is certainly not currently "deliverable" in NPPF terms. Nonetheless, the PLP relies heavily on the delivery of homes at Welborne as by far the most important source of its housing supply - 4,020 homes (just over 48%) out of a total suggested supply of 8,389 homes are timetabled to be completed at Welborne by 2037, and completions are included in the Council's trajectory for the first five years of the plan. Given the heavy reliance placed on a development which, at best, appears to be at serious risk of continuing to be significantly delayed, the Welborne Plan should be reviewed as a matter of urgency.

2.16 Given the importance of the Welborne Plan to housing delivery this is considered an issue of both soundness and legal non-compliance.

B3.2 The Publication Local Plan is not Sound

2.17 Paragraphs 1.5 – 1.6 of the PLP set out the "Tests of Soundness" which require that the Plan has been "positively prepared, justified, effective and consistent with national policy". The PLP fails to meet the Tests of Soundness for the following reasons:

1. It has not been "positively prepared"

2.18 The Plan does not seek to, as a minimum, meet the area's objectively assessed need. Given that the Core Strategy was adopted on 4th August 2011, it is significantly out of date such that (as advised by paragraph 73 and footnote 32 of the NPPF) local housing need should be calculated using the current Standard Methodology. On this basis the local housing need target is 514 homes per annum (hpa) plus the appropriate buffer (5% or 20%). Instead, the PLP plans for 403 hpa, thereby failing to plan for the area's objectively assessed need, and failing to contribute to the achievement of sustainable development.

2.19 The lower housing requirement has also not been the subject of sustainability appraisal (SA). Whilst the SA re-assesses sites based upon a lower housing requirement it fails to consider the implications of a lower housing requirement, compared to the current standard method, upon the delivery of the SA objectives. Even if the lower requirement were justified by national policy, which it is not, the retention of the housing requirement at the level previously consulted upon would be a reasonable alternative.

2.20 The Council published an Affordable Housing Strategy in 2019. On page 14 of the Affordable Housing Strategy, it is suggested that there is a need for 3,500 affordable homes to 2036, or circa 220 per annum. This is based on the existing need for 3,000 affordable homes and an allowance of 500 homes to provide for new households and those falling into need. Given that an average of only 76 affordable homes have been built per annum in Fareham Borough since 2011, there is a significant need to boost the supply of additional affordable housing to address needs. Indeed, the delivery of affordable housing needs to almost treble. The provision of affordable housing to address this need is a

significant matter.

2.21 It is also unclear whether the PLP has planned to adequately accommodate unmet need from other authorities. The PPG (ID 2a-010-20190220) identifies that meeting unmet needs from neighbouring authorities as set out in a Statement of Common Ground is one reason why local housing need calculated using the current standard should be exceeded. Contrary to the advice within the PPG (ID 2a-010-20190220) there are currently no Statements of Common Ground identifying if the figure of 847 dwellings is adequate or accepted by other authorities. Rather the Council speculates that this contribution would be "ratified" by a subsequent Partnership for South Hampshire Statement of Common Ground (Duty to Co-operate Statement of Compliance, paragraph 4.5). There is, however, no evidence to support this speculation. Indeed, the only evidence presented confirms a request for Fareham to accommodate 1,000 dwellings from a single neighbouring authority. The PLP has been prepared in advance of the publication of Statements of Common Ground – as such its preparation is premature.

2.22 At paragraph 4.4 of the PLP it is stated that unmet need in the sub-region over the plan period could be "circa 10,750 dwellings". At paragraph 4.5, Fareham's "immediate neighbours" are considered, and it is confirmed that Portsmouth City Council has requested that Fareham contributes 1,000 dwellings towards its unmet need, and that Gosport is "likely to have an unmet need issue, currently estimated to be in the region of 2,500 dwellings…". The Council's 'Duty to Co-operate Statement of Compliance' identifies at paragraph 4.6 that instead of responding to the request from Portsmouth the Council is proposing to: "…take the approach that the issue of unmet need is not dealt with as specific to any authority, but as a general contribution." It is not clear how this "general contribution" has been calculated but it appears inadequate. Gosport Borough lies between Portsmouth and Fareham. It is clear that Portsmouth cannot accommodate any of Gosport's unmet need so the obvious place to accommodate it is in Fareham Borough. Therefore, if Fareham plans to deliver the unmet needs of Portsmouth and Gosport, its contribution would be 3,500 homes. However, the PLP (Table 4.1) proposes a contribution of just 847 dwellings to wider unmet need. This figure should be reviewed.

2.23 In relation to unmet need, it should also be remembered that Welborne (previously known as the North of Fareham SDA) was originally conceived by PUSH (now PfSH) as one of two SDAs which were promoted to meet the sub-regional needs of south Hampshire and brought forward in the "South East Plan". The Inspector's Report on the Examination into the Fareham LDF Core Strategy (dated 20th July 2011) identified five Main Issues, Main Issue 1 being:

"*7. The North of Fareham SDA represents the most significant and controversial element of the Core Strategy. ….While the principle of the SDA"s development is contained in the regional strategy – policy SH2 of the South East Plan (SEP) – the justification for the proposal derives from evidence prepared by South Hampshire local authorities (the Partnership for Urban South Hampshire [PUSH]) during the SEP"s preparation….The advantages of SDAs are seen as threefold: safeguarding existing towns and villages by reducing coalescence; providing more opportunities for planning gain; and achieving a critical mass to deliver sustainability benefits. The development now proposed is one of two SDAs proposed by PUSH and brought forward into the SEP. <u>Both are aimed at meeting sub-regional housing needs and, as such, their housing totals are separated from the housing requirement for the remainder of the Boroughs concerned</u> in the sub-regional strategy and SEP."* (our underlining)

2.24 However, the Council is now treating Welborne as a source of housing supply for Fareham Borough only, disregarding its planned sub-regional role. This compounds the lack of positive preparation of the PLP and starkly contrasts the Council's current approach to the delivery of housing to meet sub-regional needs with its approach of a decade ago.

<u>2. It is not "justified":</u>

2.25 The PLP's strategy for housing delivery is not appropriate, because it is based on a need figure derived from the draft revised Standard Methodology which was still the subject of public consultation at the time that the Plan was prepared. The Government's response to the consultation is awaited. The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's

case, 514 hpa). As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa is procedurally flawed, lacking in evidential basis, premature and potentially misleading.

3. It is not "effective":

2.26 Fareham has decided to deliberately plan to not meet its local objectively assessed housing need, so fundamentally the plan will not be effective. This, coupled with its apparent failure to plan to contribute appropriately to the unmet housing need of the sub-region, indicates a failure to work effectively with its neighbouring authorities on cross-boundary strategic planning for housing delivery and a failure "to support the Government's objective of significantly boosting the supply of homes" (NPPF, paragraph 59). Rather, the PLP proposes to restrict the supply of homes in the plan period in a way which will exacerbate the local housing crisis.

4. It is not "consistent with national policy":

2.27 The PLP is not consistent with the NPPF because:

- It will not contribute to the achievement of sustainable development by not, as a minimum, planning to meet its local objectively assessed housing need;
- It is not planning to adequately meet the unmet housing needs of neighbouring authorities in the sub-region;
- It has not based its housing proposals on the current Standard Methodology;
- Its strategy lacks a robust evidential justification; and
- Its proposed housing land supply includes a majority of housing from sites which are not "deliverable" as defined by the NPPF.

B3.3 The Publication Local Plan does not Comply with the Duty to Co-operate

2.28 As stated at B3.1 above, it is unclear whether the PLP has planned to

adequately accommodate unmet need from other authorities.

2.29 Against a sub-regional unmet need figure of "circa 10,750 dwellings", and in the context of both neighbouring authorities of Portsmouth City Council and Gosport Borough Council having "unmet need issue(s)", and Havant Borough Council being expressly unable to accommodate any unmet need, the PLP (Table 4.1) proposes a contribution of 847 dwellings to wider unmet need. It is not clear how this has been calculated and it appears inadequate.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

1. Plan to meet, as a minimum, the area's objectively assessed housing need. The current Standard Methodology annual housing need figure is currently 514 hpa.
2. Provide Statements of Common Ground in relation to unmet need from neighbouring and PfSH authorities. Any agreements will need to be included as additional housing to the minimum 514hpa.
3. In any event, plan for a level of housing which contributes to the achievement of sustainable development.
4. Treat this plan as an interim plan and reaffirm the Council's commitment to undertake an urgent a review of the Welborne Plan for incorporation into a consolidated early review of this plan.
5. The Council has not undertaken SA of all reasonable alternative housing requirements.
6. The Council has not planned to meet current housing needs, opting instead to phase its housing supply in a way which will exacerbate the current significant under-supply problems.

2.30 Consequential to the above, the Council must allocate additional sites for housing in this interim plan (ahead of the urgent review of the Welborne Plan) to meet its confirmed housing target of 514 hpa.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

2.31 The role of plan-making in contributing to the achievement of sustainable development is a legal requirement (Section 39(2) of the Planning and Compulsory Purchase Act 2004).

2.32 Revisions to the plan so that it plans, as a minimum, to meet the local objectively assessed need for housing, meet affordable housing need and adequately contribute to meeting unmet need would assist the PLP to meet the Tests of Soundness.

3.0 Specific Proposed Changes

B4c Suggested revised wording of any policy or text

Policy H1: Housing provision

3.1 Completely revise the proposed housing target on the basis of the current Standard Methodology figure for the Borough of a minimum of 514 hpa plus an appropriate contribution to meeting sub-regional unmet needs.

3.2 Ensure that the revised housing target includes the delivery of a minimum of 220 affordable homes per annum.

3.3 Plan to deliver the revised housing target including a five-year supply of deliverable sites. In this regard, Welborne (the supply of housing from which is relied on heavily by the PLP) cannot currently be regarded as "deliverable" as defined in the NPPF.

3.4 Consequential updates to paragraphs 4.1 – 4.20 including Tables 4.1, 4.2, 4.3.

3.5 Consequential revisions to the list of Housing Allocation Policies under paragraph 4.20 to include allocations sufficient to deliver the revised housing and affordable housing targets.

3.6 Policy H1 also seeks to identify a 'phased' requirement. The overall supply is described as at least 8,389 dwellings - this is just 165 dwellings greater than the requirement when the correct local housing need standard method is applied. Given the need to provide for unmet needs from neighbouring authorities this is clearly insufficient and as such further allocations are required.

3.7 Policy H1 seeks to 'phase' this supply identifying the following:

- Approximately 2,250 dwellings (averaging 450 dwellings per annum) between 2021/22 and 2025/2613;
- Approximately 2,400 dwellings (averaging 480 dwellings per annum)

between 2026/27 and 2030/31; and

- Approximately 3,750 dwellings (averaging 625 dwellings per annum) between 2031/32 and 2036/2037.

3.8 This phasing clearly will not meet the overall plan requirement. The rationale for this phasing is due to an anticipation that many of the housing allocations will begin to deliver later in the plan period. This is simply a factor of the sites chosen rather than an evidence-based approach to need. The net effect is that in the early part of the plan period the full need will not be met, exacerbating the current significant housing land supply shortfall in the Borough. This will mean households will either be unable to form or will be forced to move elsewhere to find appropriate accommodation. This not only has an impact upon affordability through increased demand but also has implications for social mobility and health for young and old alike.

3.9 The lack of housing to meet needs in the short-term is exacerbated by recent under-delivery of both market and affordable housing. The Council recognises it has under-delivered in recent years due to the reference to the need for a 20% buffer in accordance with NPPF, paragraph 73 (paragraph 4.16, PLP).

3.10 The housing requirement in the PLP should not be phased to manufacture a five-year housing land supply in the short-term. The plan should seek to address housing need now – to do otherwise is not justified or effective.

3.11 The second part of Policy H1 identifies the sources of supply. Whilst our client does not wish to comment upon individual sites, we do have significant concerns that the sources of supply will not deliver the plan period housing requirement in full. The PLP, paragraph 4.16, acknowledges that many of the chosen sites will not deliver until later in the plan period therefore any slippage in timescale could well push delivery beyond the plan period. Furthermore, the Council is heavily reliant upon delivery at Welborne. Within our comments upon the Plan overall we identify the need for delivery from this site to be reviewed and indeed question whether it is deliverable at all given the funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10.

3.12 Furthermore, the Council cannot currently demonstrate a five-year housing land supply. The Council's most recent assessment of its five-year housing land supply suggests a 4.03-year supply. This assessment appears optimistic given recent appeal decisions which identify it is closer 2.4 years. Given these shortcomings it is essential that the PLP seeks to address this under-supply in the short-term.

Section 3: Development Strategy

3.13 This section is substantially focussed on restricting development outside the existing settlement policy boundaries of urban areas. This is in conflict with the NPPF, paragraph 11, which advises that "Plans and decisions should apply a presumption in favour of sustainable development" and that "For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their areas, and be sufficiently flexible to adapt to rapid change".

3.14 The highly restrictive strategic policy approach introduced into the PLP does not accord with this national guidance.

Policy DS1: Development in the Countryside

3.15 For housing development which is brought forward in the absence of a 5-year housing land supply, Policy HP4 applies. This will necessarily introduce new built form onto greenfield sites adjacent or well related to existing urban area boundaries. This will inevitably cause a change to the landscape character of the site and immediately adjacent land. Criteria ii) and iii) require proposals to "conserve and enhance landscapes" and "recognise the intrinsic character and beauty of the countryside". It is not clear which "landscapes" are being referred to – presumably this should be restricted to formally designated landscapes or defined "valued" landscapes because otherwise it could be applied to every area of countryside. It is also not clear how, for example, a housing development can "conserve and enhance" a landscape – relevant measures should be defined. Moreover, it is not clear how the extent to which a proposal has recognised "the intrinsic character of the beauty of the countryside" can

be measured. After all, those attributes can be "recognised" but then disregarded. It is true that every area of countryside has a "character" but not that every area of countryside has "beauty".

3.16 Criterion v) should include an exception for development which is brought forward under Policy HP4, where the application of the "tilted balance" would allow the loss of BMVAL.

3.17 Paragraph 3.39 fails to explain how this policy works in relation to housing policies.

Policy DS3: Landscape

3.18 This draft policy designates about a quarter of the land area of the Borough as "Areas of Special Landscape Quality" (as shown on Figure 3.3).

3.19 From the commentary provided in paragraph 3.49, it appears that the Council is equating its 'Areas of Special Landscape Quality' (ASLQ) with 'valued landscapes'. This is questionable. All landscapes are valued at some level by different people. NPPF paragraph 170 triggers a need to consider when landscape value is just a local consideration, or when landscapes are more 'out of the ordinary'. Fundamentally, for a landscape to be a valued landscape, it does not have to be designated - so by designating the ASLQ (or by creating a valued landscape designation) the Council is at risk of creating a policy that is irrelevant, because guidance says that non designated landscapes can be valued, so site-by-site assessments will be required in any event. **Given that Policy DS3 is irrelevant, it is unnecessary and it should be deleted.**

3.20 However, if it is held that Policy DS3 should not be deleted, the following comments apply.

3.21 Paragraph 3.55 states that "…all parts of the Borough have some landscape quality and may be sensitive to landscape change". This is ambiguous. All landscape will be of 'a quality' but quality (in GLVIA3 aligned with condition) is only one consideration of landscape sensitivity.

3.22 With regard to "How the policy works", paragraph 3.56 states that "*The criteria within the policy (points a-g) are derived from the Guidelines for Landscape and Visual Impact Assessment (GLVIA 3) published by the Landscape Institute.".* The GLVIA is an extensive and diverse document and, if it is to be used as basis for this policy then a specific reference or explanation should be provided as to how points a-g have been derived.

3.23 Paragraph 3.57 refers to the submission of "…a proportionate Landscape Assessment". This should be amended to require the submission of a 'Landscape and Visual Impact Assessment'. There are many applications of Landscape Assessment and several forms of reporting. Reference to LVIA would be specific and clear as to what is required (and incidentally relates better to the approaches set out in GLVIA3).

Policy HA1: Land North and South of Greenaway Lane

3.24 As set out in the Introduction to these representations, our client has interests in three parcels of land that all form part of the proposed Policy HA1 housing allocation – Land North and South of Greenaway Lane, Warsash. Our client therefore strongly supports Policy HA1 and the identification of their three land interests within this proposed residential allocation.

3.25 The three land interests are as follows: 1. Land South of Greenaway Lane (adjacent to 125 Greenaway Lane); 2. Land East of Brook Lane and West of Lockswood Road; and 3. Land East of Brook Lane and North of Warsash Road.

3.26 At the time of writing these representations, all three sites are subject to outline planning applications, which have all been considered by Fareham Borough Council's (FBC) Planning Committee. Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) has a resolution to grant outline planning permission for the construction of up to 100 dwellings (Ref. No. P/19/0402/OA). Land East of Brook Lane and West of Lockswood Road has a resolution to grant outline planning permission for the construction of up to 157 dwellings (Ref. No. P/17/0998/OA). Land East of Brook Lane and North of Warsash Road has a resolution to grant outline planning permission for up to 140 dwellings (Ref. No. P/17/0752/OA).

3.27 The outstanding matters relating to the outline planning applications are all close to being resolved, especially now that a solution has been agreed in relation to nitrogen deposition into the Solent. It is therefore anticipated that outline planning permission can be granted for all three sites in the near future. Our client then intends to proceed to detailed planning followed by construction stages in a phased but timely manner, such that all three sites are deliverable and can therefore contribute towards the Council's housing land supply position in the short-term.

3.28 Whilst our client supports Policy HA1 and the allocation of their land interests for residential development in principle, in their view the wording of the site-specific requirements contained within the policy requires some amendments, as explained below.

a) <u>The quantum of housing proposed shall be broadly consistent with the indicative site capacity</u>

3.29 Policy HA1 sets out an indicative yield for the allocation as a whole of 824 dwellings. This is supported and no changes are suggested to this site-specific requirement. Our client's three land interests could provide up to 366 dwellings when combined. This includes up to 100 dwellings on Land South of Greenaway Lane (adjacent to 125 Greenaway Lane); approximately 126 dwellings on Land East of Brook Lane and East of Lockswood Road (considering our client does not control the easternmost part of the site so cannot deliver all of the 'up to 157 dwellings' approved at the outline stage); and up to 140 dwellings on Land East of Brook Lane and North of Warsash Road. This represents almost 45% of the indicative yield.

b) <u>Primary highway access should be focused on Brook Lane and Lockswood Road with limited access via Greenaway Lane where necessary, subject to consideration of the impact on the character of Greenaway Lane</u>

3.30 This is not supported, particularly having regard to Land South of Greenaway Lane (adjacent to 125 Greenaway Lane). The wording of this site-specific requirement, including the use of 'limited' and 'where necessary', could be

considered to preclude the provision of a primary vehicular access to the Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) from Greenaway Lane.

3.31 The wording of site-specific requirement b) is inconsistent with Figure 4.1 – Policy HA1 Indicative Framework Plan contained with the PLP. Figure 4.1 identifies 'Indicative Principal Vehicular Access' points into the HA1 allocation, which are indicated by purple arrows and includes the identification of a principal access to the Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) from Greenaway Lane, located in the north-west corner of the site. Figure 4.1 also identifies two further principal accesses further east along Greenaway Lane associated with other parts of the HA1 allocation (outside of our client's control).

3.32 The wording of site-specific requirement b) is also inconsistent with the Illustrative Masterplan that has been approved by the Council as part of the resolution to grant outline planning permission for Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) under Ref. No. P/19/0402/OA. The approved Illustrative Masterplan includes the provision of a primary vehicular access point from Greenaway Lane, located in the north-west corner of the site (in a similar location to the purple arrow shown on Figure 4.1 of the PLP).

3.33 The Committee Report relating to the outline application (dated 16 December 2020), discusses highways matters at paragraphs 8.46 to 8.51. It confirms that from a highway safety perspective, the proposed access from Greenaway Lane is acceptable subject to the imposition of planning conditions (requiring the construction of the access junctions and visibility splays in accordance with the approved plans) and financial contributions towards off-site highways works and a Travel Plan.

3.34 The Committee Report confirms that the Highway Authority is satisfied that a safe means of access can be provided and identifies this as *"…a significant material planning consideration."* In terms of the impact on Greenaway Lane as a result of the physical alterations proposed as part of the development, the Committee Report states that these *"…are not of a level that would adversely detract from the character of Greenaway Lane or justify refusal of outline*

planning permission." The Committee Report then makes reference to the decision of the Planning Inspectorate in relation to a previous scheme for the site (Ref. No. APP/A1720/W/19/3225866 dated 11 December 2019), in which the Inspector confirms at paragraph 42 that *"…it would be possible to secure complementary development of the Greenaway Lane frontage within the scope of the reserved matters. Furthermore, highways works, and any additional traffic generated by the development, would affect only a very short section of the lane which lacks the more rural character seen towards the east."* At paragraph 38 of the Inspector's decision, it is concluded that *"…no necessity for an alternative access has been demonstrated on highways grounds."*

3.35 On the above basis, it is considered that the wording of site-specific requirement b) is inappropriate and misleading in potentially precluding the provision of a primary vehicular access to Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) from Greenaway Lane. This would be inconsistent with the provisions of Figure 4.1 of the PLP, as well as the Council's recent resolution to grant outline planning permission and conclusions of the previous appeal Inspector.

3.36 Accordingly, the wording of site-specific requirement b) should be amended to state:

"b) Primary highways access should be in accordance with the broad locations of the 'Indicative Principal Vehicular Access' points shown on Figure 4.1."

c) <u>The provision of vehicular highway access between development parcels without prejudice to adjacent land in accordance with Policy D3</u>

3.37 This is supported and no changes are suggested to this site-specific requirement. Figure 4.1 – Policy HA1 Indicative Framework Plan of the PLP shows the location of 'indicative secondary vehicular link roads' which are identified by dotted grey arrows. Our client agrees with the indicative location of these secondary access points within the Policy HA1 allocation, insofar as they relate to their three land interests, although it should be noted some of these connections may be bought forwards as pedestrian/cycle links only at

the detailed planning application stage to avoid more than 100 units having direct access onto Greenaway Lane.

d) The provision of a continuous north–south Green Infrastructure Corridor between the northern and southern site boundaries that is of an appropriate scale to accommodate public open space, connected foot and cycle paths, natural greenspace and wildlife habitats that link the two badger setts and other species, and east-west wildlife corridors. Highway cross-over points shall be limited in number and width and include wildlife tunnels where necessary, in accordance with the Framework Plan

3.38 The provisions of this site-specific requirement are supported in principle. The outline illustrative masterplans for the three parts of the HA1 allocation under our client's control incorporate these measures as far as possible and have been agreed with the Council.

3.39 Figure 4.1 – Policy HA1 Indicative Framework Plan of the PLP shows the location of 'indicative wildlife link tunnels'. This includes one running north-south on Land East of Brook Lane and North of Warsash Road which is accepted.

3.40 Figure 4.1 also shows two tunnels on Land South of Greenaway Lane (adjacent to 125 Greenaway Lane), both of which are shown running north-south. Whilst it is acknowledged that these tunnels are only shown indicatively on Figure 4.1, it is noted that the southernmost tunnel on Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) should in fact be shown running east-west, so that it crosses and runs perpendicular (not parallel to) the 'indicative secondary vehicular link road' in this location, and so that it reflects the line of the green corridor running along the southern boundary of the land parcel. Otherwise, the provision of two tunnels within this part of the allocation is accepted, as is the indicative location and orientation of the northernmost tunnel.

e) The provision of pedestrian and cycle connectivity between adjoining land parcels, as well as providing connectivity with Warsash Road and nearby facilities and services

3.41 This site-specific requirement is supported in principle and the outline illustrative masterplans for the three parts of the HA1 allocation under our client's control incorporate these measures as far as possible and have been agreed with the Council.

3.42 It is noted that it is not possible to provide direct connectivity between the land within the HA1 allocation and Warsash Road to the south, as the boundaries do not immediately adjoin the road. However, the outline illustrative masterplans provide pedestrian and cycle linkages to Brook Lane, which in turn leads to Warsash Road and nearby facilities and services.

3.43 In relation to the development proposals for Land East of Brook Lane and North of Warsash Road, it has previously been proposed to provide a pedestrian/cycle link from the southern boundary of the site into the rear car park of The Victory Hall which fronts on to Warsash Road. However, this proposal was not supported by the relevant stakeholders and so has not been carried forward into the illustrative outline masterplan for the site.

f) Building heights should be limited to a maximum of 2.5 storeys, except for buildings which front onto Greenaway Lane and Brook Lane where building heights shall be limited to a maximum of 2 storeys

3.44 The first part of this site-specific requirement is not supported. It is considered that some elements of 3 storey development are appropriate on the allocation site, provided they are located sensitively in the central parts of the site and setback from the site boundaries, allowing them to be appropriately screened and for a buffer to be provided to existing adjoining land uses. This is consistent with the requirement for the efficient use of land as set out in the NPPF.

3.45 The second part of this site-specific requirement for buildings fronting Greenaway Lane and Brook Lane to be limited to a maximum of 2 storeys is accepted.

g) Existing trees subject to a Tree Preservation Order should be retained and incorporated within the design and layout of proposals in a manner that does

not impact on living conditions

3.46 This is not supported. The wording of this site-specific requirement suggests that any tree that is subject to a Tree Preservation Order (TPO) cannot be removed. This is not appropriate and is not justified, particularly in light of the vehicular link required through TPO woodland in the southern most portion of the allocation. It is possible that cases may arise where it is necessary to remove a tree even if it is subject to a TPO, for example if the tree is no longer in a good condition or if it poses a health and safety risk in the future.

3.47 The wording of this site-specific requirement should be amended to provide greater flexibility and should state:

"Where possible, existing trees subject to a Tree Preservation Order should be retained and incorporated within the design and layout of proposals in a manner that does not impact on living conditions, unless agreed in writing with the Local Authority."

h) A Construction Environmental Management Plan to avoid adverse impacts of construction on the Solent designated sites shall be provided

3.48 This is supported and no changes are suggested to this site-specific requirement.

i) Provide future access to the existing underground water and wastewater infrastructure for maintenance and upsizing purposes (included at the request of Southern Water)

3.49 This is supported and no changes are suggested to this site-specific requirement. These measures can be incorporated into the detailed design for the three land parcels controlled by our client to ensure that future access is provided.

j) The site is identified as a mineral safeguarded site (sand and gravel are likely to underlay site). A Minerals Assessment will be required prior to any

development in accordance with the Hampshire Minerals and Waste Plan (2013)

3.50 The justification and evidence in support of this site-specific requirement are unclear. From our review of the information available on Hampshire County Council's (HCC) website, including the HCC Minerals and Waste Plan (adopted 2013) and its associated online Proposals Map, the HCC Minerals and Waste Safeguarding in Hampshire Supplementary Planning Document (adopted February 2016) and the HCC Minerals and Waste Plan Minerals Consultation Area (2015), the land within the Policy HA1 allocation does not appear to be identified as a minerals safeguarded site or as having any potential to be underlain by any mineral resources.

3.51 Furthermore, this matter has not been raised during the outline planning stages for our client's land interests.

3.52 This site-specific requirement is therefore not supported and should be deleted in relation to the Policy HA1 allocation.

k) Infrastructure provision and contributions including but not limited to health, education and transport shall be provided in line with Policy TIN4 and NE3. In addition, the following site-specific infrastructure will be required:
i) Two junior football pitches on-site; and
ii) Off-site improvements to existing sports facilities

3.53 The wording of site-specific requirement k) implies that financial contributions will definitely be required. This wording should be amended to provide more flexibility, in the event that it is agreed between the relevant parties that contributions are not in fact required in relation to one or more of the matters referred to.

3.54 The provision of reasonable financial contributions towards education and transport are accepted in principle where a specific need is identified and at an appropriate level to be agreed between the relevant parties.

3.55 In terms of our client's three land interests, financial contributions towards

education and transport have been agreed in principle through the resolutions to grant outline planning permission, with Section 106 Agreements to secure these being agreed prior to the outline planning permission for each site being issued.

3.56 The reference in site-specific requirement k) to providing contributions towards health is not supported. The Committee Report relating to Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) (Ref. No. P/19/0402/OA dated 16 December 2020) discusses this matter with regard to a request from the University Hospital Southampton NHS Foundation Trust for a financial contribution to provide services needed by the occupants of the proposed new dwellings. The Officer's comments at paragraphs 8.64-8.68 of the Committee Report are as follows:

"In considering the requests it is noted that the construction of houses does not itself lead to population growth. Officers consider that the need for housing is a consequence of population growth. Furthermore, there is no account in the representations, it seems, for the potential for the residents of the new development to be moving locally around the Borough or adjoining boroughs such that their residence locally is already accounted for by the current services and funding commissioned by the hospital…

…The length of time between sites being identified, planning permission being granted, and the houses actually being constructed and subsequently occupied is many years. The amount of residential development coming forward in the Borough which has not been reasonably foreseeable for a period of year is therefore very limited.

In January 2019 the NHS launched its new 10-year plan. This plan sets out how the NHS thinks it can overcome the challenges that the NHS faces, such as staff shortages and growing demand for services. This is to be achieved essentially by doing things differently and at no point does it refer to the need for new developments to provide for healthcare services by means of financial contribution such as that requested by the Trust.

For the reasons set out above, Officers do not consider that the contribution

sought by the Trust is necessary to make the development acceptable in planning terms and thus the tests for planning obligations as set out above are not considered to have been met. Furthermore, given the adopted policy framework it is considered that in the absence of the contribution, the application does not fail as a consequence as this issue alone would not justify a reason for refusal, which it must do in order to make the contribution necessary to make the development acceptable in planning terms and meet the test for a planning obligation."

3.57 The same conclusions should be made in terms of site-specific requirement k) and the reference to health should therefore be deleted.

3.58 Finally, the requirement to provide two junior football pitches on-site is not supported. During the time that developers in the 'Warsash Cluster' have been in discussion with FBC in relation to their land interests, the Council has not been able to justify why on-site provision is needed and appears to have been an aspiration which has not been properly considered. The provision of sports pitches in this location is not appropriate, particularly having regard to the likely noise and traffic implications associated with this use, as well as the presumed need for a complementary pavilion. Site-specific requirement k) i) should therefore be deleted.

3.59 In terms of the requirement to provide off-site improvements to existing sports facilities, this is inconsistent with the financial contributions that have been agreed as part of the resolutions to grant outline planning permission for our client's three land interests and this requirement has not been raised by FBC as part of this process. The wording of site-specific requirement k) should therefore be amended to provide more flexibility, so that it cannot be interpreted that an off-site financial contribution towards sports facilities is required in relation to all land parcels within the Policy HA1 allocation (such as our client's three sites), but so that this can be sought in relation to the other parcels of land if justified and agreed between the relevant parties.

3.60 Taking into account all of the above, the wording of site-specific requirement k) should be amended to state:

"Infrastructure provision or contributions including but not limited to education and transport may be necessary in line with Policy TIN4 and NE3. In addition, contributions towards off-site improvements to existing sports facilities may be required."

Figure 4.1 – Policy HA1 Indicative Framework Plan

3.61 Figure 4.1 includes the identification of areas referred to as 'open space or development options. Development not on both', which are marked by a light green diagonal hatching. The only areas annotated as such on Figure 4.1 relate to our client's interest at Land South of Greenaway Lane (adjacent to 125 Greenaway Lane) – one is shown at the western end of the site frontage with Greenaway Lane and the other running north-south in the centre of the site.

3.62 These annotations are not necessary and should be deleted as their intended purpose is unclear. The agreed illustrative outline masterplan for this site shows that development will be set back from Greenaway Lane with a linear area of public open shown across the entire site frontage, which in turn connects with further public open space shown running north-south through the centre of the site.

Policy HP1: New Residential Development

3.63 This policy relates to all new housing proposals. However, it only envisages housing coming forward outside Urban Area boundaries through either the conversion of a non-residential building or as a replacement dwelling. It should also cross-refer to Policy HP4 which allows housing to come forward on land outside Urban Area boundaries if the Council cannot demonstrate a Five-Year Housing Land Supply.

3.64 Therefore add:

"c) It is for additional housing in circumstances where the Council cannot demonstrate a Five Year Housing Land Supply and Policy HP4 applies."

Policy HP4: Five-Year Housing Land Supply

3.65 The housing requirement set out in Policy H1 must be re-calculated using the current Standard methodology as described in our comments on draft Policy H1 above.

3.66 Paragraph 5.24 infers that Policy HP4 reproduces Local Plan Part 2 Policy DSP40. However, the third criterion in Policy DSP40 was as follows:

"iii) The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;"

3.67 This has been replaced in Policy HP4 by:

"c) The proposal is sensitively designed to reflect the landscape character and setting of the settlement, is of a scale proportionate to its setting and recognises the intrinsic character and beauty of the countryside and, if relevant, does not significantly affect the integrity of a Strategic Gap;"

3.68 If a five-year housing land supply cannot be demonstrated, then in accordance with the NPPF, paragraph 11d, the most relevant polices in the plan would be out of date and the presumption in favour of sustainable development would apply. This policy may therefore be judged to be inappropriate because it adds restrictions which may prevent sustainable sites from coming forward. However, if such a policy is held to be necessary, then a faithful reproduction of Policy DSP40 iii) is strongly preferred. See our comments on Policy DS1 in this regard.

Policy HP5: Provision of Affordable Housing

3.69 This draft policy states that "affordable housing <u>must</u> be provided" (our underlining) in the following proportions:

i. At least 10% as Social Rent; and
ii. At least 55% as Affordable Rent or Social Rent; and

iii. The remainder, but no less than 10% as Affordable Home Ownership.
iv. The mix of property size and type should reflect the local need and the site characteristics.

3.70 As drafted this policy is not sufficiently flexible. As acknowledged at paragraph 5.36, development viability will be an issue on some sites. As acknowledged at paragraph 5.39, occasionally the tenure mix prescribed by the policy will not be appropriate; and as acknowledged at paragraph 5.34, other exceptional circumstances may arise (such as abnormal costs) which dictate that a non-standard provision of affordable housing is demonstrated to be appropriate.

3.71 Therefore, amend the first part of the policy to read:

"Sites that can accommodate 10 or more dwellings or sites with an area of 0.5 hectares or more shall normally provide: ..."

3.72 And amend the second part of the policy to read:

"The affordable housing shall normally be provided in accordance with the following proportions: ..."

Policy HP7: Adaptable and Accessible Dwellings

3.73 This draft policy states:

"Development proposals for all new dwellings shall provide:
a) At least 15% of all new dwellings at Category 2 standard; and
b) On schemes of over 100 dwellings (gross), at least 2% of private housing and 5% of affordable housing shall be provided as wheelchair accessible Category 3 properties."

3.74 Similar to Policy HP5 above, as drafted this policy is not sufficiently flexible. It is acknowledged that this policy is based on the requirements of Part M of the Building Regulations but it must allow for circumstances arising which mean that these requirements cannot be delivered (fully or otherwise).

3.75 Therefore, amend the first line of the policy to read:

"Development proposals for all new dwellings shall normally provide: ..."

3.76 Paragraph 5.57 of the supporting text states:

"The cost to development for providing Category 2 and 3 is relatively minimal. Flexibility for additional costs have been factored into the viability evidence base and this indicates that the requirements for Category 2 and 3 should have no detrimental impact on the viability of schemes in the Borough..."

3.77 This statement is strongly disputed. In reality, these costs will not be factored into a developer's viability calculations (particularly in relation to Category 3 requirements) because option agreements / conditional contracts will have already been agreed on the sites that the Council want to see come forward, so these costs will not have been anticipated. The Category 3 requirements must be substantiated by quantified evidence of the need for such units in the Borough.

Policy HP9: Self and Custom Build Homes

3.78 This policy requires 10% of dwellings on sites of 40 dwellings or more to be provided for Self and Custom Build Homes. The practical implications of managing self or custom build developments on sites otherwise being constructed by housing developers or housing associations must be carefully considered. There is concern that 40 dwellings is too small a threshold at which to introduce this requirement due to the potentially onerous construction management implications which will arise. It would be preferable for the Council to allocate specific sites for self and custom build developments instead of requiring this element on all housing developments of 40 dwellings or more.

3.79 It is noted that, as stated at paragraph 5.70, only 1% of housing plots at Welborne are required to be provided for self or custom build under the Welborne Plan (2015). Strategic allocations such as Welborne provide the ideal opportunity for parcels of land to be allocated for self or custom build, so that

opportunity should not be missed. This should be addressed in the review of the Welborne Plan which is overdue and necessary.

Policy D1: High Quality Design and Place Making

3.80 This is a highly aspirational policy which sets out ten criteria ("key characteristics of high quality design") against which all development proposals will be judged "to ensure the creation of quality places." It is not clear what a "quality place" is – this should be defined. The ten criteria push the "bar" too high – all proposals cannot be expected to "create places that are attractive, memorable, distinctive and of strong character", for example, laudable though those aspirations are. In practice, very few proposals would receive planning permission if assessed against this requirement.

Appendix B: Housing Trajectory

3.81 This appendix must be updated as it does not reflect the quantum of housing required to meet the local needs. It also projects completions of 975 homes in 2023/24 and 961 homes in 2024/5, which are at risk due to the delays to Welborne which continue. Completions from Welborne should be shown separately as previously.

4.0 Participation at the Examination Hearing Sessions

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

4.1 Yes, we want to take part in a hearing session.

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

4.2 To contribute to testing the legal compliance and soundness of the PLP for the reasons set out in these representations.

APPENDIX 1

Site Location Plan (Drawing No. FLPR-LP.01 – Rev P1)

December 2020 | JG | P20-3154

FAREHAM LOCAL PLAN 2037 REPRESENTATIONS

LAND AT BROOK AVENUE, WARSASH

ON BEHALF OF
ANTHONY AND LISA KING AND ANDREW AND MELANIE NORRIS

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

Prepared by: Jeremy Gardiner & Trevor Moody

Pegasus Group

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough

DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE

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1.0 Introduction

1.1 The following representations are by Pegasus Group on behalf of our clients, Anthony and Lisa King, and Andrew and Melanie Norris, who own a potential housing site at Brook Avenue, Warsash. For the reasons set out in these representations, our clients are strongly of the view that their land should be allocated for housing development in the local plan.

1.2 These representations are consistent with, and build on, the previous representations which were submitted on behalf of Anthony and Lisa King by WYG in relation to the Fareham Draft Local Plan 2036 Supplement in February, 2020. Those previous representations are re-submitted with this representation for ease of reference.

1.3 The following representations utilise the same format as the Council's response form. Each area of the Publication Local Plan (PLP) which is deemed to be either not legally compliant or unsound is clearly outlined below. Proposed changes to the plan in relation to policies, supporting text and the proposals map are provided.

	Agent	**Client**
Title	Mr	Anthony and Lisa King and Andrew and Melanie Norris c/o Agent
First Name	Jeremy	
Last Name	Gardiner	
Job Title	Senior Director	
Organisation	Pegasus Group	
Address	[redacted]	
Postcode		
Telephone		
Email		

2.0 Plan Overall

B1 Which part of the Local Plan is this representation about?

2.1 The following comments relate to the overall Local Plan.

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan:

2.2 Paragraphs 1.5 - 1.6, 1.14, 1.17,1.37, 2.12, 3.19 - 3.22, 3.43, 3.46, 3.49 – 3.57, 4.1 - 4.20, Appendices B and C.

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan

2.3 Policies H1, HP4, HP5, HP7, DS1, DS2, DS3, E2, E3, NE5, D1.

B1c Which part of the Policies Map

2.4 Former Policy HA2 allocation site Newgate Lane South, Employment allocations Policies E2 and E3.

B2 Do you think the Publication Local Plan is:

Legally compliant - No

Sound - No

Complies with the duty to co-operate - No

2.5 The Fareham Local Plan is not legally compliant and is unsound as it is not consistent with national policy, effective or justified.

B3 Please provide details you have to support your answers above.

B3.1 The Publication Local Plan is not Legally Compliant

2.6 The Publication Local Plan (PLP) has based its housing proposals on the annual housing target derived from the Government's draft Revised Standard Methodology published in August 2020 in its consultation "Planning for the Future". The Government's response to this consultation was published on 16th December 2020.

The Government does not propose to proceed with the changes to assessing local housing need consulted on earlier this year in "Changes to the Current Planning System"; but instead has published a revised approach to the Standard Method, which retains the method in its previous and current form except for London and 19 of the most populated cites and urban centres.

2.7 The key change is to apply a 35% uplift to the Standard Method for Greater London and the 19 most populated cities and urban areas in England – Birmingham, Liverpool, Bristol, Manchester, Sheffield, Leeds, Leicester, Coventry, Bradford, Nottingham, Kingston upon Hull, Newcastle upon Tyne, Stoke on Trent, Southampton, Plymouth, Derby, Reading, Wolverhampton and Brighton and Hove. The minimum housing requirement for Fareham calculated using the amended standard method therefore remains 514hpa.

2.8 The Government's White Paper, "Changes to the Current Planning System" (published in August 2020 alongside the "Planning for the Future" consultation) provided guidance to local planning authorities which were at or close to the Regulation 19 stage of plan-making at paragraph 43:

2.9 "Transition

43.The Government is aware that any change in the standard method will have an impact for plans that are currently under development, as authorities expend considerable resources in developing new plans. To enable an orderly transition to the revised standard method, and achieve as much short-term supply as possible while setting the right expectations for early stage plan-making, we propose that from the publication date of the revised guidance, authorities which are already at the second stage of the strategic plan consultation process (Regulation 19) are given 6 months to submit their plan to the Planning Inspectorate for examination. Authorities close to publishing their second stage consultation (Regulation 19), should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan and a further 6 months to submit their plan to the Planning Inspectorate. This is to strike a balance between allowing an appropriate transition period for plans that are nearly through the process, but without causing a significant delay in planning for a higher level of need." (our underlining)

2.10 This transitional arrangement applied to Fareham at the time, such that the previous Standard Method (514hpa) continued to apply for plan-making purposes

in the borough in any event, but the Council chose not to follow this national guidance.

2.11 The National Planning Policy Framework (NPPF) states (paragraph 16 a)) that Plans should "be prepared with the objective of contributing to the achievement of sustainable development". Footnote 10 confirms that this is a legal requirement of local planning authorities in exercising their plan-making functions. Meeting the objectives of sustainable development includes "…meeting the needs of the present…". By preparing a Plan based on the Consultation draft Standard Methodology target of 403 dwellings per annum, the local planning authority is failing to meet its local objectively assessed need for housing, thereby failing to plan to deliver sustainable development.

2.12 The PPG (ID 2a-003-20190220) is clear that the standard method should be used and any other method should only be used in exceptional circumstances. It further explains that:

2.13 *"…Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination."* (PPG ID 2a-015-20190220).

2.14 As discussed above the extant standard method identifies a requirement of 514hpa. The NPPF (paragraph 60) identifies that the current Standard Method provides a minimum requirement. To depart and provide a figure lower than the current Standard Method requires exceptional circumstances and must be justified by clear and robust evidence. This is absent from the Council's evidence base and as such is an unsound approach.

2.15 The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa) – a requirement confirmed by the Government's announcement of 16th December, 2020. As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the Consultation revised Standard Methodology figure of 403 hpa was procedurally flawed, lacking in evidential basis, premature and misleading.

2.16 The NPPF (paragraph 33) also states that plans should be reviewed every 5 years and updated as necessary. The Inspector's Report on the Examination into the Fareham Local Plan Part 2 (dated 12th May 2015) included modifications which were all proposed by the Council. Its first Main Modification was "a commitment to an early review of the local plan (ie. LP1, LP2 and LP3)". This included a timetable for the local plan review between 2016 and 2018 which the Council has failed to adhere to, having previously expressed its commitment to the Inspector.

2.17 The Local Plan Part 3 is the Welborne Plan which was adopted in 2015.The total quantum of housing to be delivered at Welborne has reduced over the years, and the date for its commencement has repeatedly slipped back. The development is currently running about 5 years late. Recently, serious doubts have been expressed over whether it is deliverable at all given the reported funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10. The development is certainly not currently "deliverable" in NPPF terms. Nonetheless, the PLP relies heavily on the delivery of homes at Welborne as by far the most important source of its housing supply - 4,020 homes (just over 48%) out of a total suggested supply of 8,389 homes are timetabled to be completed at Welborne by 2037, and completions are included in the Council's trajectory for the first five years of the plan. Given the heavy reliance placed on a development which, at best, appears to be at serious risk of continuing to be significantly delayed, the Welborne Plan should be reviewed as a matter of urgency.

2.18 Given the importance of the Welborne Plan to housing delivery this is considered an issue of both soundness and legal non-compliance.

B3.2 The Publication Local Plan is not Sound

2.19 Paragraphs 1.5 – 1.6 of the PLP set out the "Tests of Soundness" which require that the Plan has been "positively prepared, justified, effective and consistent with national policy". The PLB fails to meet the Tests of Soundness for the following reasons:

1. It has not been "positively prepared":

2.20 The Plan does not seek to, as a minimum, meet the area's objectively assessed need. Given that the Core Strategy was adopted on 4th August, 2011, it is significantly out of date such that (as advised by paragraph 73 and footnote 32 of

the NPPF) local housing need should be calculated using the current Standard Methodology. On this basis the local housing need target is 514 homes per annum (hpa) plus the appropriate buffer (5% or 20%). Instead, the PLP plans for 403 hpa, thereby failing to plan for the area's objectively assessed need, and failing to contribute to the achievement of sustainable development.

2.21 The lower housing requirement has also not been the subject of sustainability appraisal (SA). Whilst the SA re-assesses sites based upon a lower housing requirement it fails to consider the implications of a lower housing requirement, compared to the current standard method, upon the delivery of the SA objectives. Even if the lower requirement were justified by national policy, which it is not, the retention of the housing requirement at the level previously consulted upon would be a reasonable alternative.

2.22 The Council published an Affordable Housing Strategy in 2019. On page 14 of the Affordable Housing Strategy, it is suggested that there is a need for 3,500 affordable homes to 2036, or circa 220 per annum. This is based on the existing need for 3,000 affordable homes and an allowance of 500 homes to provide for new households and those falling into need. Given that an average of only 76 affordable homes have been built per annum in Fareham Borough since 2011, there is a significant need to boost the supply of additional affordable housing to address needs. Indeed, the delivery of affordable housing needs to almost treble. The provision of affordable housing to address this need is a significant matter.

2.23 It is also unclear whether the PLP has planned to adequately accommodate unmet need from other authorities. The PPG (ID 2a-010-20190220) identifies that meeting unmet needs from neighbouring authorities as set out in a Statement of Common Ground is one reason why local housing need calculated using the current standard should be exceeded. Contrary to the advice within the PPG (ID 2a-010-20190220) there are currently no Statements of Common Ground identifying if the figure of 847 dwellings is adequate or accepted by other authorities. Rather the Council speculates that this contribution would be "ratified" by a subsequent Partnership for South Hampshire Statement of Common Ground (Duty to Co-operate Statement of Compliance, paragraph 4.5). There is, however, no evidence to support this speculation. Indeed, the only evidence presented confirms a request for Fareham to accommodate 1,000 dwellings from a single neighbouring authority. The PLP has been prepared in advance of the publication of Statements of Common Ground –

as such it's preparation is premature.

2.24 At paragraph 4.4 of the PLP it is stated that unmet need in the sub-region over the plan period could be "circa 10,750 dwellings". At paragraph 4.5, Fareham's "immediate neighbours" are considered, and it is confirmed that Portsmouth City Council has requested that Fareham contributes 1,000 dwellings towards its unmet need, and that Gosport is "likely to have an unmet need issue, currently estimated to be in the region of 2,500 dwellings…". The Council's 'Duty to Co-operate Statement of Compliance' identifies at paragraph 4.6 that instead of responding to the request from Portsmouth the Council is proposing to: "…take the approach that the issue of unmet need is not dealt with as specific to any authority, but as a general contribution." It is not clear how this "general contribution" has been calculated but it appears inadequate. Gosport Borough lies between Portsmouth and Fareham. It is clear that Portsmouth cannot accommodate any of Gosport's unmet need so the obvious place to accommodate it is in Fareham Borough, and Fareham East forms part of the Portsmouth Housing Market Area. Therefore, if Fareham plans to deliver the unmet needs of Portsmouth and Gosport, its contribution would be 3,500 homes. However, the PLP (Table 4.1) proposes a contribution of just 847 dwellings to wider unmet need. This figure should be reviewed.

2.25 In relation to unmet need, it should also be remembered that Welborne (previously known as the North of Fareham SDA) was originally conceived by PUSH (now PfSH) as one of two SDAs which were promoted to meet the sub-regional needs of south Hampshire and brought forward in the "South East Plan". The Inspector's Report on the Examination into the Fareham LDF Core Strategy (dated 20th July, 2011) identified five Main Issues, Main Issue 1 being:

"*7. The North of Fareham SDA represents the most significant and controversial element of the Core Strategy. ….While the principle of the SDA"s development is contained in the regional strategy – policy SH2 of the South East Plan (SEP) – the justification for the proposal derives from evidence prepared by South Hampshire local authorities (the Partnership for Urban South Hampshire [PUSH]) during the SEP"s preparation….The advantages of SDAs are seen as threefold: safeguarding existing towns and villages by reducing coalescence; providing more opportunities for planning gain; and achieving a critical mass to deliver sustainability benefits.*

The development now proposed is one of two SDAs proposed by PUSH and brought forward into the SEP. Both are aimed at meeting sub-regional housing needs and, as such, their housing totals are separated from the housing requirement for the remainder of the Boroughs concerned in the sub-regional strategy and SEP." (our underlining)

2.26 However, the Council is now treating Welborne as a source of housing supply for Fareham Borough only, disregarding its planned sub-regional role. This compounds the lack of positive preparation of the PLP and starkly contrasts the Council's current approach to the delivery of housing to meet sub-regional needs with its approach of a decade ago.

2. It is not Justified:

2.27 The PLP's strategy for housing delivery is not appropriate, because it is based on a need figure derived from the draft revised Standard Methodology which was still the subject of public consultation at the time that the Plan was prepared. The Government's response to the consultation is awaited. The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa). As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa is procedurally flawed, lacking in evidential basis, premature and potentially misleading.

3. It is not Effective:

2.28 Fareham has decided to deliberately plan to not meet its local objectively assessed housing need, so fundamentally the plan will not be effective. This, coupled with its apparent failure to plan to contribute appropriately to the unmet housing need of the sub-region, indicates a failure to work effectively with its neighbouring authorities on cross-boundary strategic planning for housing delivery and a failure "to support the Government's objective of significantly boosting the supply of homes" (NPPF, paragraph 59). Rather, the PLP proposes to restrict the supply of homes in the plan period in a way which will exacerbate the local housing crisis.

4. It is not Consistent with National Policy:

2.29 The PLP is not consistent with the NPPF because:

- It will not contribute to the achievement of sustainable development by not, as a minimum, planning to meet its local objectively assessed housing need;
- It is not planning to adequately meet the unmet housing needs of neighbouring authorities in the sub-region;
- It has not based its housing proposals on the current Standard Methodology annual housing need figure of 514 hpa;
- Its strategy lacks a robust evidential justification;
- It's proposed housing land supply includes a majority of housing from sites which are not "deliverable" as defined by the NPPF

B3.3 The Publication Local Plan does not Comply with the Duty to Co-operate

2.30 As stated at B3.1 above, it is unclear whether the PLP has planned to adequately accommodate unmet need from other authorities.

2.31 Against a sub-regional unmet need figure of "circa 10,750 dwellings", and in the context of both neighbouring authorities of Portsmouth City Council and Gosport Borough Council having "unmet need issue(s)", and Havant Borough Council being expressly unable to accommodate any unmet need, the PLP (Table 4.1) proposes a contribution of 847 dwellings to wider unmet need. It is not clear how this has been calculated and it appears inadequate.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

1. Plan to meet, as a minimum, the area's objectively assessed housing need. The current Standard Methodology annual housing need figure is currently 514 hpa.
2. Provide Statements of Common Ground in relation to unmet need from neighbouring and PfSH authorities. Any agreements will need to be included as additional housing to the minimum 514hpa.
3. In any event, plan for a level of housing which contributes to the

achievement of sustainable development.

4. Treat this plan as an interim plan and reaffirm the Council's commitment to undertake an urgent a review of the Welborne Plan for incorporation into a consolidated early review of this plan.

5. The Council has not undertaken SA of all reasonable alternative housing requirements;

6. The Council has not planned to meet current housing needs, opting instead to phase its housing supply in a way which will exacerbate the current significant under-supply problems;

2.32 Consequential to the above, the Council must allocate additional sites for housing in this interim plan (ahead of the urgent review of the Welborne Plan) to meet its confirmed housing target of 514 hpa, including the allocation of our clients' site at Brook Avenue, Warsash.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

2.33 The role of plan-making in contributing to the achievement of sustainable development is a legal requirement (Section 39(2) of the Planning and Compulsory Purchase Act 2004).

2.34 Revisions to the plan so that it plans, as a minimum, to meet the local objectively assessed need for housing, meet affordable housing need and adequately contribute to meeting unmet need would assist the PLP to meet the Tests of Soundness.

3.0 Specific Proposed Changes

B4c Suggested revised wording of any policy or text:

Policy H1: Housing provision

3.1 Completely revise the proposed housing target on the basis of the confirmed Standard Methodology figure for the Borough of a minimum of 514 hpa plus an appropriate contribution to meeting sub-regional unmet needs.

3.2 Ensure that the revised housing target includes the delivery of a minimum of 220 affordable homes per annum.

3.3 Plan to deliver the revised housing target including a five year supply of deliverable sites. In this regard, Welborne (the supply of housing from which is relied on heavily by the PLP) cannot currently be regarded as "deliverable" as defined in the NPPF.

3.4 Consequential updates to paragraphs 4.1 – 4.20 including Tables 4.1, 4.2, 4.3.

3.5 Consequential revisions to the list of Housing Allocation Policies under paragraph 4.20 to include allocations sufficient to deliver the revised housing and affordable housing targets, including the allocation of our clients' land at Brook Avenue, Warsash.

3.6 Policy H1 also seeks to identify a 'phased' requirement. The overall supply is described as at least 8,389 dwellings - this is just 165 dwellings greater than the requirement when the correct local housing need standard method is applied. Given the need to provide for unmet needs from neighbouring authorities this is clearly insufficient and as such further allocations are required.

3.7 Policy H1 seeks to 'phase' this supply identifying the following:

- Approximately 2,250 dwellings (averaging 450 dwellings per annum) between 2021/22 and 2025/2613,
- Approximately 2,400 dwellings (averaging 480 dwellings per annum) between 2026/27 and 2030/31,

- Approximately 3,750 dwellings (averaging 625 dwellings per annum) between 2031/32 and 2036/2037.

3.8 This phasing clearly will not meet the overall plan requirement. The rationale for this phasing is due to an anticipation that many of the housing allocations will begin to deliver later in the plan period. This is simply a factor of the sites chosen rather than an evidence-based approach to need. The net effect is that in the early part of the plan period the full need will not be met, exacerbating the current significant housing land supply shortfall in the Borough. This will mean households will either be unable to form or will be forced to move elsewhere to find appropriate accommodation. This not only has an impact upon affordability through increased demand but also has implications for social mobility and health for young and old alike.

3.9 The lack of housing to meet needs in the short-term is exacerbated by recent under-delivery of both market and affordable housing. The Council recognises it has under-delivered in recent years due to the reference to the need for a 20% buffer in accordance with NPPF, paragraph 73 (paragraph 4.16, PLP).

3.10 The housing requirement in the PLP should not be phased to manufacture a five-year housing land supply in the short-term. The plan should seek to address housing need now - to do otherwise is not justified or effective.

3.11 The second part of Policy H1 identifies the sources of supply. Whilst our clients do not wish to comment upon individual sites, we do have significant concerns that the sources of supply will not deliver the plan period housing requirement in full. The PLP, paragraph 4.16, acknowledges that many of the chosen sites will not deliver until later in the plan period therefore any slippage in timescale could well push delivery beyond the plan period. Furthermore, the Council is heavily reliant upon delivery at Welborne. Within our comments upon the Plan overall we identify the need for delivery from this site to be reviewed and indeed question whether it is deliverable at all given the funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10.

3.12 Furthermore, the Council cannot currently demonstrate a five-year housing land supply. The Council's most recent assessment of its five-year housing land supply suggests a 4.03-year supply. This assessment appears optimistic given recent

appeal decisions which identify it is closer 2.4 years. Given these shortcomings it is essential that the PLP seeks to address this under-supply in the short-term.

Development Strategy

3.13 This section is substantially focussed on restricting development outside the existing settlement policy boundaries of urban areas. This marks a significant change in approach since the Regulation 18 version of this plan when the emphasis was on a strategy for locating development sustainably. This is in conflict with the NPPF, paragraph 11, which advises that "Plans and decisions should apply a presumption in favour of sustainable development" and that "For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their areas, and be sufficiently flexible to adapt to rapid change".

3.14 The highly restrictive strategic policy approach introduced into the PLP does not accord with this national guidance.

Policy DS1: Development in the Countryside

3.15 For housing development which is brought forward in the absence of a 5 year housing land supply, Policy HP4 applies. This will necessarily introduce new built form onto greenfield sites adjacent or well related to existing urban area boundaries. This will inevitably cause a change to the landscape character of the site and immediately adjacent land. Criteria ii) and iii) require proposals to "conserve and enhance landscapes" and "recognise the intrinsic character and beauty of the countryside". It is not clear which "landscapes" are being referred to – presumably this should be restricted to formally designated landscapes or defined "valued" landscapes because otherwise it could be applied to every area of countryside. It is also not clear how, for example, a housing development can "conserve and enhance" a landscape – relevant measures should be defined. Moreover, it is not clear how the extent to which a proposal has recognised "the intrinsic character of the beauty of the countryside" can be measured. After all, those attributes can be "recognised" but then disregarded. It is true that every area of countryside has a "character" but not that every area of countryside has "beauty".

3.16 Criterion v) should include an exception for development which is brought forward under Policy HP4, where the application of the "tilted balance" would allow the loss of BMVAL.

3.17 Paragraph 3.39 fails to explain how this policy works in relation to housing policies.

Policy DS3: Landscape

3.27 This draft policy designates about a quarter of the land area of the Borough as "Areas of Special Landscape Quality" (ASLQ) as shown on Figure 3.3 of the plan. This proposed designation affects our clients' site at Brook Lane, Warsash and all immediately surrounding land except (curiously) the Egmont Nursery site, Brook Avenue, which is a proposed allocation in the PLP and which has outline planning permission for 8 dwellings.

3.28 From the commentary provided in paragraph 3.49, it appears that the Council is equating its 'Areas of Special Landscape Quality' (ASLQ) with 'valued landscapes'. This is questionable. All landscapes are valued at some level by different people. NPPF paragraph 170 triggers a need to consider when landscape value is just a local consideration, or when landscapes are more 'out of the ordinary'. Fundamentally, for a landscape to be a valued landscape, it does not have to be designated - so by designating the ASLQ (or by creating a valued landscape designation) the Council is at risk of creating a policy that is irrelevant, because guidance says that non designated landscapes can be valued, so site-by-site assessments will be required in any event. In our view, **this creation of a potentially irrelevant layer of policy is unnecessary and Policy DS3 should be deleted.**

However, if it is held that Policy DS3 should be retained in the plan, then the following comments apply:

3.29 Paragraph 3.55 states that "…all parts of the Borough have some landscape quality and may be sensitive to landscape change". This is ambiguous. All landscape will be of 'a quality' but quality (in GLVIA3 aligned with condition) is only one consideration of landscape sensitivity.

3.30 With regard to "How the policy works", paragraph 3.56 states that *"The criteria within the policy (points a-g) are derived from the Guidelines for Landscape and Visual Impact Assessment (GLVIA 3) published by the Landscape Institute.".* The GLVIA is an extensive and diverse document and, if it is to be used as basis for this policy then a specific reference or explanation should be provided as to how points a-g have been derived.

3.31 Paragraph 3.57 refers to the submission of "…a proportionate Landscape Assessment". This should be amended to require the submission of a 'Landscape and Visual Impact Assessment'. There are many applications of Landscape Assessment and several forms of reporting. Reference to LVIA would be specific and clear as to what is required (and incidentally relates better to the approaches set out in GLVIA3).

Policy HP1: New Residential Development

3.32 This policy relates to all new housing proposals. However, it only envisages housing coming forward outside Urban Area boundaries through either the conversion of a non-residential building or as a replacement dwelling. It should also cross-refer to Policy HP4 which allows housing to come forward on land outside Urban Area boundaries if the Council cannot demonstrate a Five Year Housing Land Supply.

3.33 Therefore add:

> **"c) It is for additional housing in circumstances where the Council cannot demonstrate a Five Year Housing Land Supply and Policy HP4 applies."**

Policy HP4: Five-Year Housing Land Supply

3.34 The housing requirement set out in Policy H1 must be re-calculated using the current Standard methodology as described in our comments on draft Policy H1 above.

3.35 Paragraph 5.24 infers that Policy HP4 reproduces Local Plan Part 2 Policy DSP40. However, the third criterion in Policy DSP40 was as follows:

> *"iii) The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;"*

3.36 This has been replaced in Policy HP4 by:

> *"c) The proposal is sensitively designed to reflect the landscape character and setting of the settlement, is of a scale proportionate to its setting and recognises the intrinsic character and beauty of the countryside and, if relevant, does not significantly affect the integrity of a Strategic Gap;"*

3.37 If a five year housing land supply cannot be demonstrated, then in accordance with the NPPF, paragraph 11d, the most relevant policies in the plan would be out of date and the presumption in favour of sustainable development would apply. This policy may therefore be judged to be inappropriate because it adds restrictions which may prevent sustainable sites from coming forward. However, if such a policy is held to be necessary, then a faithful reproduction of Policy DSP40 iii) is strongly preferred. See our comments on Policy DS1 in this regard.

Policy HP5: Provision of Affordable Housing

3.38 This draft policy states that "affordable housing <u>must</u> be provided" (our underlining) in the following proportions:

i. At least 10% as Social Rent; and

ii. At least 55% as Affordable Rent or Social Rent; and

iii. The remainder, but no less than 10% as Affordable Home Ownership.

iv. The mix of property size and type should reflect the local need and the site characteristics.

3.39 As drafted this policy is not sufficiently flexible. As acknowledged at paragraph 5.36, development viability will be an issue on some sites. As acknowledged at paragraph 5.39, occasionally the tenure mix prescribed by the policy will not be appropriate; and as acknowledged at paragraph 5.34, other exceptional circumstances may arise (such as abnormal costs) which dictate that a non-standard provision of affordable housing is demonstrated to be appropriate.

3.40 Therefore, amend the first part of the policy to read:

> **"Sites that can accommodate 10 or more dwellings or sites with an area of 0.5 hectares or more shall normally provide: …"**

3.41 And amend the second part of the policy to read:

> **"The affordable housing shall normally be provided in accordance with the following proportions: …"**

Policy HP7: Adaptable and Accessible Dwellings

3.42 This draft policy states:

"Development proposals for all new dwellings shall provide:

a) At least 15% of all new dwellings at Category 2 standard; and

b) On schemes of over 100 dwellings (gross), at least 2% of private housing and 5% of affordable housing shall be provided as wheelchair accessible Category 3 properties."

3.43 Similar to Policy HP5 above, as drafted this policy is not sufficiently flexible. It is acknowledged that this policy is based on the requirements of Part M of the Building Regulations but it must allow for circumstances arising which mean that these requirements cannot be delivered (fully or otherwise).

3.44 Therefore, amend the first line of the policy to read:

"Development proposals for all new dwellings shall normally provide: …"

3.45 Paragraph 5.57 of the supporting text states:

"The cost to development for providing Category 2 and 3 is relatively minimal. Flexibility for additional costs have been factored into the viability evidence base and this indicates that the requirements for Category 2 and 3 should have no detrimental impact on the viability of schemes in the Borough..."

3.46 This statement is strongly disputed. In reality, these costs will not be factored into a developer's viability calculations (particularly in relation to Category 3 requirements) because option agreements / conditional contracts will have already been agreed on many of the sites that the Council want to see come forward, so these costs will not have been anticipated. The Category 3 requirements must be substantiated by quantified evidence of the need for such units in the Borough.

Policy HP9: Self and Custom Build Homes

3.47 This policy requires 10% of dwellings on sites of 40 dwellings or more to be provided for Self and Custom Build Homes. The practical implications of managing self or custom build developments on sites otherwise being constructed by housing developers or housing associations must be carefully considered. There is concern that 40 dwellings is too small a threshold at which to introduce this requirement due to the potentially onerous construction management implications which will arise. It would be preferable for the Council to allocate specific sites for self and custom build developments instead of requiring this element on all housing developments of 40 dwellings or more.

3.48 It is noted that, as stated at paragraph 5.70, only 1% of housing plots at Welborne are required to be provided for self or custom build under the Welborne Plan (2015). Strategic allocations such as Welborne provide the ideal opportunity for parcels of land to be allocated for self or custom build, so that opportunity should not be missed. This should be addressed in the review of the Welborne Plan which is overdue and necessary.

Policy D1: High Quality Design and Place Making

3.56 This is a highly aspirational policy which sets out ten criteria ("key characteristics of high quality design") against which all development proposals will be judged

"to ensure the creation of quality places." It is not clear what a "quality place" is – this should be defined. The ten criteria push the "bar" too high – all proposals cannot be expected to "create places that are attractive, memorable, distinctive and of strong character", for example, laudable though those aspirations are. In practice, very few proposals would receive planning permission if assessed against this requirement.

Appendix B: Housing Trajectory

3.57 This appendix must be updated as it does not reflect the quantum of housing required to meet the local needs. It also projects completions of 975 homes in 2023/24 and 961 homes in 2024/5, which are at risk due to the delays to Welborne which continue. Completions from Welborne should be shown separately as previously.

Appendix C:

3.58 The purpose of the inclusion of the Local Ecological Network Map at Appendix C is not understood. It includes the identification of land as "Network Opportunities". This does not appear to have a basis in the policies of the PLP. The plan is difficult to interpret given its scale but all or part of our clients' site may be identified as a Network Opportunity on this plan. This is not explained. This appendix should be deleted, as happened to a similar plan appended to the Regulation 19 Chichester District Local Plan.

Proposed housing allocation – land at Brook Avenue, Warsash

3.59 Our clients' site is identified at Appendix A of the accompanying February 2020 representations. It is SHELAA Site ID 3050 which is assessed as a "Discounted Housing Site" on page 161 of the Council's most recent SHELAA dated September 2020. Here it is confirmed that the site has a gross area of 2.04ha and an estimated yield of 55 dwellings. The site's "Suitability" (for development) was assessed as follows:

"Constraints: *Agricultural Land Grade 3b, Within 500m of SPA, Within 500m of SAC, Within 500m of Ramsar, Within 500m of SSSI, Countryside.*

Highways / Pedestrian access: *Access from the south would be unacceptable as the link to Brook Lane is narrow. Access from the north onto Brook Avenue is considered feasible. Footway provision along Brook Avenue would be required to Brook Lane.*

Conservation Comments: *No known constraints.*

Noise / Air Quality Assessment: *No issues.*

Archaeology: *Site not within identified area of archaeological potential.*

Ecology Comment: *The site contains an improved grassland field with boundary vegetation, which could be utilised by foraging and commuting bats, reptiles, dormice and breeding birds. Issues arising from increased recreation within the SINC will need to be considered. Protection and enhancement of the boundary vegetation is required.*

Accessible Facility Types 6/10: *Within 1600m of a Secondary School, within 800m of a Convenience Store or Supermarket, within 400m of a High Frequency Bus Stops, within 800m of a Accessible Green or Play Space, within 1200m of a Primary School, within 1600m of a Town/District or Local Centre.*

Reason for Discounting: *Development of scale promoted would not be in keeping with the settlement pattern.*

Is the site suitable? *No*

Is the site available? *Yes*

Is the site considered achievable? *Yes"*

Our comments:

The site is considered to be available and achievable for housing, but not suitable. This appears to be an illogical conclusion from the assessment

provided, particularly when account is taken of other planning permissions and allocations in the immediate area.

Proximity to the SPA/SAC/Ramsar and SSSI are not objections in principle to development in this location – as evidenced by the planning permission for housing at Egmont Nursery to the west of our clients' land (so closer to European designated sites) and the allocation of the "Warsash cluster" of housing sites north and south of Greenaway Lane a short distance to the east.

Access is available from Brook Avenue to the north.

There are no conservation, archaeology, noise or air quality constraints.

The site offers some ecological potential but this can be mitigated.

The site is sustainably located within walking distances of secondary and primary schools, local services and facilities including convenience shopping and a high frequency bus route.

Therefore, it appears that the only reason it was not allocated for housing was because the estimated yield of 55 dwellings was held to be not *"in keeping with the settlement pattern".* The site's area is 2.04ha, so a scheme of 55 dwellings would be at a density of about 27 dwellings per hectare, a relatively low density.

To the east of the site are consolidated frontages of suburban housing fronting Brook Lane and Brook Avenue, but to the west housing along Brook Avenue is of lower density and is more sporadic.

In this context, it is suggested that the density of housing development should reduce east to west across the site, that the site should be allocated for "about 25 dwellings", but that its capacity should be confirmed through a detailed assessment of its constraints and the preparation of a feasibility layout.

For these reasons, the Council is encouraged to allocate our clients' site at Brook Avenue, Warsash for about 25 dwellings. Our clients have received many expressions of interest in their land from housing

developers, such that the site is deliverable in the short term and can make a modest though important contribution to the Council's five year housing land supply.

4.0 Participation at the examination hearing sessions

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session.

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To contribute to testing the legal compliance and soundness of the PLP for the reasons set out in these representations.

Representations towards the Fareham Borough Draft Local Plan 2036 Publication Draft (Regulation 19) Consultation on Behalf of Persimmon Homes (South Coast)

December 2020

PERSIMMON
Together we make a home

1. Introduction

Persimmon welcomes the opportunity to comment on the Fareham Draft Local Plan 2036 (DLP) Publication (Regulation 19) consultation.

This letter is set out in sections as summarised below:

- Section 2 sets out our response to Duty to Cooperate issues
- Section 3 sets out our policy specific responses
- Section 4 sets out our response in relation to Omission Sites

2. Duty to Cooperate

The Duty to Cooperate places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters, including housing.

Planning Practice Guidance recommends that authorities should produce, maintain, and update one or more Statement(s) of Common Ground, throughout the plan-making process. The Council has unilaterally produced a 'Statement of Compliance with the Duty to Co-operate' which sets out how the Council claims to have addressed the duty to cooperate, including in relation to addressing the unmet housing need of its neighbouring authorities. This is not an agreed Statement. It is noted that there is little to no explanation within the Statement as to what cross boundary discussions have taken place since the Council has significantly altered its approach with regards to housing need (as detailed below). In Persimmon's view, this information is absent because neighbouring authorities, in particular Portsmouth and Gosport, will not be supportive of Fareham's approach.

As mentioned above, the Council's Regulation 19 consultation document is significantly different from the Regulation 18 draft in terms of its approach to housing. This is largely as a result of it applying the lower Local Housing Need (LHN) as derived from the Government's proposed new Standard Methodology, which has not been approved. The Regulation 18 version of the Plan included a number of Strategic Growth Areas that were identified, in part, to meet the housing needs of neighbouring authorities of Gosport and Portsmouth. These Areas have now been deleted, and do not feature in the Publication Plan.

The Council's decision to use the new Standard Methodology LHN in order to take advantage of lower housing numbers is premature, and is at odds with the approach being taken by nearly all other Local Planning Authorities developing Local Plans in the sub-region, including Gosport and Portsmouth.

It is understood that the SGAs would met at least 1,000 dwellings from Portsmouth's unmet needs, alongside a proportion of Gosport's (quantum not published). However, the Publication Plan suggests that unmet need accommodated by the Plan will only equate to 847 dwellings. By Fareham choosing to use the draft new Standard Methodology and reducing its housing site allocations as well, the scope for the Plan to pick up the housing needs of these neighbouring council areas has been significantly curtailed.

It is Persimmon's view therefore that, given the significant change in approach by Fareham Council, the joint working that it has undertaken on housing issues to date has been fundamentally undermined to a point where it can only be concluded that Council has failed the duty to cooperate.

2. Policy Specific Comments

DEVELOPMENT STRATEGY

Strategic Policy DS1 Development in the Countryside

Policy DS1 provides the policy basis for the delineation of settlement boundaries. In the context of our comments below, notably in relation to not meeting housing need, omission sites and the delineation of Strategic Gaps, the Council should amend the settlement boundaries to allow additional development to come forward.

With regards to the criterion d) of Policy DS1, an allowance for new or replacement building, conversion and/or extension of a school is welcomed. However, the Policy appears to limit re-provision to existing sites shown on the Policies Map. As set out in greater detail in the our response to Policy DS2 and the Omission Site section, discussions are on-going with the Meoncross school to facilitate expansion of the car park and/or playing fields in the short term. The potential relocation of the school to other land within Persimmon's interest at Cuckoo Lane over the longer-term is also being explored. As currently drafted, by strictly limiting development to within an existing educational facility, the Policy would prevent such future improvements and the possible relocation of Meoncross School.

Strategic Policy DS2 Development in Gaps

The Council has commissioned Hampshire County Council to review its Strategic Gaps. The County's methodology for this review is set out in the Technical Review of Areas of Special Landscape Quality and Strategic Gaps (September 2020). This applies 'Primary Measures' (i.e. physical and visual separation) and 'Secondary Measures' (i.e. Green Infrastructure Provision) to define the gaps. We support the inclusion of physical and visual separation as a means of determining the gap boundary, but we see no justification for including the secondary measures as this is outside of the scope of the role of a gap. In any case, Green Infrastructure is an issue that is dealt with separately under Policy NE9 of the draft Plan.

The following commentary on this policy considers each of the Strategic Gaps before comments are made on the content of Policy DS2 itself.

<u>The Fareham-Stubbington Gap</u>

As set out in the recommendations of the Gap Review paper (Chapter 4: Conclusions and Recommendations, Paragraph 10): *'there exists some opportunities for development to be absorbed within the Stubbington-Fareham Strategic Gap, subject to scale and future detailed design, without compromising its Gap function…'* It is surprising then that the Council has not examined this potential in greater details as part of its Publication draft Local Plan, particularly given that the most recent Regulation 18 Local Plan consultation proposed a Strategic Growth Area (SGA) within this gap as a means of accommodating growth.

It is also surprising that the Gap Review Paper does not adequately consider the influence of the Stubbington by-pass on the Fareham-Stubbington Gap. Paragraph 3 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap states that*: 'As the Bypass is currently under construction and its alignment marked out, it is possible to see how it might affect the sense of separation between Fareham and Stubbington.'* The report also states that it is too early to understand the full impact that Stubbington Bypass will have on the landscape character and development pressures of the Gap. This second assertion is contested. Given that the by-pass construction has progressed significantly, and that by-pass proposal has been subject to landscape assessment (including through the ES associated with the application), there is sufficient information available to allow for a robust assessment of the impact of the by-pass on the gap and the landscape to be carried out. A review of the landscape and gap evidence should be carried out prior to submission of the Plan for examination.

There can be no doubt that the by-pass will have a considerable influence on the Fareham-Stubbington Strategic Gap - effectively splitting it two. Once the by-pass is complete, it will form a strong defensible boundary, which will make the difference in the character between areas north and south even more apparent than it is already. This difference in the character requires considered in the Local Plan and its evidence base.

Land to the north of the bypass route is considerably more open in character, with large open fields with limited boundary planting providing prominent views north from the bypass toward the southern urban edge of Fareham, which is well defined by Rowan Way. This area is characterised by a strong sense of tranquillity, and is a much more sensitive landscape that is more befitting of Gap designation in accordance with the Council's own methodology. Land to the south of the bypass, however, comprises considerably more urban influences as demonstrated by existing development along Ranvilles Lane / Titchfield Road, the cemetery south of Oakcroft Land and development around May's Lane / Peak land (including where the urban area of Stubbington protrudes into the gap). This observation is supported by the detailed analysis of gap study area 7a (see Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap, para 8) which states that:

'There exists the potential to ***make modifications to the settlement boundary of North Stubbington: to extend the boundary to run along Oakcroft Lane****, as the isolated field that sits aside Crofton Cemetery, does not protrude into the landscape beyond the current Northern and Western edges of Stubbington. Largely sitting behind a mature line of Poplars also helps this isolated field absorb some development (subject to detail design),* ***without risking the integrity of the Gap, as a whole****.'*
(Persimmon's emphasis)

Paragraph 11, Bullet 2 of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review evidence reconfirms the limited role that the area to the north west of Stubbington, south of Oakcroft Lane and east of Ranvilles Lane plays as a gap. The Gap study states that this area has *'the ability to absorb development into the landscape exists, without compromising the integrity of the Gap function'.* The Council will be aware of the planning application within this part of the gap (LPA Application Reference: P/20/0522/FP). This application comprises 209 new homes a considerable area of land to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1. The application is a resubmission of a planning application that addresses technical and design issues raised by the Council previously. It is understood that the application is due to be considered by planning committee in January 2021.

One key consideration when reviewing the boundary of a gap is the consideration that no more land should be included in the gap than is necessary (see adopted Core Strategy Policy CS22, Fareham Borough Council Gap Review 2012 and South Hampshire Strategy 2012). This concept is reiterated in the Gap Review Paper as 'minimum land take'. In light of the above, it is Persimmon's view that the gap evidence should be reconsidered with areas north and south of the by-pass assessed separately to take account of the by-pass. For reasons set out above, and in accordance with the Gap Review methodology, it is considered that a review of the evidence would indicate that the land north of the by-pass should be retained as gap and land to the south should be deleted from the gap designation. Retaining a gap to the north would preserve a c. 800m gap between the by-pass and the southern urban edge of Fareham, which is described in the Gap Review Paper as being *'moderate-large gap'* of a 'good distance' that *'gives the traveller time to experience the countryside after leaving one settlement before joining another.'* Retaining a gap of adequate width in this location is particularly important given the role Peak Lane plays in providing a well utilised north-south link between Stubbington and Fareham.

With regards to land to the east of Stubbington, Paragraph 11, of Chapter 4: Strategic Gaps SG 2: The Fareham-Stubbington Gap of the Gap Review indicates that there is very little opportunity to absorb development in this corridor but that advanced planting along the eastern edge of the settlement would be beneficial. Persimmon Homes have interests in this area (as discussed in detail later in these representations). In summary, the proposals include new residential development, significant new strategic planting and open space along the eastern edge of the site. Discussion are on-going with the

Meoncross School to facilitate expansion of the car park and playing fields in the short term and the potential relocation of the school to other land within Persimmon's interests over the longer-term.

In light of the our comments set out above It is considered that the Fareham-Stubbington Strategic Gap should be redrawn so that land to the south and west of the by-pass is removed from the gap.

Whilst not a gap issue per se, the emerging and previous Local Plans, have tended to avoid allocating any significant growth on the periphery of Stubbington. Sensitively redrawing the gap boundary as suggested above will allow for much needed sustainable development housing to come forward to support the housing aspirations of those wish to live in or remain living in Stubbington.

The Meon Strategic Gap

As touched upon above, the function of a Strategic Gap is to prevent the coalescence of separate settlements. Land to the west of Stubbington is identified as a gap but there is no settlement to the west of the Stubbington that requires protection from coalescence. With regards to Strategic Gap Study Area 6, it is noted that the Gap Review study states that this gap is provided to ensure there is no coalescence between Stubbington and Titchfield along Titchfield Road. Whilst this northern most extent of this study area may serve this purpose, the central and southern parts of the Study Area 6 play no role whatsoever in preventing coalescence. This is recognised in Paragraph 13 of Chapter 4: Strategic Gaps SG 1: The Meon Gap of the Gap Review Study. Nonetheless, the Study recommends that the Gap is retained in this area due to: high levels of tranquillity, its role in providing separation of Portsmouth and Southampton, and to recognise the potential longer-term settlement expansion southwards from Titchfield and South Westwards from Hook. Based on the Council's Gap Review methodology, these are not adequate reasons to include this land within the gap.

A more logical delineation of the gap, which would ensure that no more land than necessary is included within it, could be to end its southernmost extent at Crofton Manor Equestrian Centre where the transition from countryside to urban (as part of Stubbington) becomes apparent. As recognised in the Gap review study, much of the land to the south of the Equestrian Centre is subject to protection under draft Policy DS3 (as discussed below), and ecological constraints which provide adequate protection against inappropriate development in this area. A gap is therefore not necessary.

General Comments on Policy DS2

Notwithstanding our comments above, in our considered view, Policy DS2 is too restrictive. There may be a point within the plan period, for example where the Council is unable to demonstrate a sufficient five year housing land supply, where additional housing may be required over and above those sites identified in the Plan. The Council has persistently struggled to demonstrate a sufficient five year housing land supply in recent years so flexibility in the Policy is required.

As demonstrated through the Council's Regulation 18 draft Plan, a sustainable location for such development may be in the Strategic Gap between Stubbington and Fareham. As such, the Policy should include additional wording to allow for appropriate and sustainable development in the Strategic Gap in such circumstances where housing supply needs to be increased.

The Policy also seeks to prevent development in Strategic Gaps that may significantly affect its 'integrity' and the 'distinctive nature of settlement characters'. This is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. The reference to 'integrity' and the 'distinctive nature of settlement characters' should be deleted from the Policy. The function of a Strategic Gap is to prevent the coalescence of separate settlements, which can be achieved through assessment of the impact of a proposed development on the physical and visual separation of settlements. The other policy criteria are superfluous.

In light of the above, it is considered that the Strategic Policy DS2 - Development in gaps and delineation of the Gap as shown on the draft Policies Map, should be redrawn as set out above. If this is not the case the Policy cannot be said to either justified or effective and is therefore unsound.

Strategic Policy DS3: Landscape

Policy DS3: Landscape identifies a number of Areas of Special Landscape Quality (ASLQ), including the Meon Valley. This is new Policy that does not form part of the adopted Local Plan. The first part of this Policy seeks to significantly restrict development in the Meon valley area. However, considering that the Council has successfully defended the Meon Valley area from a number of hostile planning applications in the recent past without this Policy in place, the justification for it is questionable. Given the prohibitive nature of Policy DS3, the development potential of Site 5 (Cuckoo Lane) for housing and new school provision, will unlikely be realised unless the site is allocated for development in the Local Plan and/or the site is excluded from the Meon Valley ASLQ designation.

HOUSING POLICIES

Strategic Policy H1 Housing Provision

As mentioned in the Duty to Co-operate section above, the Council is applying the Government's former draft Standard Methodology to arrive at its LHN (403 dpa) as opposed to the current Standard Methodology (514 dpa). The draft Standard Methodology is not Government Policy, it is only a consultation draft. The Government has recently (16th December 2020) released revised LHN figures that indicate that the Council's baseline LHN will increase to 514dpa. This increase LHN to exactly the same figure as per the current Standard Methodology. This newly published data clearly undermines the Councils premature decision to use the lower LHN figure. It is also noted that when the current and new LHN figures for Gosport and Southampton are considered both Councils are facing an increase in LHN of 106 dpa and 315 dpa, respectively. This is significant as both of these Authorities may need to look to Fareham to accommodate unmet housing needs. This will place even greater pressure on Fareham Borough Council to increase its housing requirement set out in Policy H1. For completeness, Portsmouth's LHN remains unchanged between the two data sets.

Notwithstanding, our concerns that the Council has failed the legal test with regards to the duty to cooperate, Policy H1 cannot be assumed to be sound as undershoots current and emerging LHN. The Plan cannot therefore be considered consistent with national policy and it is not positively prepared. Should the Council seek to amend its housing requirement (for example using the current Standard Methodology) and make consequential changes to its supply sites, re-consultation on a revised Regulation 19 Plan will be necessary.

Policy H1 includes an estimated 1,224 windfall dwellings. The Council's Housing Windfall Projections Background Paper (June 2020) does not provide a detailed breakdown of which sites are being considered as windfall. The Council's figures cannot therefore be scrutinised. Until such time as the Council publishes this detail underpinning the windfall allowance, this element of the supply should not be counted towards the Council's housing requirement.

The Policy also looks to implement a stepped housing requirement, which backloads housing delivery towards the latter part of the Plan period. This approach is at odds with the NPPF's objective to boost the supply of housing and appears not be justified by the expected rate of delivery of sites as site out in the summary housing trajectory in Appendix B of the Plan. For example, in the first period (2021/22 and 2025/26) the Council proposes a requirement of 2,250 dwellings (averaging 450 dwellings per annum). However its housing trajectory suggests that 3,085 dwellings will be delivered, which is equivalent to 617dpa. As such, Policy H1 should be expressed as an average requirement; it should not be stepped.

The Policy also sets out that approximately 428 homes will be delivered on specified brownfield sites and/or regeneration opportunities in Fareham Town Centre. In some cases deliverability, viability availability (i.e. in existing use) is not assured (notably sites FTC2-5). Whilst Local Plans should be aspiration, they should also be deliverable. Allied to above, a further 1,327 homes are identified on Housing Allocation sites (i.e. allocation prefixed with a HA reference). However, a number of these sites are rolled forward allocations from the current adopted Local Plan, and in some cases (i.e. HA29 and HA30) are site that formed part of the Western Wards growth are that were originally identified

in the 1970's, but have failed to be delivered. As such, it is questionable whether the Council has properly assessed deliverability / developability of some of the sites comprising its supply. It is advisable therefore that the quantum of housing expected from some of the questionable supply sites should not be counted against the housing requirement in the Plan, and alternative sites (such as those set out in the Omission Sites section) should be identified to ensure the Council's housing requirements are met. In additional to the above, the deliverability issues associated with Welborne are well documented. Recently it is understood that due to delays in the site coming forward, the Council has lost external funding to deliver critical highway improvement works. This further underscores the challenges associated with this site. The Council would be well advised to take a highly cautious approach when seeking to include housing supply from Welborne. The draft Plan currently includes 4,020 dwellings as part of the housing supply. In light of the above, this figure is considered to be highly optimistic and should be revised downwards.

Notwithstanding, our concerns regarding the Council's choice of LHN, this figure should be regarded as the starting point for developing the Plan's housing requirement. Councils are advised through national planning policy/ guidance to consider whether any adjustments should be made to the LHN figure to account for other factors such as economic growth (which appears to be absent from the Plan) and unmet need from neighbouring authorities (as discussed above). With regards to affordable housing, the Council commissioned a Housing Needs Survey as part of its previous Regulation 18consultation draft Plan in 2017. At the time, the Survey suggested that there is a net affordable housing need of 302 dpa (i.e. nearly ¾ of the overall annual requirement). Whilst the Standard Methodology accounts for affordability (or lack thereof in Fareham's case), actual affordable housing need indicates that a further uplift to its LHN may be necessary.

Policy HP4 Five-Year Housing Land Supply

Policy HP4 states that development 'may be' permitted where a development meet all the criteria in policy HP4. The Policy should be reworded to positively state that a development *'will be'* permitted if it meets the policy criteria. When determining planning applications, the decision maker is required to read the Local Plan as a whole; there is no reason for the Policy to be equivocal on this matter.

With regards to criterion (b) the policy states that a development should be '…integrated with the neighbouring settlement'. Does this mean a physical link between the development and the adjoining settlement or that a development should be integrated in design terms? This needs to be clarified.

Criterion c) seeks to prevent development in strategic gaps that may significantly affect its integrity. As per our comments in respect of Policy DS2, this is a highly subjective policy criteria that will be challenging to interpret by decision-makers and applicants alike. It is also noted that Policy DS2 sets out different policy requirement with regards to the protection of Strategic Gap (i.e. proposals should not affect the physical and visual separation of settlements). This has the potential to create an internal conflict within the Plan as it is unclear which policy requirements (either HP4 or DS2) would take precedent where the Council unable to demonstrate adequate five year supply. It is suggested therefore that the wording for Criterion c) is deleted or replaced with a cross reference to Policy DS2 (including Permission's suggested amendment to this DS2).

Policy HP5 Provision of Affordable Housing

With respect to the percentages of affordable housing sought at sites, Policy HP5 should include a viability review mechanism to provide flexibility. This will assist with the viability of schemes should there be a fall in market over the lifetime of the Plan and/or in circumstance where unknown development costs are introduced (nitrate mitigation costs associated with the HRA requirements are a case in point having seriously affected the viability of schemes over the past year or so).

As set out in the supporting text to this Policy (paragraph 5.32), the Council publishes on its website the identified affordable housing need by area of the Borough. The Council's website shows considerably different housing need for each area. The affordable tenure mix is therefore too prescriptive and does not reflect the Council's own evidence base. It is advisable therefore that the

Council replaces criteria i-ii with a statement confirming that affordable housing mix and tenure will be negotiated with the Council evidence base set out its webpage used as the starting point.

Further underscoring our concerns with the nature of the tenure mix, the Council should be aware of the potential practical challenges associated such a small percentage of Affordable Home Ownership. The Policy could be interpreted by officer so that Affordable Home Ownership is provided at 10%, which would be a challenge for reasons set out below. Registered Providers are becoming ever specialised with some only dealing with the shared ownership side and others the rented side. Requiring such a small percentage of Affordable Home Ownership products through this Policy may create challenges in terms the viability of tender bids for this type of unit. In addition, Affordable Home Ownership, including shared ownership schemes, have been shown to be an effective means of getting people on the property ladder. As the Council's own evidence shows 10% is considerably below what is actually needed.

The final element of Policy HP5 addresses the market rent of Affordable Rented units, which will be judged as 80% of market rent or the relevant Local Housing Allowance (LHA), whichever is lower. The NPPF only make provision for rent to be set at 80% of market. It does not state that market rents should be benchmarked against LHA. The reference to LHA should be deleted to ensure that HP5 is in conformity with national policy.

It is also noted in Paragraph 5.42 of the supporting text to HP5 that the Council may need review the Affordable Housing Supplementary Planning Document (SPD) to address changes to the affordable housing and mix. SPDs should not be used to review issues that have a direct impact on viability. This should be tested through the Local Plan review process.

Policy HP7 Adaptable and Accessible Dwellings

The PPG sets out a number of tests against which Councils should consider when seeking to introduce M4(2) and M4(3) policies into its Local Plans. The Council's Specialist Housing Background Paper (September 2020) has been produced which shows how the Council claims to have met these tests.

In terms of need, the Background Paper sets out the population with Long Term Health Problem or Disability based on census data. However, this measures population, not households, so should not be assumed to an accurate proxy for need. It should also be noted that some people who state that they may have a Long Term Health Problem or Disability as part of a Census response may not have an illness that would affect mobility and would not therefore not necessarily require M4(2) or M4(3) dwellings. The evidence base should be updated to reflect the above.

With regards to the provision of Category 3 specifically, the Council's evidence of need is weak being based on a national wheelchair usage that may not reflect the level of need in Fareham Borough. Furthermore, with regards to Category 3 affordable housing, from a practical point of view, Registered Providers are less willing to take on wheelchair dwellings as they can be difficult to occupy. If there is no suitable occupier then the unit could be sat empty for a significant period while a suitable occupier is found. During this time the unit is not generating any income, and could have been used to house a family that is in need at the time.

As the Council correctly identifies, a large proportion of older homeowners will seek to remain within their own homes with care provided in situ. Should these owner occupiers need to downsize or relocate they will be able to utilise the equity built up within their dwellings to access products which meet their specific. This may be sheltered or extra care accommodation. Within recent years, as this market has developed, the industry has responded with a number of private sheltered accommodation schemes approved within Fareham. In this context, the Local Plan also looks to facilitate the delivery of specialist housing through Policy HP8 and through specific housing allocations made in the Plan (HA42 – HA43). The Background Paper does not appear to have factored in the supply of specialist homes that may come forward be on allocated sites and windfall sites permissible under Policy HP8.

With regards to the second test relating to location of specialist housing, as set out HP8, this type of accommodation is best located in accessible locations. Given the mobility challenges which some older people face, town and district centres, with their conveniently located services such as shops and health facilities, are ideal locations for older persons housing. Fareham town centre is a highly accessible location where a significant quantum of flatted housing is proposed with the benefit of a reduced affordable housing policy requirement. District Centres are also highly accessible locations where there is a potential for older persons housing could be delivered. The Council should therefore consider restricting this Policy requirement to areas of high accessibility.

Policy HP9 Self Build and Custom Homes

Policy HP9 sets out a policy requirement for 10% of all units on sites over 40 dwellings to provide plots for sale to address local self or custom build need. It is noted, however, that at Paragraph 5.8 of the Council's Self and Custom Build Housing Background Paper (September 2020) it is stated that that the Council has met its past and future self-build requirements – this has been achieved without the need for a specific policy. It is also noted that the adopted Welborne Plan requires some 1% of its housing to be for self / custom build. Set against the current identified need of 35 net plots it would seem excessive to require a policy to further increase self / custom build supply. This could result in significant over provision of a product for which there is no clear market demand. In light of the above, the justification for Policy HP9 is therefore questionable. The policy does include provision for plot to be developed for non-self-build ,should they not be taken up, however, this Local Plan has made no assessment about the extent to which this would affect cash flow and the viability of developments. It is Persimmon's view therefore that this Policy should be deleted.

Notwithstanding our overarching concerns regarding the justification for this policy, there are a number of practical considerations that the Plan fails to adequately acknowledge. Criterion a) for example, sets out that self or custom build plots should be serviced. The Policy needs to clarify what is meant by 'serviced'. Does serviced this relate highway access, gas, water, electricity and/or broadband, and to which point should the plots be serviced? Turning to criterion c) it is not clear who would be responsible for setting out the design parameters. Placing a requirement to conform to set parameters could put off some prospective self / custom builders. The requirement to provide self and custom build plots may also have a number of practical and management issue, such as:

- Phasing and completion of the wider site.
- Section 106 contributions due to the exemption that applies to self-build housing.
- Delivery of housing in accordance with paragraph 59 of the NPPF to boost significantly housing supply, where supply on an ad hoc basic by self-builders is likely to be slow compared with the remainder of the site or even not take place at all.
- The reserve matters period running out and needing to be extended.
- Ad-hoc builders turning up outside specified hours of work.
- Storage of materials as there is limited room on plot and storage spills onto the market housing part of the site.
- Purchasers having to stop building due to unemployment/lack of funds.
- Purchaser dissatisfaction where building continues on a site which was expected to finish when they moved in.

<u>CLIMATE CHANGE</u>

Strategic Policy CC1 Climate Change

This Policy states that the 'Council will promote mitigation and adaptation to climate change through…' It is unclear whether the criteria will be sought as part of development proposals, or whether the criteria relate to development delivered by the Council. This requires clarification. If it is the former, the Policy should make clear that the criteria are not requirements but should only be met where it is possible to do so.

Policy CC2 Managing Flood Risk and Sustainable Drainage Systems

Policy CC2 requires all developments to be designed in accordance with the CIRIA C753 SuDs Manual or equivalent national or local guidance. The SuDS manual is, however, only guidance. In Persimmon's experience, strict adherence to the guidance can be problematic as the design of a SUDS system also need to consider design, aesthetics, engineering etc. It is recommended therefore that the wording for this bullet point is prefixed with 'Where possible,' to provide the necessary flexibility.

NATURAL ENVIRONMENT

Policy NE2 Biodiversity Net Gain

Policy NE2 sets out a requirement for site to deliver 10% net gain for biodiversity. The Local Plan viability assessment assumes a cost of £500 per dwelling. This development cost is based on limited evidence and seems low, particularly for greenfield sites (as opposed to brownfield equivalents) which are likely to require significant more extensive measures to achieve a 10% net gain. In many cases, the requirement to achieve BNG is likely to negatively impact on the developable area, resulting in a loss of revenue that negatively impacts on viability, rather than be a cost associated with each individual units per se. In Persimmon's view, the viability evidence to support the introduction of this Policy is inadequate. As mentioned above, meeting BNG at 10% can require considerable land take; on some sites Persimmon has been involved in, BNG has required around 50% of the gross site area. It is not clear whether or to what extend the Council has factored in this 'land hungry' BNG requirement as part of its housing allocations capacity estimates. It is also noted that BNG should be achieved across a site, it is not a requirement to be met at the individual plot level (although this might form part of the BNG solution). As such, supporting text Paragraph 32 is misleading and should be deleted.

Policy NE4 Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent

This is new Policy which sets out Fareham's policy approach to dealing with excessive nutrient (nitrate) loading on protected European sites of ecological importance. However, the Policy is light on detail with insufficient guidance as to how applicants will be able to demonstrate conformity. Given Persimmon's significant experience in dealing with such matters, the Company is aware of how this Policy can be implemented in practice, but for less informed developers/applicants this may be more challenging.

Notwithstanding the above, the Company is aware that the primary means of determining whether a development proposal will be able to demonstrate nutrient neutrality is by producing a nutrient budget using the Natural England Methodology. Given that the Natural England Methodology provides a key evidence base and is fundamental to the implementation of Policy NE4, it is critical that this document is examined in detailed alongside the Local Plan. Of particularly concern is that Natural England's Methodology includes a number of onerous stages that result in significantly more mitigation being required than is actually necessary. These provisions include, but are not limited to, housing occupancy rates, internal migration (particularly those households that are occupying new affordable housing) and default permit levels. Furthermore, despite many of steps set out Natural England Methodology taking a precautionary approach to nitrate assessment, an arbitrary buffer of 20% increase in nitrate loading is added at the end of the calculator. This buffer is not required and will further exacerbate the issue of overproviding mitigation land that is not necessary. Lastly, it is noted that the Partnership for South Hampshire has updated the Integrated Water Management Study (IWMS). The IWMS provides a key evidence base underpinning the nitrate assessment work, but the Natural England Methodology does not take into account this new evidence.

Policy NE5 Solent Wader and Goose Sites

Policy NE5 sets out the Council approach to protecting area which are used by Solent Waders and/or Brent Geese. The Policy makes reference to such area as shown on the Policies Map. These

designations are, however, informed by an interactive GIS map provided on the Solent Bird Aware website, which forms a critical evidence base to the development of Policy NE5. It is therefore concerning that, on the same webpage as the bird habitat GIS mapping, members of the public can download a form to report bird sightings. It is not clear whether or to what extent these reported sighting are authenticated / scrutinised by a qualified ecologist. There appears to be wide scope for land to be incorrectly identified as a bird site leading to unnecessary cost being expended to mitigate site, and in the worst cases complete sterilisation of that land. This is certainly the case with a number of sites that are with Persimmon Homes' interests (as detailed later in these representations). There is a concern therefore that the mapping evidence base underpinning Policy NE5 is flawed.

The Policy also does not set provision with regards to bird surveys. The methodology for bird sites allows sites to be identified as habitat even if they are not actually being used by birds. It would seem logical that the policy makes provision for applicant to undertake ecology survey and assessment of bird sites in order to demonstrate the absence or presence of a species. We would recommend that one year's survey data should be sufficient, with further surveys only required if the some activity has been identified at a site.

The Council will also be aware that it is the Solent Bird Aware mapping (not the Policies Map) that is used by consultees (Natural England and the Council's own in-house ecologist), to determine whether a development will impact on any protected bird habitat areas, to avoid any confusion in the future, and to ensure the Policies Map remains in date, it is suggested the Policy Map deletes these designations.

With regards to the criterion a) 'Core and Primary Support Areas' the Policy requires that development on such sites should result in an overall net gain to the Solent Wader and Brent Geese Network. BNG is a requirement of Policy NE2; the concept for which is established in the NPPF. However, Persimmon are unaware of any such requirement in national policy or the evidence base underpinning this policy, for a net gain for specific species, including protected birds.

Policy NE6 Trees, Woodland and Hedgerows

Point a) of this Policy advises that the 'unnecessary loss' of non-protected trees, hedgerow and woodland should be avoided. It is unclear what 'unnecessary loss' means in practice.

Point b) of the Policy should be a new sentence, and what is meant by the term 'unavoidable' in this context should be clarified.

Policy NE8 Air Quality

Criteria a) of this policy requires electricity charging infrastructure to be provided as part of new development (excluding Welborne). It is unclear why this Policy is not to be applied to Welborne. Presumably this is because of the impact of such provision on viability. Viability issues associated with EV charging provision are, however, not limited to Welborne.

The Local Plan Viability study incudes development cost associated with EV charging as part of £10,000 per plot contingency. Paragraph 5.3.8 of the Study states that, *'it is unclear at stage of writing if or when any of these measures will be required, so [the study takes] a very cautious and conservative approach….'* With regards to the EV charging, Policy NE8 requires such provision; there is no uncertainly as to what is expected of a development proposal. As such, the Viability Study should consider this issue in greater detail and not combine this policy requirement with other unknown cost demands on development. Combining these 'unknowns' a single contingency means that is not possible to scrutinise in detail whether the assumptions made with respect to EV is reliable.

We would highlight that the cost for providing EV charging points is around £500-£600 but this does not include additional costs associated with providing additional sub-stations on lager development sites so that all charging points are capable of being used concurrently (alongside all other energy

demands on a development), and the potential to provide enhanced electricity supply (i.e. off-site upgrades) over and above that required for the units that could challenge a scheme's viability.

As current drafted, this element of the Policy is not justified.

TRANSPORT AND OTHER INFRASTUCTURE

Strategic Policy TIN1 Transport Infrastructure, Policy TIN2 Highway Safety and Road Network and Strategic Policy TIN4: Infrastructure Delivery

These policies concern development contributions to the delivery of new infrastructure. However, it is considered the funding for such infrastructure may, in many instances, be a matter for CIL.

Notwithstanding, the above, if such Infrastructure is a requirement to make the development acceptable in planning terms, then such contribution need to meet the relevant tests set out in the CIL Regulations. It is no longer appropriate for blanket contribution to be sought by planning authorities. The Policy should be clear on this matter.

With specific reference to TIN2 it is unclear why the Council has chosen not to show the alignment of the Stubbington by-pass on the Policies Map given its strategic importance. This Policies map should be updated to show this route.

DESIGN

Policy D1 High Quality Design and Place Making

Policy D1 makes reference to a number of principles of policy and urban design, but also makes reference to guidance contained in the supporting text. For clarity and avoid any confusion over what is policy and what is supporting, text, it is suggested that this cross reference to the supporting text contained in the policy wording is deleted.

The Council should also review the policy to remove any duplication with other policies in the Plan, for example the section relating nature.

Consideration should also be given as whether the policy needs to be so detailed given that the Council has comprehensive guidance on design set out in its adopted Design SPD.

Policy D3: Coordination of Development and Piecemeal Proposal

This Policy seeks to avoid ransom situations. However, The Council will be aware of case law that prevents it from interfering on private property rights with regard to depressing or prevent returns to a landowners.

Policy D4: Water Quality and Resource
The second part of this policy requires developers to meet the Optional Technical Housing Standard for Water Efficiently (i.e. 110L/person/day). Meeting these Standards should be optional, not required. Whilst the Natural England Nutrient Methodology for the Solent area requires development to meet these standards as a means of addressing nitrate loading, there may be instances where nutrient neutrality can be achieved without doing so. The justification for requiring proposals to meet this standard are inadequate.

D5 Space Standards

The housing standards review introduced the optional space standards which local authorities could adopt by way of reference in their local plans. However, a prerequisite to the adoption of the space standards are the following tests set out in the planning practice guidance (Paragraph: 020 Reference ID: 56-020-20150327).

"Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- ***need** – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- ***viability** – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- ***timing** – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.'*

In order to meet the policy test for the inclusion of the space standards there is a requirement for the council to establish the need for the adoption of the national space standard. To this end, the Council has published a Specialist Housing Background Paper (September 2020). Para 6.7 of Background Paper states most dwellings that have been consented or are awaiting determination are consistent with the 2015'Technical housing standards –nationally described space standard. The Background paper, makes references to the larger plots not meeting this standard, with an example being made of site ref 14/19. However, on the whole most dwellings considered in the Council's Background Paper, including large units, are meeting the Optional standards. From a need perceptive, it would seem as though there is little justification for the introduction of this Policy.

In terms of first part of the viability test, the Council's Local Plan Viability Study indicates that development viability would not be negatively impacted by the introduction of the standards. This Study, however, is completed at a relatively high level, which makes it difficult to conclude whether this part of the test has been complied with. With regards to the second part of the test, no assessment has been carried out by the Council to demonstrate that the requirement for new development will not negatively impact affordability within the market.

As set out in paragraph 6.10 of the Background Paper, the Council has decided not to set a transition period for the adoption of the national space standards as it is of the view its introduction would not affect viability. For reasons set out above, we do not concur with this assessment, and suggest that a three year grace period is introduced to allow sites that are under a fixed contract to be brought forward. It is also noted that, the Council are looking to apply the draft policies in this Plan, including the requirement for national space standards prior to the examination or adoption of the plan. This contrary to the approach set out in the planning practice guidance. It is not practical to expect development proposals that are currently being considered to suddenly meet space standards.

In light of the above, Policy DS5 is not justified and should be deleted for reasons of soundness.

Local Plan Appendices

Appendix B set out a summary housing trajectory for the sites identified in the Plan. This is inadequate to properly assess the delivery expectation made by the Council with respect to individual sites. To enable proper scrutiny of the trajectory, the Council's housing trajectory should be broken down by individual sites. This is particularly important because the Council has consistently over-estimated the delivery timescales for key sites. For example, Welborne, which was originally identified in the Core Strategy (2011), was expected to commence delivery in 2014/15. The site has still not achieved an implementable planning persimmon, and commenced of development is still some way off.

4. Omission Sites

The following section provides an overview of the sites in Fareham Borough that are in Persimmon's interests, but have not be identified for allocation. These site are largely located on the periphery Stubbington and are within the ownership of the Dunley Estate. The Table below summarises the Dunley land holdings including capacity. The sites are shown on the enclosed Location Plans provided at Appendix 2.

Site Number	Address	Gross Area Acres (Hectares)	Site Capacity Estimate*
1	Land East of Burnt House Lane	23.53 (9.52)	240 - 320
2	Land West of Peak Lane	46.25 (18.72)	TBC
3	Land North of Titchfield Road	4.83 (1.95)	40 -50
4	Land South of Titchfield Road	2.78 (1.12)	10 - 30
5	Land West of Cuckoo Lane	52.76 (21.35)	150-200
6	Land at Oakcroft Lane	41.04 (16.20)	209
	Total	**171.19 (69.28)**	**649 - 809**

*Based on net developable area, not gross area.

Sites 1-3 and Site 6 fall within the South of Fareham SGA that was identified as part of the most recent Regulation 18 draft Plan. The remaining sites (Sites 4 and 5) are located outside of the SGA. The following section addresses each site in turn.

In support of the Draft Local Plan Regulation 19 Plan, the Council updated its Strategic Housing and Employment Land Availability Assessment (SHELAA) in September 2020. This replaces the previous study which published in December 2019. The conclusion of the SHELAA as related to each of the sites shown in the Table above are considered.

Site 1: Land East of Burnt House Lane

This site is located to the eastern edge of the Stubbington. Persimmon has undertaken some initial capacity testing in relation to Site 1, including an initial highways assessment and masterplanning. The outcome of this work indicates that the site is capable of delivering around 240 to 320 new homes. This accounts for on-site constraints including the provision of a noise attenuation bund, and strategic planting to the eastern and northern boundaries of the site. Adjacent to this site is the Meoncross School, which seeking alternative arrangements for playing pitches close to the school (the existing pitches are currently leased and do not adjoin the school) and additional car parking to avoid parents parking on the nearby residential streets. Persimmon is in discussion with the school about how development at the Burnt House Lane may assist in addressing the school's immediate needs. In the longer term, however, given that the school is unable to expand within its existing site, consideration is being given as to whether the facility could be relocated to the Cuckoo Lane site (Site 5) to the west of Stubbington. Permission are strongly of the view that the site is sustainable and suitable for development and it is capable of being brought forward as a standalone allocation site, or as part of a wider masterplan with the South of Fareham SGA, should the Council seek to revisit this project.

The SHELAA 2019 concluded that Site 1 (SHELAA Ref: 1040) was deliverable housing site. However, in the Council SHELAA 2020 the Council considers the site to be undeliverable due a) to a significant visual impact undermining the integrity of the Strategic Gap, and b) the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The

Council ascribes a capacity of 125 dwellings to the site. It is unclear how the Council has reached the conclusions in the new SHELAA given its assessment of the 2019 SHELAA undertaken just nine months prior. Notwithstanding this, as set in these representations, it is Persimmon's view that the Strategic Gap should be redrawn to exclude this site. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the bird site to development is not unachievable. A strategy of improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 2: Land West of Peak Lane

This site is located to the north of the by-pass and extends across much of the gap towards the urban edge of Fareham in the north. Given its location and context, the development potential of this site is considered to be limited. However, the land could be an effective nitrate mitigation and/or bird protected habitat site that mitigation solution that could be used to address the potential impact development on other sites within Permission interests and/or other sites in the Borough the require mitigation solutions.

Site 3: Land North of Titchfield Road

This site is located to the north-west of Stubbington. Whilst this site formed part of the previous SGA, it is clearly distinct from and separate from it. This site is small scale that is well-contained in landscape terms, surrounded by existing built development and is deliverable in the short-term as stand-alone site that can be brought forward either as part of outside of the SGA masterplanning process should the Council seek to revisit this project. Initial capacity assessments of Site 3 indicates that it is capable of delivering around 40-50 new homes.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3190) was a deliverable housing site. However, in the SHELAA 2020 considers the site to be undeliverable due it being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 20 dwellings to the site. It is unclear how the Council has reached these conclusions regarding the suitability of the site given its assessment of the site undertaken just nine months prior. With regards to the identification of the site as bird habit, we have raised concerns in these representations regarding the robustness of the evidence underpinning this designation. Nonetheless, by improving the suitability of other sites in the area for bird use (i.e. Site 2 or 5) under the terms of the Council's Policy NE5, a policy compliant strategy to address the loss of the site to development is not unachievable. This approach to improving habitat off-site is being taken in respect of the Oakcroft Lane site, which is also a low use site, and has the support of Natural England and the Council's ecologist.

Site 4: Land South of Titchfield Road

This small site is located to the north-west of Stubbington. It bounded to the north-east and north-west by existing housing fronting Titchfield Road and the Crofton Equestrian Centre. The site's relationship with the wider Meon Valley landscape is limited by the woodland to the south of the site. The woodland to the south and its associated watercourse (which is also within Dunley Estate ownership) is recognised as an important ecological resource. Sensitive site design, however, could provide a means of ensuring the ecological interests at this adjoining site are protected and enhanced. Initial site capacity assessment indicated that the site is capable of delivering between c. 10-30 new homes. Were the Council minded to allocate the site for residential development, it could provide an important contribution towards its small-medium site housing allowance as required by Paragraph 68 of the NPPF.

Site 5: Land West of Cuckoo Lane

This site adjoins the settlement boundary of Stubbington to its north-eastern boundary. It is characterised by a substantial arable field that is well-contained in the north by the built form of Stubbington and substantial woodland. Initial capacity testing of this site, which has allowed for a substantial ecological buffer to the woodland, strategic planting to contain the site from the wider Meon Valley, land for a new school and new parkland further south, indicates that it is capable of delivering around 150-200 new homes.

This site is assessed in the SHELAA as being undeliverable due to being located within a *'highly sensitive landscape (based on the Fareham Landscape Assessment) and within an Area of Special Landscape Quality. Significant ecological constraints associated with the adjacent SPA/SSSI affect the suitability of the site.'* The SHELAA ascribes a capacity of 240 dwellings to the site. Whilst the ecological and landscape challenges associated with this site are recognised, they are not insurmountable. Although not a consideration for the SHELAA per se, the site provides the opportunity to deliver substantial ecological and recreation benefits, alongside community benefits, including new education provision and allotments.

Site 6: Land at Oakcroft Lane

Similar to Sites 1 and 3, the Oakcroft Lane site can be delivered outside of or as part of the SGA process (should the Council revisit this project). However, as demonstrated through the planning application, the site is deliverable now as a standalone development site. Technical issues associated with the development have been resolved and Persimmon are currently awaiting determination of the application by the Council. The site is capable of delivering 209 new homes alongside a considerable area of space to the north of the housing and to the south of the by-pass for ecological purposes. The Site Plan is attached to these representations at Appendix 1.

The SHELAA 2019 concluded that Site 3 (SHELAA Ref: 3141) was a deliverable housing site. However, in the SHELAA 2020 the Council considers the site to be undeliverable due to the site to be undeliverable due to the site being classified as a Low Use Brent Geese and Solent Waders site with no evidence of a strategy compliant solution. The Council ascribes a capacity of 200 dwellings to the site. It is unclear how the Council has reached these conclusions given its assessment of the site undertaken just nine months prior, and considering the site-specific mitigation strategy for protected birds has the support of Natural England and the Council's ecologist via the planning application process.

Appendix 1: Oakcroft Lane Site Layout

Rev	Date	Revision Details	Dr	Ch
E	22.04.20	Bypass junction amended	br	db
D	25.02.20	see planning cover note	br	db
C	05.11.19	see planning cover note	br	db
B	20.09.19	see planning cover note	br	db
A	22.07.19	see planning cover note dated 23 July	br	db

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Job Title
Oakcroft Lane, Stubbington

Drawing Title
Site Layout

Job No	Drawing No	Rev
220	A-02-015-SL	E
Drawn	Checked	Date
BR	DB	March '19

Scale
1:1000 @ A1 / 1:2000 @ A3

metres 20 40 60 80 100

Status
PLANNING

Persimmon Homes. No dimensions to be scaled from drawing except for the puposes of Planning Applications. The contractor should check all dimensions on site. It is the contractors responsibility to ensure compliance with Building Regulations. No drawings should be copied or modified without permission from Persimmon Homes.

File Location: s:\south coast\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Appendix 2 Omission Site Location Plans

Site 1 Location Plan: Burnt House Lane, Stubbington

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Site 2 Location Plan: West of Peak Lane, Stubbington

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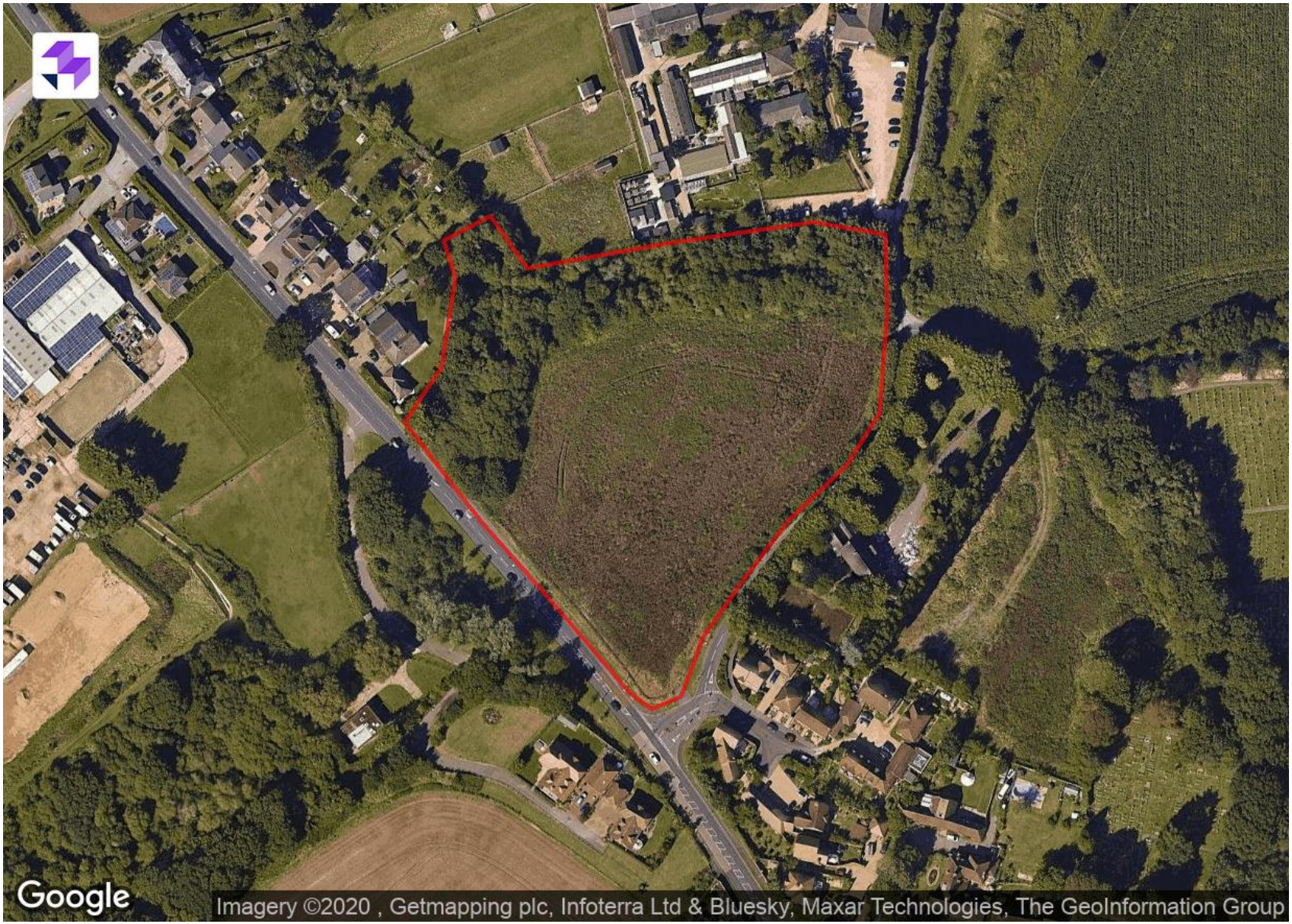

Site 3 Location Plan: North of Titchfield Road, Stubbington

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Site 4 Location Plan: South of Titchfield Road, Stubbington

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Site 5 Location Plan: West of Cuckoo Lane, Stubbington

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OFFICIAL PARTNER

Rev	Date	Revision Details	Dr	Ch
A	22.07.19	see planning cover note dated 23 July	br	db

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File Location: s:\technical\current sites\stubbington - oakcroft\drawings\architect\planning\drawings

Regulation 19 – Submission Draft

Project:	**Land west of Downend Rd, Portchester**	**Date:**	**17 December 2020**
Subject:	**Fareham Local Plan**	**Reference:**	**249501F**

Representation made to Fareham's Draft Local Plan 2037

Formal submission of representation will be made on 18 December via email to Fareham Borough Council.

Response to consultation form

A1. Is an agent appointed:

Yes: [x] No: [ ]

A2. Please provide your details:

Title: c/o agent
First name:
Last name:
Job title:
Organisation: Miller Homes
Address:
Postcode:
Telephone number:
Email address:

A3. Please provide the Agent's details:

Title: Mrs
First name: Lindsay
Last name: Goodyear
Job title: Associate Director
Organisation: Terence O'Rourke Ltd
Address: [redacted]
Postcode:
Telephone number:
Email address:

B1. Which part of the Local Plan is this representation about?

4.2 & 4.16	Paragraph (B1a)
H1	Policy (B1b)
	Policies map (B1c)

B1a Which paragraph?

Table 4.2 Housing Requirement and Sources of Supply and paragraph 4.2 Housing provision paragraph 4.16

B1b Which policy?

H1: Housing provision

B1c Which part of the policies map?

n/a

B2. Do you think the Publication Local Plan is:

	Yes	No
Legally compliant		X
Sound		X
Complies with the duty to co-operate		X

B3. Please provide detail you have to support your answers above

Fareham's Housing Need

The housing requirement identified in the plan is not sound or legally compliant, it fails these tests as it is not based on the Standard Methodology set out in the PPG and the plan presents no evidence to demonstrate local exceptional circumstances for diverging from this approach. In failing to follow the Standard Methodology approach the plan is failing to *"significantly boost"* the supply of land for new homes as required by the NPPF (paragraph 59).

The NPPF is clear that development needs must be met (NPPF 11) and that, with respect to housing, *"strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance unless* ***exceptional*** *circumstances justify an alternative approach which also reflects current and future demographic trends and market signals"* (paragraph 60, our emphasis).

The standard methodology figure for Fareham is 514 dwellings per annum. This should form the basis for the plan as a minimum. The identified plan 'requirement' of 403 dpa (excluding provision for unmet need from adjacent authorities) falls significantly short of this figure and is not an effective basis on which to build a plan.

Paragraph 4.2 of the plan states that it is appropriate to use the draft methodology figure of 403pda because the current methodology is based on out-of-date housing figures. The Council is wrong in its approach. This does not comprise an exceptional circumstance the Council were clearly hoping to rely on a new approach published by the Government for consultation but on which Minster where always clear that this could not be relied upon. The approach is not justified, not positive and clearly unsound as demonstrated by the revisions to the standard method on the 16 December 2020, confirming the starting point for Fareham is 514 dpa.

Significantly, the overall level of need identified must ensure that land supply does not become a 'limiter' in achieving the national aspirations. Hence, the approach that has been taken in the Reg 19 plan, to use the revised draft methodology in order to reduce the planned requirement is seriously flawed, and undoubtedly inconsistent with the NPPF.

In short, the revised draft methodology figure does not provide a suitable or sound basis on which to plan, it falls significantly short of meeting the Council's needs and as such it is not an appropriate strategy, is unjustified and clearly inconsistent with the NPPF.

The significant reduction cannot be considered to align with Government policy to *"significantly boost"* the supply of housing (NPPF paragraph 59) or as a positively prepared plan. Particularly, when earlier work has demonstrated there are deliverable, sustainable and suitable sites available now to meet that need.

The draft Plan also notes, at paragraph 4.2, that the housing requirement will now be fixed for a period of 2 years at this low level, to allow for the submission and examination of this Plan. The Planning Practice Guidance (PPG), allows that in cases where "*the local housing need calculated using the standard method may be relied upon for a period of two years from the time that a plan is submitted for examination"* (paragraph 008, ref ID: 2a-008-20190220). This is not the case here, as the plan is not based on the standard method set out in the PPG and updated on the 16 December 2020, but a proposed approach to the standard method that was published for consultation but was never adopted as policy. The result is significant under delivery of homes required. Reliance on this figure for the next two years is not justified or consistent with National Policy, in this context and is likely to result in a significant under-delivery of much need market and affordable housing.

Housing Provision: Stepped Approach

Again, the stepped approach to housing land supply is entirely inconsistent with the NPPF. The plan seeks to justify a stepped approach on the basis of when sites are likely to deliver. This is the wrong way round. The NPPF requires a clear and staged approach:

1. Identify the overall need (para 60)
2. Identify sufficient deliverable sites to meet the five-year need (para 67)
3. Identify sufficient developable sites to meet the need post year 6 (para 67)

NPPF paragraph 73 does not facilitate a stepped approach, indeed the PPG confirms:

"The method provides authorities with an annual number, based on a 10 year base line, which can be applied to the whole plan period." (2a-012-20190220)

It is understood that there is reliance on delivery at Welborne, but this development already has a resolution to grant planning permission and is relied on in the five-year supply. Other sites are said, at paragraph 4.16, to be expected to start delivering at the end of the five-year period. If this is the case, more land should be identified to contribute to the deliverable five-year supply. In fact, the Council had identified more land to do just that, at the earlier stage of consultation, and has deleted sustainable sites from the deliverable supply; the root cause of the problem.

It is unacceptable for the Council not only to fail to plan for sufficient housing land but to seek to delay and limit provision to the later part of the plan period, leaving a whole generation without sufficient housing. By illustration, if the Council pursues this course of action, supply of housing will not catch up with housing need until year 2035, as follows:

Year	21/22	22/23	23/34	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	36/37
Need	514	514	514	514	514	514	514	514	514	514	514	514	514	514	514	514
Accumulating	514	1028	1542	2056	2570	3084	3598	4112	4626	5140	5654	6168	6682	7196	7710	8224
Stepped Requirement	450	450	450	450	450	480	480	480	480	480	625	625	625	625	625	625
Accumulating	450	900	1350	1800	2250	2730	3210	3690	4170	4650	5275	5900	6525	7150	7775	8400
Shortfall / surplus	-64	-128	-192	-256	-320	-354	-388	-422	-456	-490	-379	-268	-157	-46	65	176

This is not a positive approach to addressing housing need. Policy H1 is inconsistent with the NPPF and unsound, working against the Government imperative to meet need and boost housing land supply

Housing supply

Whilst the proposed changes to the standard method need some work, the message in the consultation paper and in the Planning for the Future White Paper, is clear that the planning system needs to ensure *"sufficient land is released for homes"* (paragraph 6, Changes to the current planning system, consultation paper). In fact, paragraph 6, goes on to highlight the issue that adopted local plans only provide for 187,000 homes a year, significantly below the 300,000 homes a year government target and also less than the 241,000 homes delivered in 2019. This is a clear indication that local plans are failing to provide sufficient homes to meet needs. A planned step change in delivery is essential.

Fareham has suffered from consistent under delivery of housing for many years, as evidenced by the Council's latest Annual Monitoring Reports (2018-2019), published February 2020. Even in the last few years a delivery deficit of 272 new homes has accumulated in the three years between 2016/2017 - 2019/2020, if assessed against the housing standard methodology need figure base-dated at April 2020 (514dpa).

Further, Appendix B of the draft Local Plan outlines an anticipated delivery deficit of 152 new homes between 2021/2022 and 2022/2023, even against the low target of 403 dpa.

As set out by the Government and reflected at the national level, this clearly highlights the need to plan for more homes now, to ensure both market and affordable housing

is delivered to meet the identified need. As set out above, it is inconsistent with the NPPF and unjustified in Fareham Borough to take the approach of retrofitting the requirement to supply towards the latter part of the plan period, from a target of 450 dpa in 2021/22 - 2025/26, to 480 dpa in 2026/27 - 2030/31 and 625 dpa in 2031/32 - 2036/2037.

Identifying deliverable sites is key. However, the plan does not take this approach.

Table 4.2 includes 552 dwellings with outstanding planning permission (be that full or outline) to be delivered in the plan period but it provides no evidence that all these permissions will progress to completion of new homes at the point envisaged.

Clearly this evidence, lacking from the Reg 19 consultation, is absolutely essential in order to test the effectiveness of the plan. The housing trajectory at Appendix B of the plan provides insufficient information to understand how the Council can maintain a five-year housing land supply. It is meaningless and falls far short of the requirement to demonstrate a five year supply and, given the primary reliance on sites rather than broad areas of search, it would be appropriate for the trajectory to set out the anticipated rate of development for those sites, in accordance with NPPF paragraph 73.

In this context, and prior to the publication of an appropriate and transparent evidence base, we would make the following comments.

There is significant reliance on the delivery on new homes at the Welborne Garden Village to meet Fareham's housing target. Welborne accounts for 4,020 homes in the plan period and was original intended to meet housing needs across the sub-region, something that seems to have been lost in the current plan.

Welborne has already suffered from significant delays. An outline planning application was submitted in 2017. Whilst there is a resolution to approve (made in October 2019), the outline consent has not been granted, because the section 106 has yet to be agreed. This is unsurprising, as for such a significant new settlement the section 106 will be complicated. Fareham Housing Land Supply Statement, dated June 2020, suggested that the S106 would be signed and permission issued *"in the near future"* (paragraph 28). Over five months later it has not been signed and outline permission has not been issued.

Once the S106 is agreed and signed by all parties, reserved matter details will need to be prepared, submitted and agreed by the Council and pre-commencement conditions discharged. Construction of dwellings on site could be years away, as infrastructure to support the new homes will need to be provided before the homes themselves.

One of the most significant barriers to delivery at Welborne is the junction 10 improvements to the M27. Only 1,000 dwellings can be delivered before this improvement work is complete. As such it is needed early. The junction 10 improvements are forecast to cost between £85m and £100m, at present it is understood that there is a significant funding gap, with a shortfall of between £55 to £70 million. Press articles suggest that the Council and Partners wrote to the Prime Minster stating that *"the delivery of Welborne Garden Village is in jeopardy unless government funding is urgently found"* (the article was published in Portsmouth News on 8 October 2020, written by Richard Lemmer).

The plan itself does not provide a detailed trajectory for Welborne, neither is there relevant information in the supporting evidence base. The plan states that delivery is expected in the *"short to medium term"*. There is no evidence provide with the plan to demonstrate how and if this will happen or if and how the funding for the junction improvement could be sourced.

The significant funding gap in this key infrastructure requirement casts significant doubt over the ability to deliver Welborne within the timescales anticipated in the plan, or indeed if the full development potential of the site can achieved. Any slippage in delivery, which seems likely based on the funding gap set out above, will reduce the delivery of homes in the plan period. Welborne is a significant site in the plan, delivering almost half of the plans housing requirement. Any delay would have significant consequence for the plan and the five year supply position. To avoid significant consequences for the plan, other deliverable sites should be allocated to ensure housing delivery meets needs.

The Council's latest five-year position statement (June 2020, which is not included in the evidence base for the plan) indicates delivery of 30 dwellings could commence in 2022-2023 but this was based on a consent *"in the near future".* Further delay has clearly occurred and funding of the most critical infrastructure remains unsecure, placing in considerable doubt the ability to deliver 450 dwellings at Welborne between 2022 and 2025 (Fareham's Housing Land Supply Position Statement dated June 2020).

The current position of the Council (dated 24 June 2020) is that it can only demonstrate a deliverable five-year supply of 2,177 homes at 1 April 2020, representing a supply of 4.03 years. This is based on a 5% buffer, but it is likely that the Council will move to a 20%. The statement provided does not include sufficient evidence to demonstrate all the sites includes are deliverable as some fall outside the NPPF's categories (page 66 definition of deliverable). At this point in time, the identified total supply of 8,389 homes in Policy H1 to cover the period 2021 – 2037 includes sites with planning permission and on windfalls, but there is no clarification or visibility as to how this plan-period supply from 1 April 2021 relates to the five-year period from 1 April 2020. Also, there are variances on windfall rates etc.

Until the evidence base is published, there is no clarity of the supply but what us clear is that additional deliverable land is required in order to meet the NPPF requirements.

The Borough's affordability

The NPPF is clear that the of the requirement to *"significantly boost"* the supply of land for new homes. The reason for this is made clear in the government's response to "Changes to the current planning system" updated 16 December 2020, that this is about:

"giving a new generation the chance to access the homes they deserve. The same chances generations before them were given. This is a matter of social justice and inter-generational fairness. It would be wrong for our built environment to respond only to the needs of older, wealthier people. We can and must strive to build more homes, but to do so with sensitivity and care for the environment, heritage and the character of existing communities" (our emphasis)

The Housing White Paper 'Planning for the Future', August 2020, also recognises the need to *"increase the supply of land available for new homes where it is needed to address affordability pressures, support economic growth and the renewal of our towns and cities and foster a more competitive housing market" (page 18).*

Paragraph 1.42 of the draft Local Plan outlines the Borough's affordability issues, namely for first time buyers and households of low income. The Council also highlights that there is now an ageing population that needs to be taken account of.

In the year ending 2019, Fareham's average house price was £288,500. This is approximately 20% higher than the national average in the same year, which according to ONS[1] was £231,996.

To help alleviate the affordability issue, the draft Local Plan should be seeking to boost the supply of housing and reduce the affordability gap.

What is more, the Borough's Affordable Housing Strategy, October 2019, identifies a current affordable need in the Borough of 3,000 households and need across the plan period of 3,500 affordable homes (circa 233 dpa). Delivery at this level would require a significant step change from the current position.

These affordable homes will primarily be delivered in combination with market housing.

It is notable that the housing land supply promoted in the draft local plan amounts to 8,389 new homes. However, 94 of those homes comprise outstanding small permissions and 1,224 'windfalls', noted in the plan as likely to comprise previously developed land. Both categories are highly unlikely to achieve any significant quantum of affordable housing. Further, as noted above, 847 homes are to meet needs from adjacent boroughs and would therefore attract affordable need from adjacent boroughs rather than addressing Fareham Borough need.

Discounting these elements of supply, all housing supply (market and affordable) will be in the region of 6,224 dwellings, so in order to meet the affordable demand 56% would need to be affordable. However, the policy HS5 affordable targets (which are varied depending on location in the Borough) are averaged at 31% affordable across the Borough.

Clearly the overall supply, in combination, will not achieve this level of provision, in fact provision relative to need is likely to be dismal. This is another justification to increase supply above and beyond the standard methodology need figure.

Conclusion

The NPPF is clear that to be found sound the plan must be positively prepared seeking to meet the Borough's objectively assessed housing needs as established by the standard methodology. The use of the draft standard methodology, as set out in the consultation document, as a basis for the housing requirement is untenable, unjustified and inconsistent with the NPPF and Government imperative to boost housing land supply.

[1] https://www.ons.gov.uk/economy/inflationandpriceindices/bulletins/housepriceindex/march2020

The stepped approach to housing delivery is equally inconsistent to the NPPF and unjustified given the additional sustainable sites available, that were previously promoted by the Council as sustainable alternatives (see below). Nothing has changed, and the current omission of these sites renders the plan unsound.

Currently Policy H1 is inconsistent with the NPPF and unsound. To ensure consistency with national policy, specifically, the need to significantly boost the supply of housing, in the plan and the five-year period, the Borough needs to allocate more sites for housing now.

Land to the west of Downend Road (site ID 3009), and to the north of allocation HA4 (site ID 3130)

Regardless of whether the plan needs to identify more land to deliver the homes required to meet housing need, the Council has excluded from the draft plan the land to the west of Downend Road and land to the north of allocation H4. Both sites present suitable, sustainable extensions to Portchester, that will benefit from the services and facilities provided there.

Land to the north of the allocation H4 (ID 3130), could provide a sustainable extension to this allocation, delivering around 100 new homes. It is well connected to the existing settlement and the allocation, and as such would provide a sensible rounding off of the town in this location.

The SHELAA raises concerns in regard to the delivery of the site due to the capacity of the junction of Downend Road at the A27. These concerns are not borne out by the Council's own transport evidence base. In its Strategic Transport Assessment (September 2020) and associated assessments, FBC assessed the earlier spatial strategy for the Borough, which included both the earlier allocation sites (such as HA2 Newgate Lane and HA5 Romsey Avenue), as well as the two SGAs, one at Stubbington and the other comprising the Portchester SGA at Downend Road. In broad terms the Council has therefore assessed the impacts of just over 12,000 dwellings of growth, including 1,000 dwellings at Downend Road, rather than the 8,400 dwellings it now proposes. Overall, the Council assessed the traffic impacts of the projected growth and this assessment does not show a severe or even significant impact arising at the A27 / Downend Road / Shearwater Lane junction. Overall, FBC concluded that, subject to appropriate mitigation on those junctions that do suffer significant impacts, the proposed local plan growth was acceptable:

> *14.16. In conclusions, based on the work of this Strategic Transport Assessment, it is considered that the quantum and distribution of the development proposed in the Fareham Local Plan, and the resulting transport impacts, are capable of mitigation at the strategic level, and that the plan is therefore deliverable and sound from a transport perspective.*

On this basis, there is no reason to discount the land North of H4 on transport grounds.

The land to the west of Downend Road (ID 3009) had been included in the Council's January 2020 update to the local plan as a strategic growth area to deliver new homes, a clear indication that the Council was confident that new homes could be delivered in a suitable and sustainable way in this area.

The approach was clearly support by neighbouring authority, Portsmouth City Council, that responded to the consultation on the 25 February 2020, noting that:

"As outlined above Portsmouth has unmet housing need and potentially unmet employment need. Both of the two Strategic growth areas are reasonably accessible to Portsmouth. However, of the two areas, north of Downend is better located to accommodate unmet housing need from Portsmouth, with a close geographical proximity to the city and good transport links via the M27/ A27, Portchester railway station and the proposed Bus Rapid Transit (BRT) line. A specific reference to Portsmouth's unmet housing need in relation to the North of Downend Strategic Growth Area would provide a clear indication of how the two authorities are dealing with Portsmouth's unmet need through the Duty to Cooperate."

Significant technical work has been undertaken to demonstrate that the site is in a sustainable and suitable location to deliver new homes effectively in the plan period. This work was undertaken in close liaison with Fareham Borough Council and the benefits of the site are clearly recognised by the neighbouring authority.

The site could deliver between 500 and 600 new homes. It abuts the settlement boundary of Portchester, which is established as a sustainable settlement with good rail connections and local employment opportunities. This site also benefits from relatively close proximity to Fareham town centre and access to the services, shops and facilities provided by the town centre.

The SHELAA incorrectly identifies that further work is required to demonstrate a suitable highways solution. Significant work has been undertaken conjunction with the Council, Hampshire County Council, Highways England to demonstrate that the Land can be suitably delivered with access to the A27 achievable, beyond what would normally be required at this stage of the plan. Concept stage design work was presented, supported by extensive supporting information on traffic flows and modelling, each which demonstrate that a new junction to the A27 south of the M27 is achievable. Both HE and HCC confirmed that they were satisfied at this stage that there are no overriding reasons that such a scheme cannot be accommodated.

To add further confidence to this position, the Council's own evidence base assessed the potential impacts of the Land West of Downend Road site, considering 650 dwellings on the land in association with 350 on the HA4 scheme. This forms the Council's current evidence base and has not been reassessed based on its current spatial strategy. The Council's own assessment concludes that the growth assessed (including the SGA) would be deliverable.

Moreover, the delivery of the Lane West of Downend Road site has the potential to provide a substantial contribution to addressing the infrastructure issues that the Borough faces. Particularly, the access strategy discussed in detail with FBC, HCC and HE includes the delivery of a new link road between the A27 corridor (south of M27 Junction 11) and Downend Road. This new road infrastructure will have the effect of significantly reducing traffic levels on the existing A27 corridor through Portchester and at key congestions points, particularly the Delme Roundabout, by removing traffic travelling between Portsdown Hill Road and the M27 corridor. By removing through traffic from the existing A27 corridor through Portchester, the scheme will provide a significant benefit to the operation of the existing network and will form part of the infrastructure solution for the Borough.

To concluded both sites 3130 and 3009 would provide suitable and sustainable sites to deliver new homes, whether these are required to meet the identified housing need or whether they are included in the plan to boost the supply of land for homes.

B4a. What modifications(s) is necessary to make the Local Plan legally compliant and or sound?

The annual requirement for Fareham should be set as at least 514 dwellings per annum in accordance with the Standard Method. This should be planned to be delivered over the plan period, without reliance on delivery later in the plan period.

Additional sites, including SHELAA site 3130 and 3009 should be allocated to help meet this requirement and the market and affordable housing need. In addition, these sites have been identified as key to helping meeting additional unmet need from neighbouring authorities. The evidence base fully supports and justifies the inclusion of this in the plan.

B4b. How would the modification(s) you propose make the Local Plan legally compliant or sound?

The above modifications would resolve the concerns we have with this policy of the plan.

B4c. Your suggested revised working of any policy or text:

The policy needs to be completed revised based on the Standard Methodology figure of 514dpa. This will need to be undertaken in liaison with neighbouring authorities who will need to assess if they can meet their needs assessed using the Standard Methodology approach.

As a result of the increased requirement, there should then be the inclusion of a new housing allocation(s) to include sites 3130 and 3009.

B5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes: [X] **No:** [ ]

B5a. Please outline in the box below why you consider it necessary to take part in the hearing session(s):

Miller Homes should be provided with an opportunity to participate at the hearing part of the examination. The issues raised in regard to the soundness of the Draft Local Plan, in the submitted representation, require detailed examination before an independent inspector.

December 2020 | JG | P20-3154

FAREHAM LOCAL PLAN 2037 REPRESENTATIONS

FORMER POLICY HA2 HOUSING ALLOCATION - LAND AT NEWGATE LANE SOUTH, FAREHAM

ON BEHALF OF
THE HAMMOND FAMILY, MILLER HOMES AND BARGATE HOMES

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

Prepared by: Jeremy Gardiner & Trevor Moody

Pegasus Group

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DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE

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Accompanying Supporting Specialist Representations
(referred to in these representations):

Pegasus Group – Preliminary Landscape and Visual Appraisal

i-Transport – Transport Delivery Technical Note

WYG (part of Tetra Tech) – Ecology Technical Note

1.0 Introduction

1.1 The following representations are by Pegasus Group on behalf of our clients The Hammond Family, Miller Homes and Bargate Homes. Our clients have interests in land at Newgate Lane South, Fareham which was previously proposed to be allocated for about 475 dwellings in the Regulation 18 version of this plan. For the reasons set out in these representations, our clients are strongly of the view that this allocation should be reinstated in the local plan.

1.2 Our clients are important stakeholders within Fareham and are keen to work with the Council to produce a plan which is legally compliant and meets the tests of soundness set out within the National Planning Policy Framework (NPPF). Currently the plan is neither legally compliant nor sound.

1.3 The following representations utilise the same format as the Council's response form. Each area of the Publication Local Plan (PLP) which is deemed to be either not legally compliant or unsound is clearly outlined below. Proposed changes to the plan in relation to policies, supporting text and the proposals map are provided.

	Agent	**Client**
Title	Mr	The Hammond Family, Miller Homes and Bargate Homes c/o Agent
First Name	Jeremy	
Last Name	Gardiner	
Job Title	Senior Director	
Organisation	Pegasus Group	
Address	[redacted]	
Postcode		
Telephone		
Email		

2.0 Plan Overall

B1 Which part of the Local Plan is this representation about?

2.1 The following comments relate to the overall Local Plan.

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan:

2.2 Paragraphs 1.5 - 1.6, 1.14, 1.17,1.37, 2.12, 3.19 - 3.22, 3.43, 3.46, 3.49 – 3.57, 4.1 - 4.20, Appendices B and C.

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan

2.3 Policies H1, HP4, HP5, HP7, DS1, DS2, DS3, E2, E3, NE5, D1.

B1c Which part of the Policies Map

2.4 Former Policy HA2 allocation site Newgate Lane South, Employment allocations Policies E2 and E3.

B2 Do you think the Publication Local Plan is:

Legally compliant - No

Sound - No

Complies with the duty to co-operate - No

2.5 The Fareham Local Plan is not legally compliant and is unsound as it is not consistent with national policy, effective or justified.

B3 Please provide details you have to support your answers above.

B3.1 The Publication Local Plan is not Legally Compliant

2.6 The Publication Local Plan (PLP) has based its housing proposals on the annual housing target derived from the Government's draft Revised Standard Methodology published in August 2020 in its consultation "Planning for the Future". The Government's response to this consultation was published on 16th December 2020.

The Government does not propose to proceed with the changes to assessing local housing need consulted on earlier this year in "Changes to the Current Planning System"; but instead has published a revised approach to the Standard Method, which retains the method in its previous and current form except for London and 19 of the most populated cites and urban centres.

2.7 The key change is to apply a 35% uplift to the Standard Method for Greater London and the 19 most populated cities and urban areas in England – Birmingham, Liverpool, Bristol, Manchester, Sheffield, Leeds, Leicester, Coventry, Bradford, Nottingham, Kingston upon Hull, Newcastle upon Tyne, Stoke on Trent, Southampton, Plymouth, Derby, Reading, Wolverhampton and Brighton and Hove. The minimum housing requirement for Fareham calculated using the amended standard method therefore remains 514hpa.

2.8 The Government's White Paper, "Changes to the Current Planning System" (published in August 2020 alongside the "Planning for the Future" consultation) provided guidance to local planning authorities which were at or close to the Regulation 19 stage of plan-making at paragraph 43:

2.9 *"Transition*

43.The Government is aware that any change in the standard method will have an impact for plans that are currently under development, as authorities expend considerable resources in developing new plans. To enable an orderly transition to the revised standard method, and achieve as much short-term supply as possible while setting the right expectations for early stage plan-making, we propose that from the publication date of the revised guidance, authorities which are already at the second stage of the strategic plan consultation process (Regulation 19) are given 6 months to submit their plan to the Planning Inspectorate for examination. Authorities close to publishing their second stage consultation (Regulation 19), should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan and a further 6 months to submit their plan to the Planning Inspectorate. This is to strike a balance between allowing an appropriate transition period for plans that are nearly through the process, but without causing a significant delay in planning for a higher level of need." (our underlining)

2.10 This transitional arrangement applied to Fareham at the time, such that the previous Standard Method (514hpa) continued to apply for plan-making purposes

in the borough in any event, but the Council chose not to follow this national guidance.

2.11 The National Planning Policy Framework (NPPF) states (paragraph 16 a)) that Plans should "be prepared with the objective of contributing to the achievement of sustainable development". Footnote 10 confirms that this is a legal requirement of local planning authorities in exercising their plan-making functions. Meeting the objectives of sustainable development includes "…meeting the needs of the present…". By preparing a Plan based on the Consultation draft Standard Methodology target of 403 dwellings per annum, the local planning authority is failing to meet its local objectively assessed need for housing, thereby failing to plan to deliver sustainable development.

2.12 The PPG (ID 2a-003-20190220) is clear that the standard method should be used and any other method should only be used in exceptional circumstances. It further explains that:

2.13 *"…Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination."* (PPG ID 2a-015-20190220).

2.14 As discussed above the extant standard method identifies a requirement of 514hpa. The NPPF (paragraph 60) identifies that the current Standard Method provides a minimum requirement. To depart and provide a figure lower than the current Standard Method requires exceptional circumstances and must be justified by clear and robust evidence. This is absent from the Council's evidence base and as such is an unsound approach.

2.15 The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa) – a requirement confirmed by the Government's announcement of 16th December, 2020. As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the Consultation revised Standard Methodology figure of 403 hpa was procedurally flawed, lacking in evidential basis, premature and misleading.

2.16 The NPPF (paragraph 33) also states that plans should be reviewed every 5 years and updated as necessary. The Inspector's Report on the Examination into the Fareham Local Plan Part 2 (dated 12th May 2015) included modifications which were all proposed by the Council. Its first Main Modification was "a commitment to an early review of the local plan (ie. LP1, LP2 and LP3)". This included a timetable for the local plan review between 2016 and 2018 which the Council has failed to adhere to, having previously expressed its commitment to the Inspector.

2.17 The Local Plan Part 3 is the Welborne Plan which was adopted in 2015.The total quantum of housing to be delivered at Welborne has reduced over the years, and the date for its commencement has repeatedly slipped back. The development is currently running about 5 years late. Recently, serious doubts have been expressed over whether it is deliverable at all given the reported funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10. The development is certainly not currently "deliverable" in NPPF terms. Nonetheless, the PLP relies heavily on the delivery of homes at Welborne as by far the most important source of its housing supply - 4,020 homes (just over 48%) out of a total suggested supply of 8,389 homes are timetabled to be completed at Welborne by 2037, and completions are included in the Council's trajectory for the first five years of the plan. Given the heavy reliance placed on a development which, at best, appears to be at serious risk of continuing to be significantly delayed, the Welborne Plan should be reviewed as a matter of urgency.

2.18 Given the importance of the Welborne Plan to housing delivery this is considered an issue of both soundness and legal non-compliance.

B3.2 The Publication Local Plan is not Sound

2.19 Paragraphs 1.5 – 1.6 of the PLP set out the "Tests of Soundness" which require that the Plan has been "positively prepared, justified, effective and consistent with national policy". The PLB fails to meet the Tests of Soundness for the following reasons:

1. It has not been "positively prepared":

2.20 The Plan does not seek to, as a minimum, meet the area's objectively assessed need. Given that the Core Strategy was adopted on 4th August, 2011, it is significantly out of date such that (as advised by paragraph 73 and footnote 32 of

the NPPF) local housing need should be calculated using the current Standard Methodology. On this basis the local housing need target is 514 homes per annum (hpa) plus the appropriate buffer (5% or 20%). Instead, the PLP plans for 403 hpa, thereby failing to plan for the area's objectively assessed need, and failing to contribute to the achievement of sustainable development.

2.21 The lower housing requirement has also not been the subject of sustainability appraisal (SA). Whilst the SA re-assesses sites based upon a lower housing requirement it fails to consider the implications of a lower housing requirement, compared to the current standard method, upon the delivery of the SA objectives. Even if the lower requirement were justified by national policy, which it is not, the retention of the housing requirement at the level previously consulted upon would be a reasonable alternative.

2.22 The Council published an Affordable Housing Strategy in 2019. On page 14 of the Affordable Housing Strategy, it is suggested that there is a need for 3,500 affordable homes to 2036, or circa 220 per annum. This is based on the existing need for 3,000 affordable homes and an allowance of 500 homes to provide for new households and those falling into need. Given that an average of only 76 affordable homes have been built per annum in Fareham Borough since 2011, there is a significant need to boost the supply of additional affordable housing to address needs. Indeed, the delivery of affordable housing needs to almost treble. The provision of affordable housing to address this need is a significant matter.

2.23 It is also unclear whether the PLP has planned to adequately accommodate unmet need from other authorities. The PPG (ID 2a-010-20190220) identifies that meeting unmet needs from neighbouring authorities as set out in a Statement of Common Ground is one reason why local housing need calculated using the current standard should be exceeded. Contrary to the advice within the PPG (ID 2a-010-20190220) there are currently no Statements of Common Ground identifying if the figure of 847 dwellings is adequate or accepted by other authorities. Rather the Council speculates that this contribution would be "ratified" by a subsequent Partnership for South Hampshire Statement of Common Ground (Duty to Co-operate Statement of Compliance, paragraph 4.5). There is, however, no evidence to support this speculation. Indeed, the only evidence presented confirms a request for Fareham to accommodate 1,000 dwellings from a single neighbouring authority. The PLP has been prepared in advance of the publication of Statements of Common Ground –

as such it's preparation is premature.

2.24 At paragraph 4.4 of the PLP it is stated that unmet need in the sub-region over the plan period could be "circa 10,750 dwellings". At paragraph 4.5, Fareham's "immediate neighbours" are considered, and it is confirmed that Portsmouth City Council has requested that Fareham contributes 1,000 dwellings towards its unmet need, and that Gosport is "likely to have an unmet need issue, currently estimated to be in the region of 2,500 dwellings…". The Council's 'Duty to Co-operate Statement of Compliance' identifies at paragraph 4.6 that instead of responding to the request from Portsmouth the Council is proposing to: "…take the approach that the issue of unmet need is not dealt with as specific to any authority, but as a general contribution." It is not clear how this "general contribution" has been calculated but it appears inadequate. Gosport Borough lies between Portsmouth and Fareham. It is clear that Portsmouth cannot accommodate any of Gosport's unmet need so the obvious place to accommodate it is in Fareham Borough, and Fareham East forms part of the Portsmouth Housing Market Area. Therefore, if Fareham plans to deliver the unmet needs of Portsmouth and Gosport, its contribution would be 3,500 homes. However, the PLP (Table 4.1) proposes a contribution of just 847 dwellings to wider unmet need. This figure should be reviewed.

2.25 In relation to unmet need, it should also be remembered that Welborne (previously known as the North of Fareham SDA) was originally conceived by PUSH (now PfSH) as one of two SDAs which were promoted to meet the sub-regional needs of south Hampshire and brought forward in the "South East Plan". The Inspector's Report on the Examination into the Fareham LDF Core Strategy (dated 20th July, 2011) identified five Main Issues, Main Issue 1 being:

"*7. The North of Fareham SDA represents the most significant and controversial element of the Core Strategy. ….While the principle of the SDA"s development is contained in the regional strategy – policy SH2 of the South East Plan (SEP) – the justification for the proposal derives from evidence prepared by South Hampshire local authorities (the Partnership for Urban South Hampshire [PUSH]) during the SEP"s preparation….The advantages of SDAs are seen as threefold: safeguarding existing towns and villages by reducing coalescence; providing more opportunities for planning gain; and achieving a critical mass to deliver sustainability benefits.*

The development now proposed is one of two SDAs proposed by PUSH and brought forward into the SEP. Both are aimed at meeting sub-regional housing needs and, as such, their housing totals are separated from the housing requirement for the remainder of the Boroughs concerned in the sub-regional strategy and SEP." (our underlining)

2.26 However, the Council is now treating Welborne as a source of housing supply for Fareham Borough only, disregarding its planned sub-regional role. This compounds the lack of positive preparation of the PLP and starkly contrasts the Council's current approach to the delivery of housing to meet sub-regional needs with its approach of a decade ago.

2. It is not Justified:

2.27 The PLP's strategy for housing delivery is not appropriate, because it is based on a need figure derived from the draft revised Standard Methodology which was still the subject of public consultation at the time that the Plan was prepared. The Government's response to the consultation is awaited. The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa). As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa is procedurally flawed, lacking in evidential basis, premature and potentially misleading.

3. It is not Effective:

2.28 Fareham has decided to deliberately plan to not meet its local objectively assessed housing need, so fundamentally the plan will not be effective. This, coupled with its apparent failure to plan to contribute appropriately to the unmet housing need of the sub-region, indicates a failure to work effectively with its neighbouring authorities on cross-boundary strategic planning for housing delivery and a failure "to support the Government's objective of significantly boosting the supply of homes" (NPPF, paragraph 59). Rather, the PLP proposes to restrict the supply of homes in the plan period in a way which will exacerbate the local housing crisis.

4. It is not Consistent with National Policy:

2.29 The PLP is not consistent with the NPPF because:

- It will not contribute to the achievement of sustainable development by not, as a minimum, planning to meet its local objectively assessed housing need;
- It is not planning to adequately meet the unmet housing needs of neighbouring authorities in the sub-region;
- It has not based its housing proposals on the current Standard Methodology annual housing need figure of 514 hpa;
- Its strategy lacks a robust evidential justification;
- It's proposed housing land supply includes a majority of housing from sites which are not "deliverable" as defined by the NPPF

B3.3 The Publication Local Plan does not Comply with the Duty to Co-operate

2.30 As stated at B3.1 above, it is unclear whether the PLP has planned to adequately accommodate unmet need from other authorities.

2.31 Against a sub-regional unmet need figure of "circa 10,750 dwellings", and in the context of both neighbouring authorities of Portsmouth City Council and Gosport Borough Council having "unmet need issue(s)", and Havant Borough Council being expressly unable to accommodate any unmet need, the PLP (Table 4.1) proposes a contribution of 847 dwellings to wider unmet need. It is not clear how this has been calculated and it appears inadequate.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

1. Plan to meet, as a minimum, the area's objectively assessed housing need. The current Standard Methodology annual housing need figure is currently 514 hpa.
2. Provide Statements of Common Ground in relation to unmet need from neighbouring and PfSH authorities. Any agreements will need to be included as additional housing to the minimum 514hpa.
3. In any event, plan for a level of housing which contributes to the

achievement of sustainable development.

4. Treat this plan as an interim plan and reaffirm the Council's commitment to undertake an urgent a review of the Welborne Plan for incorporation into a consolidated early review of this plan.

5. The Council has not undertaken SA of all reasonable alternative housing requirements;

6. The Council has not planned to meet current housing needs, opting instead to phase its housing supply in a way which will exacerbate the current significant under-supply problems;

2.32 Consequential to the above, the Council must allocate additional sites for housing in this interim plan (ahead of the urgent review of the Welborne Plan) to meet its confirmed housing target of 514 hpa, including reinstating the allocation of the former Policy HA2 site, Newgate Lane South.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

2.33 The role of plan-making in contributing to the achievement of sustainable development is a legal requirement (Section 39(2) of the Planning and Compulsory Purchase Act 2004).

2.34 Revisions to the plan so that it plans, as a minimum, to meet the local objectively assessed need for housing, meet affordable housing need and adequately contribute to meeting unmet need would assist the PLP to meet the Tests of Soundness.

3.0 Specific Proposed Changes

B4c Suggested revised wording of any policy or text:

Policy H1: Housing provision

3.1 Completely revise the proposed housing target on the basis of the confirmed Standard Methodology figure for the Borough of a minimum of 514 hpa plus an appropriate contribution to meeting sub-regional unmet needs.

3.2 Ensure that the revised housing target includes the delivery of a minimum of 220 affordable homes per annum.

3.3 Plan to deliver the revised housing target including a five year supply of deliverable sites. In this regard, Welborne (the supply of housing from which is relied on heavily by the PLP) cannot currently be regarded as "deliverable" as defined in the NPPF.

3.4 Consequential updates to paragraphs 4.1 – 4.20 including Tables 4.1, 4.2, 4.3.

3.5 Consequential revisions to the list of Housing Allocation Policies under paragraph 4.20 to include allocations sufficient to deliver the revised housing and affordable housing targets, including the re-instatement of HA2 Newgate Lane South for about 500 dwellings.

3.6 Policy H1 also seeks to identify a 'phased' requirement. The overall supply is described as at least 8,389 dwellings - this is just 165 dwellings greater than the requirement when the correct local housing need standard method is applied. Given the need to provide for unmet needs from neighbouring authorities this is clearly insufficient and as such further allocations are required.

3.7 Policy H1 seeks to 'phase' this supply identifying the following:

- Approximately 2,250 dwellings (averaging 450 dwellings per annum) between 2021/22 and 2025/2613,
- Approximately 2,400 dwellings (averaging 480 dwellings per annum) between 2026/27 and 2030/31,

- Approximately 3,750 dwellings (averaging 625 dwellings per annum) between 2031/32 and 2036/2037.

3.8 This phasing clearly will not meet the overall plan requirement. The rationale for this phasing is due to an anticipation that many of the housing allocations will begin to deliver later in the plan period. This is simply a factor of the sites chosen rather than an evidence-based approach to need. The net effect is that in the early part of the plan period the full need will not be met, exacerbating the current significant housing land supply shortfall in the Borough. This will mean households will either be unable to form or will be forced to move elsewhere to find appropriate accommodation. This not only has an impact upon affordability through increased demand but also has implications for social mobility and health for young and old alike.

3.9 The lack of housing to meet needs in the short-term is exacerbated by recent under-delivery of both market and affordable housing. The Council recognises it has under-delivered in recent years due to the reference to the need for a 20% buffer in accordance with NPPF, paragraph 73 (paragraph 4.16, PLP).

3.10 The housing requirement in the PLP should not be phased to manufacture a five-year housing land supply in the short-term. The plan should seek to address housing need now - to do otherwise is not justified or effective.

3.11 The second part of Policy H1 identifies the sources of supply. Whilst our clients do not wish to comment upon individual sites, we do have significant concerns that the sources of supply will not deliver the plan period housing requirement in full. The PLP, paragraph 4.16, acknowledges that many of the chosen sites will not deliver until later in the plan period therefore any slippage in timescale could well push delivery beyond the plan period. Furthermore, the Council is heavily reliant upon delivery at Welborne. Within our comments upon the Plan overall we identify the need for delivery from this site to be reviewed and indeed question whether it is deliverable at all given the funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10.

3.12 Furthermore, the Council cannot currently demonstrate a five-year housing land supply. The Council's most recent assessment of its five-year housing land supply suggests a 4.03-year supply. This assessment appears optimistic given recent

appeal decisions which identify it is closer 2.4 years. Given these shortcomings it is essential that the PLP seeks to address this under-supply in the short-term.

Development Strategy

3.13 This section is substantially focussed on restricting development outside the existing settlement policy boundaries of urban areas. This marks a significant change in approach since the Regulation 18 version of this plan when the emphasis was on a strategy for locating development sustainably. This is in conflict with the NPPF, paragraph 11, which advises that "Plans and decisions should apply a presumption in favour of sustainable development" and that "For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their areas, and be sufficiently flexible to adapt to rapid change".

3.14 The highly restrictive strategic policy approach introduced into the PLP does not accord with this national guidance.

Policy DS1: Development in the Countryside

3.15 For housing development which is brought forward in the absence of a 5 year housing land supply, Policy HP4 applies. This will necessarily introduce new built form onto greenfield sites adjacent or well related to existing urban area boundaries. This will inevitably cause a change to the landscape character of the site and immediately adjacent land. Criteria ii) and iii) require proposals to "conserve and enhance landscapes" and "recognise the intrinsic character and beauty of the countryside". It is not clear which "landscapes" are being referred to – presumably this should be restricted to formally designated landscapes or defined "valued" landscapes because otherwise it could be applied to every area of countryside. It is also not clear how, for example, a housing development can "conserve and enhance" a landscape – relevant measures should be defined. Moreover, it is not clear how the extent to which a proposal has recognised "the intrinsic character of the beauty of the countryside" can be measured. After all, those attributes can be "recognised" but then disregarded. It is true that every area of countryside has a "character" but not that every area of countryside has "beauty".

3.16 Criterion v) should include an exception for development which is brought forward under Policy HP4, where the application of the "tilted balance" would allow the loss of BMVAL.

3.17 Paragraph 3.39 fails to explain how this policy works in relation to housing policies.

Policy DS2: Development in Strategic Gaps

3.18 Strategic Gap 2 "Fareham / Bridgemary and Stubbington / Lee-on-the-Solent" should be redefined to exclude all land to the east of Newgate Lane, between Newgate Lane and the urban settlement boundary of Bridgemary.

3.19 Paragraph 3.46 states:

".Further to the east, retaining the gap will help maintain the separation of Stubbington and Lee-on-the-Solent from Fareham and Bridgemary along with maintaining the separate identity of Peel Common." (our underlining)

3.20 Peel Common is not an urban settlement with a separate identity which merits protection. It has resulted from an evolution of wayside development into ribbon development and even now is, in landscape terms, non-descript as a settlement. The purpose of the gap should be to maintain the separation of Stubbington from Fareham and Lee-on-the-Solent; and the separation of Lee-on-the-Solent from Rowner.

3.21 Paragraph 3.43 refers to "The need to respect settlement boundaries and protect the identity of our key settlements". Peel Common is not a key settlement and it does not have a settlement boundary. The deletion of housing allocation Policy HA2 Newgate Lane South from this version of the local plan has been accompanied by the extension of the Strategic Gap designation across the HA2 site to the settlement boundary of Bridgemary on the Proposals Map. It is suspected that the reference to Peel Common having a "separate identity" in the supporting text has been inserted to attempt to justify the extension of the gap designation over land which has previously been assessed as being suitable for development.

3.22 Paragraph 3.46 states that *"Although no boundary changes are proposed at this time, evidence has shown (that the) boundary of this strategic gap could be redrawn whilst retaining its important function of preventing settlement coalescence.".* This is a key failure of the process at this stage. The Council has a quite recent landscape character assessment as part of the evidence base (2017) and a very recent gap study. There are also two strategic road schemes (one complete, one in construction) that affect the landscape character of this gap. This is surely the time for the Council to redraw the boundaries of this strategic gap and strategically plan for growth.

3.23 In this regard, these representations are accompanied by a Preliminary Landscape and Visual Appraisal prepared by Pegasus Group of the former Policy HA2 site, Newgate Lane South. The Summary and Conclusions of this Appraisal include the following:

"7.7. In summary the site sits within a variable pocket of landscape. In isolation the site comprises remnant agricultural enclosures however it cannot be separated from the extensive urbanising influences which surround and frame it, particularly in the context of the more recent severance of the agricultural land that has arisen from the route of the bypass (Newgate Lane East East)….

7.16. In terms of the Fareham and Stubbington strategic gap, the site (along with its local landscape context), is well placed to accommodate some form of development without undue consequences or impacts on the role and function of the Strategic Gap as a whole. This is on the basis that:

- *A substantial distance will be retained across the wider gap, between the site and Stubbington;*
- *In terms of visibility, the site is physically and visually well contained, placed as the area is within a strong framework of green infrastructure and the settlement edge – furthermore, the site (and potential development) will not be visible across the gap from Stubbington;*
- *The surrounding context and urbanising influences, including the residential areas of Peel Common, Bridgemary and Woodcot which reduce the degree of change as they provide a relevant settlement edge context;*

- *The opportunity to contribute to, and maintain, a strong green infrastructure network and facilitate a strategic green infrastructure connection through the area that will reinforce and connect the linear routes which cross broadly north to south through this area; and*

- *In connection with the green infrastructure provision, the ability to incorporate substantial mitigation that will successfully avoid or minimise landscape and visual effects.*

3.24 These conclusions are consistent with the evidence base in relation to the Strategic Gap which acknowledges that the gap designation does not relate to landscape quality, value or condition; that development can be accommodated within gaps without undermining their function; and that urban influences can detract from the functioning of the gap, to the extent that they present a clear justification for amending the boundaries of the gap. The study concludes that the part of the gap between Peel Common and Bridgemary is weak and under development pressure, particularly with the recently constructed Newgate Lane East now forming such a strong urbanising feature in the local landscape context. The Policy HA2 site is not considered to form part of a priority area which is required to maintain the integrity and function of the Fareham / Stubbington Strategic Gap and it is concluded that the site is well placed to accommodate development that could come forward as a well-connected urban extension without significantly affecting the integrity of the gap and the physical and visual separation of settlements. Indeed, this was the Council's previous conclusion when it proposed to allocate the Policy HA2 site. Its December 2019 SHELAA included commentary on the three land parcels (SHELAA sites 3002, 3028 and 3057) which together make up the Policy HA2 site. The Suitability Comment for sites 3002 and 3028 (the smaller northern and southern parcels) were:

"The site is considered suitable for development as part of the proposed housing allocation. Development could be accommodated without significant effects on the landscape character of the wider area."

3.25 For site 3057 (the larger central parcel) the Suitability Comment was:

> *"Development could be accommodated without significant effects on the landscape character of the wider area (following construction of Newgate Lane South) or the integrity of the Strategic Gap…."*

3.26 All three component parcels of the HA2 site were described as Suitable, Available and Achievable. Nothing has changed in this regard.

Policy DS3: Landscape

3.27 This draft policy designates about a quarter of the land area of the Borough as "Areas of Special Landscape Quality" (as shown on Figure 3.3).

3.28 From the commentary provided in paragraph 3.49, it appears that the Council is equating its 'Areas of Special Landscape Quality' (ASLQ) with 'valued landscapes'. This is questionable. All landscapes are valued at some level by different people. NPPF paragraph 170 triggers a need to consider when landscape value is just a local consideration, or when landscapes are more 'out of the ordinary'. Fundamentally, for a landscape to be a valued landscape, it does not have to be designated - so by designating the ASLQ (or by creating a valued landscape designation) the Council is at risk of creating a policy that is irrelevant, because guidance says that non designated landscapes can be valued, so site-by-site assessments will be required in any event.

3.29 Paragraph 3.55 states that "…all parts of the Borough have some landscape quality and may be sensitive to landscape change". This is ambiguous. All landscape will be of 'a quality' but quality (in GLVIA3 aligned with condition) is only one consideration of landscape sensitivity.

3.30 With regard to "How the policy works", paragraph 3.56 states that *"The criteria within the policy (points a-g) are derived from the Guidelines for Landscape and Visual Impact Assessment (GLVIA 3) published by the Landscape Institute.".* The GLVIA is an extensive and diverse document and, if it is to be used as basis for this policy then a specific reference or explanation should be provided as to how points a-g have been derived.

3.31 Paragraph 3.57 refers to the submission of "…a proportionate Landscape Assessment". This should be amended to require the submission of a 'Landscape and Visual Impact Assessment'. There are many applications of LVIA and several forms of reporting. Reference to LVIA would be specific and clear as to what is required (and incidentally relates better to the approaches set out in GLVIA3).

Policy HP1: New Residential Development

3.32 This policy relates to all new housing proposals. However, it only envisages housing coming forward outside Urban Area boundaries through either the conversion of a non-residential building or as a replacement dwelling. It should also cross-refer to Policy HP4 which allows housing to come forward on land outside Urban Area boundaries if the Council cannot demonstrate a Five Year Housing Land Supply.

3.33 Therefore add:

> **"c) It is for additional housing in circumstances where the Council cannot demonstrate a Five Year Housing Land Supply and Policy HP4 applies."**

Policy HP4: Five-Year Housing Land Supply

3.34 The housing requirement set out in Policy H1 must be re-calculated using the current Standard methodology as described in our comments on draft Policy H1 above.

3.35 Paragraph 5.24 infers that Policy HP4 reproduces Local Plan Part 2 Policy DSP40. However, the third criterion in Policy DSP40 was as follows:

> *"iii) The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;"*

3.36 This has been replaced in Policy HP4 by:

> *"c) The proposal is sensitively designed to reflect the landscape character and setting of the settlement, is of a scale proportionate to its setting and recognises the intrinsic character and beauty of the countryside and, if relevant, does not significantly affect the integrity of a Strategic Gap;"*

3.37 If a five year housing land supply cannot be demonstrated, then in accordance with the NPPF, paragraph 11d, the most relevant policies in the plan would be out of date and the presumption in favour of sustainable development would apply. This policy may therefore be judged to be inappropriate because it adds restrictions which may prevent sustainable sites from coming forward. However,

if such a policy is held to be necessary, then a faithful reproduction of Policy DSP40 iii) is strongly preferred. See our comments on Policy DS1 in this regard.

Policy HP5: Provision of Affordable Housing

3.38 This draft policy states that "affordable housing must be provided" (our underlining) in the following proportions:

i. At least 10% as Social Rent; and

ii. At least 55% as Affordable Rent or Social Rent; and

iii. The remainder, but no less than 10% as Affordable Home Ownership.

iv. The mix of property size and type should reflect the local need and the site characteristics.

3.39 As drafted this policy is not sufficiently flexible. As acknowledged at paragraph 5.36, development viability will be an issue on some sites. As acknowledged at paragraph 5.39, occasionally the tenure mix prescribed by the policy will not be appropriate; and as acknowledged at paragraph 5.34, other exceptional circumstances may arise (such as abnormal costs) which dictate that a non-standard provision of affordable housing is demonstrated to be appropriate.

3.40 Therefore, amend the first part of the policy to read:

"Sites that can accommodate 10 or more dwellings or sites with an area of 0.5 hectares or more shall normally provide: …"

3.41 And amend the second part of the policy to read:

"The affordable housing shall normally be provided in accordance with the following proportions: …"

Policy HP7: Adaptable and Accessible Dwellings

3.42 This draft policy states:

"Development proposals for all new dwellings shall provide:

a) At least 15% of all new dwellings at Category 2 standard; and

b) On schemes of over 100 dwellings (gross), at least 2% of private housing and 5% of affordable housing shall be provided as wheelchair accessible Category 3 properties."

3.43 Similar to Policy HP5 above, as drafted this policy is not sufficiently flexible. It is acknowledged that this policy is based on the requirements of Part M of the Building Regulations but it must allow for circumstances arising which mean that these requirements cannot be delivered (fully or otherwise).

3.44 Therefore, amend the first line of the policy to read:

"Development proposals for all new dwellings shall normally provide: …"

3.45 Paragraph 5.57 of the supporting text states:

"The cost to development for providing Category 2 and 3 is relatively minimal. Flexibility for additional costs have been factored into the viability evidence base and this indicates that the requirements for Category 2 and 3 should have no detrimental impact on the viability of schemes in the Borough..."

3.46 This statement is strongly disputed. In reality, these costs will not be factored into a developer's viability calculations (particularly in relation to Category 3 requirements) because option agreements / conditional contracts will have already been agreed on the sites that the Council want to see come forward, so these costs will not have been anticipated. The Category 3 requirements must be substantiated by quantified evidence of the need for such units in the Borough.

Policy HP9: Self and Custom Build Homes

3.47 This policy requires 10% of dwellings on sites of 40 dwellings or more to be provided for Self and Custom Build Homes. The practical implications of managing self or custom build developments on sites otherwise being constructed by housing developers or housing associations must be carefully considered. There is concern that 40 dwellings is too small a threshold at which to introduce this requirement due to the potentially onerous construction management implications which will arise. It would be preferable for the Council to allocate specific sites for self and custom build developments instead of requiring this element on all housing developments of 40 dwellings or more.

3.48 It is noted that, as stated at paragraph 5.70, only 1% of housing plots at Welborne are required to be provided for self or custom build under the Welborne Plan (2015). Strategic allocations such as Welborne provide the ideal opportunity for parcels of land to be allocated for self or custom build, so that opportunity should not be missed. This should be addressed in the review of the Welborne Plan which is overdue and necessary.

Policy E2: Faraday Business Park

3.49 This draft policy proposes the allocation of land for 65,000 sq. metres of employment development (in addition to the 22,000 sq. metres already consented). The site is designated as a Low Use site for Brent Geese and Waders.

3.50 Criterion e) of the policy states:

> "e) Proposals shall meet the requirements of Policy NE5 given the site's Low Use status for Solent Waders and Brent Geese…"

3.51 The two site-specific reasons for the deletion of housing allocation HA2 Newgate Lane South given in the Fareham SHLAA (in the context of the Council planning for a reduced housing requirement in the PLP) are that the site lies within a Strategic Gap and that the site is designated as a Low Use site for Brent Geese and Waders. Given the proposed allocation at the Faraday Business Park, a site's designation as of Low Use status for Solent Waders and Brent Geese clearly does not prevent a site from being allocated for development.

Policy E3: Swordfish Business Park

3.52 This draft policy proposes the allocation of land for 12,100 sq. metres of employment development (in addition to the 28,000 sq. metres already consented). The site is designated as a Low Use site for Brent Geese and Waders.

3.53 Criterion f) of the policy states:

> "f) Proposals shall meet the requirements of Policy NE5 given the site's Low Use status for Solent Waders and Brent Geese…"

3.54 The two site-specific reasons for the deletion of housing allocation HA2 Newgate Lane South given in the Fareham SHLAA (in the context of the Council planning for a reduced housing requirement in the PLP) are that the site lies within a

Strategic Gap and that the site is designated as a Low Use site for Brent Geese and Waders. Given the proposed allocation at the Swordfish Business Park, a site's designation as of Low Use status for Solent Waders and Brent Geese clearly does not prevent a site from being allocated for development.

Policy NE5: Solent Wader and Brent Goose Sites

3.55 Accompanying these representations is a WYG Technical Note in relation to Ecology and the former Policy HA2 Newgate Lane South housing allocation. This addresses the two proposed options for mitigating the impact of development of Low Use SWBG sites. Policy NE5 limits mitigation solutions to either on-site provision or a financial contribution towards mitigation on a suitable identified site. However, as reported in the Technical Note, an off-site solution has been proposed as part of outline application P/19/1260/OA Land East of Newgate Lane East (that application site being the southern part of the former HA2 allocation), and that solution has been reviewed by the Council's Ecologist and found to be acceptable. This therefore represents a compliant solution which can be replicated for other developments in similar circumstances. Policy NE5 should be amended to include this additional option.

Policy D1: High Quality Design and Place Making

3.56 This is a highly aspirational policy which sets out ten criteria ("key characteristics of high quality design") against which all development proposals will be judged "to ensure the creation of quality places." It is not clear what a "quality place" is – this should be defined. The ten criteria push the "bar" too high – all proposals cannot be expected to "create places that are attractive, memorable, distinctive and of strong character", for example, laudable though those aspirations are. In practice, very few proposals would receive planning permission if assessed against this requirement.

Appendix B: Housing Trajectory

3.57 This appendix must be updated as it does not reflect the quantum of housing required to meet the local needs. It also projects completions of 975 homes in 2023/24 and 961 homes in 2024/5, which are at risk due to the delays to Welborne which continue. Completions from Welborne should be shown separately as previously.

Appendix C:

3.58 The purpose of the inclusion of the Local Ecological Network Map at Appendix C is not understood. It includes the identification of land as "Network Opportunities". This does not appear to have a basis in the policies of the PLP. The former Policy HA2 Newgate Lane South site is identified as a Network Opportunity on this plan. This is not explained. This appendix should be deleted, as happened to a similar plan appended to the Regulation 19 Chichester District Local Plan.

Reinstatement of the Policy HA2: Newgate Lane South housing allocation

3.59 The Council omitted a number of previous housing allocation sites for the Regulation 19 PLP on the basis that the PLP plans for the reduced housing requirement of 403 hpa. We have asserted that this approach fails to comply with legal requirements and is unsound. It is foreseeable that the Council's housing requirement may increase and in such circumstances Policy HA2 should be reintroduced and updated to allocate the site for about 500 dwellings.

3.60 The Policy HA2 site is comprised of three SHELAA sites:

- Copps Field, Newgate Lane, Peel Common (3028);
- Land East of Newgate Lane, Peel Common (3057); and
- Land East of Newgate Lane East, Peel Common (3002).

3.61 In the Council's SHELAA of December 2019, the commentary on each of these sites concluded with a "Suitability" (for allocation for development) Comment. For sites 3002 and 3028 (the smaller northern and southern parcels) the Suitability Comments were:

"The site is considered suitable for development as part of the proposed housing allocation. Development could be accommodated without significant effects on the landscape character of the wider area."

3.62 For site 3057 (the larger central parcel) the Suitability Comment was:

"Development could be accommodated without significant effects on the landscape character of the wider area (following construction of Newgate Lane South) or the integrity of the Strategic Gap…."

3.63 All three component parcels of the HA2 site were described as Suitable, Available and Achievable. Nothing has changed in this regard.

3.64 In omitting Policy HA2 form the PLP, the Council also updated its SHELAA for consistency with the PLP and justified the omission of the HA2 allocation due to the impact of development on the strategic gap, and the fact that the site is a low use SWBG site. Gosport Borough Council also previously objected to the HA2 allocation due to its alleged traffic impact on Newgate Lane East. Taking each of these matters in turn:

Strategic Gap:

3.65 These representations are accompanied by a Preliminary Landscape and Visual Appraisal prepared by Pegasus Group of the former Policy HA2 site, Newgate Lane South. This study concludes that the part of the gap between Peel Common and Bridgemary is weak and under development pressure, particularly with the recently constructed Newgate Lane East now forming such a strong urbanising feature in the local landscape context. The Policy HA2 site is not considered to form part of a priority area which is required to maintain the integrity and function of the Fareham / Stubbington Strategic Gap and it is concluded that the site is well placed to accommodate development that could come forward without significantly affecting the integrity of the gap and the physical and visual separation of settlements. This was the Council's previous conclusion when it proposed to allocate the Policy HA2 site, as evidenced by the quotations from the December 2019 SHELAA above.

Low Use SWBG site:

3.66 It is noted that Employment allocations E2 and E3 are similarly designated. These representations are accompanied by an Ecology Technical Note prepared by WYG which describes the off-site mitigation solution already advanced and agreed by the Council's ecologist in relation to a planning application for housing on the southern part of the HA2 site. Demonstrably, this is not an issue which would prevent development coming forward in principle on this site.

Transport impact:

3.67 These representations are accompanied by a Transport Technical Note prepared by i-Transport. This reports that the Council's transport evidence base was substantially prepared before the Council amended its spatial strategy in response to the draft revised Standard Methodology housing target so it included assessments of the Policy HA2 site, together with other housing allocations since omitted including the two Strategic Growth Areas (SGAs). On this basis the Council's Strategic Transport Assessment concludes that the plan is deliverable and sound from a transport perspective.

3.68 The Transport TN reviews the sustainable transport credentials of the HA2 site. The site is very well served by public transport – it is within a 5-10 minute walk of the South East Hampshire Rapid Transit system, and is close to local bus routes. HCC and its partners have recently submitted funding bids to Government for later stages of the SEHRT which includes a potential extension of the SEHRT to the site and the Solent Enterprise Zone. This will further improve the accessibility of the site to public transport services.

3.69 The site lies in close proximity (comfortable walk or short cycle trip) to major employment areas (Fareham Business Park, Newgate Lane Industrial Estate, Solent EZ) and supermarkets (such as Asda next to the site) for convenience shopping.

3.70 The primary vehicular access to the site will be from a new roundabout on Newgate Lane South. This has been designed to minimise interruptions to traffic flows on Newgate Lane South. The operation of this junction has been modelled, and this confirmed that the greatest queueing delay on any arm during peak periods is about 8 seconds. Thus the roundabout will operate wholly within capacity with a "Level of Service" rating of "A", classified as "Free Flow", such that it will not prejudice the benefits of the recent road project.

3.71 Hampshire County Council has not raised any in principle design or safety concerns with the junction and following substantial dialogue has accepted the junction modelling as a basis to consider the operation of the junction but required consideration of the corridor effects of the junction within the Local Plan evidence base.

3.72 This wider corridor assessment has now been completed with the release of the FBC SRTM Assessment, summarised in Section 4 of the accompanying Transport

TN. In summary this demonstrates that there are no material impacts on the wider Newgate Lane corridor that result from the delivery of an access to the HA2 site from Newgate Lane. Any objection to the allocation of the HA2 site on this basis is therefore not sustainable.

3.73 For all of these reasons, the Council is encouraged to reinstate the Policy HA2 housing allocation for about 500 dwellings. The site is controlled by two highly reputable housing developers – Miller Homes and Bargate Homes – who have a strong local track record of delivery and who are keen to bring it forward for development immediately, such that the site can make a significant contribution to the Council's five year housing land supply.

4.0 Participation at the examination hearing sessions

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session.

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To contribute to testing the legal compliance and soundness of the PLP for the reasons set out in these representations.

December 2020 | JG | P20-3154

FAREHAM LOCAL PLAN 2037 REPRESENTATIONS

LAND AT BROOK AVENUE, WARSASH

ON BEHALF OF
ANTHONY AND LISA KING AND ANDREW AND MELANIE NORRIS

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

Prepared by: Jeremy Gardiner & Trevor Moody

Pegasus Group

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough

DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE

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1.0 Introduction

1.1 The following representations are by Pegasus Group on behalf of our clients, Anthony and Lisa King, and Andrew and Melanie Norris, who own a potential housing site at Brook Avenue, Warsash. For the reasons set out in these representations, our clients are strongly of the view that their land should be allocated for housing development in the local plan.

1.2 These representations are consistent with, and build on, the previous representations which were submitted on behalf of Anthony and Lisa King by WYG in relation to the Fareham Draft Local Plan 2036 Supplement in February, 2020. Those previous representations are re-submitted with this representation for ease of reference.

1.3 The following representations utilise the same format as the Council's response form. Each area of the Publication Local Plan (PLP) which is deemed to be either not legally compliant or unsound is clearly outlined below. Proposed changes to the plan in relation to policies, supporting text and the proposals map are provided.

	Agent	**Client**
Title	Mr	Anthony and Lisa King and Andrew and Melanie Norris c/o Agent
First Name	Jeremy	
Last Name	Gardiner	
Job Title	Senior Director	
Organisation	Pegasus Group	
Address	[redacted]	
Postcode		
Telephone		
Email		

2.0 Plan Overall

B1 Which part of the Local Plan is this representation about?

2.1 The following comments relate to the overall Local Plan.

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan:

2.2 Paragraphs 1.5 - 1.6, 1.14, 1.17,1.37, 2.12, 3.19 - 3.22, 3.43, 3.46, 3.49 – 3.57, 4.1 - 4.20, Appendices B and C.

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan

2.3 Policies H1, HP4, HP5, HP7, DS1, DS2, DS3, E2, E3, NE5, D1.

B1c Which part of the Policies Map

2.4 Former Policy HA2 allocation site Newgate Lane South, Employment allocations Policies E2 and E3.

B2 Do you think the Publication Local Plan is:

Legally compliant - No

Sound - No

Complies with the duty to co-operate - No

2.5 The Fareham Local Plan is not legally compliant and is unsound as it is not consistent with national policy, effective or justified.

B3 Please provide details you have to support your answers above.

B3.1 The Publication Local Plan is not Legally Compliant

2.6 The Publication Local Plan (PLP) has based its housing proposals on the annual housing target derived from the Government's draft Revised Standard Methodology published in August 2020 in its consultation "Planning for the Future". The Government's response to this consultation was published on 16th December 2020.

The Government does not propose to proceed with the changes to assessing local housing need consulted on earlier this year in "Changes to the Current Planning System"; but instead has published a revised approach to the Standard Method, which retains the method in its previous and current form except for London and 19 of the most populated cites and urban centres.

2.7 The key change is to apply a 35% uplift to the Standard Method for Greater London and the 19 most populated cities and urban areas in England – Birmingham, Liverpool, Bristol, Manchester, Sheffield, Leeds, Leicester, Coventry, Bradford, Nottingham, Kingston upon Hull, Newcastle upon Tyne, Stoke on Trent, Southampton, Plymouth, Derby, Reading, Wolverhampton and Brighton and Hove. The minimum housing requirement for Fareham calculated using the amended standard method therefore remains 514hpa.

2.8 The Government's White Paper, "Changes to the Current Planning System" (published in August 2020 alongside the "Planning for the Future" consultation) provided guidance to local planning authorities which were at or close to the Regulation 19 stage of plan-making at paragraph 43:

2.9 "Transition

43.The Government is aware that any change in the standard method will have an impact for plans that are currently under development, as authorities expend considerable resources in developing new plans. To enable an orderly transition to the revised standard method, and achieve as much short-term supply as possible while setting the right expectations for early stage plan-making, we propose that from the publication date of the revised guidance, authorities which are already at the second stage of the strategic plan consultation process (Regulation 19) are given 6 months to submit their plan to the Planning Inspectorate for examination. Authorities close to publishing their second stage consultation (Regulation 19), should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan and a further 6 months to submit their plan to the Planning Inspectorate. This is to strike a balance between allowing an appropriate transition period for plans that are nearly through the process, but without causing a significant delay in planning for a higher level of need." (our underlining)

2.10 This transitional arrangement applied to Fareham at the time, such that the previous Standard Method (514hpa) continued to apply for plan-making purposes

in the borough in any event, but the Council chose not to follow this national guidance.

2.11 The National Planning Policy Framework (NPPF) states (paragraph 16 a)) that Plans should "be prepared with the objective of contributing to the achievement of sustainable development". Footnote 10 confirms that this is a legal requirement of local planning authorities in exercising their plan-making functions. Meeting the objectives of sustainable development includes "…meeting the needs of the present…". By preparing a Plan based on the Consultation draft Standard Methodology target of 403 dwellings per annum, the local planning authority is failing to meet its local objectively assessed need for housing, thereby failing to plan to deliver sustainable development.

2.12 The PPG (ID 2a-003-20190220) is clear that the standard method should be used and any other method should only be used in exceptional circumstances. It further explains that:

2.13 *"…Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination."* (PPG ID 2a-015-20190220).

2.14 As discussed above the extant standard method identifies a requirement of 514hpa. The NPPF (paragraph 60) identifies that the current Standard Method provides a minimum requirement. To depart and provide a figure lower than the current Standard Method requires exceptional circumstances and must be justified by clear and robust evidence. This is absent from the Council's evidence base and as such is an unsound approach.

2.15 The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa) – a requirement confirmed by the Government's announcement of 16th December, 2020. As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the Consultation revised Standard Methodology figure of 403 hpa was procedurally flawed, lacking in evidential basis, premature and misleading.

2.16 The NPPF (paragraph 33) also states that plans should be reviewed every 5 years and updated as necessary. The Inspector's Report on the Examination into the Fareham Local Plan Part 2 (dated 12th May 2015) included modifications which were all proposed by the Council. Its first Main Modification was "a commitment to an early review of the local plan (ie. LP1, LP2 and LP3)". This included a timetable for the local plan review between 2016 and 2018 which the Council has failed to adhere to, having previously expressed its commitment to the Inspector.

2.17 The Local Plan Part 3 is the Welborne Plan which was adopted in 2015.The total quantum of housing to be delivered at Welborne has reduced over the years, and the date for its commencement has repeatedly slipped back. The development is currently running about 5 years late. Recently, serious doubts have been expressed over whether it is deliverable at all given the reported funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10. The development is certainly not currently "deliverable" in NPPF terms. Nonetheless, the PLP relies heavily on the delivery of homes at Welborne as by far the most important source of its housing supply - 4,020 homes (just over 48%) out of a total suggested supply of 8,389 homes are timetabled to be completed at Welborne by 2037, and completions are included in the Council's trajectory for the first five years of the plan. Given the heavy reliance placed on a development which, at best, appears to be at serious risk of continuing to be significantly delayed, the Welborne Plan should be reviewed as a matter of urgency.

2.18 Given the importance of the Welborne Plan to housing delivery this is considered an issue of both soundness and legal non-compliance.

B3.2 The Publication Local Plan is not Sound

2.19 Paragraphs 1.5 – 1.6 of the PLP set out the "Tests of Soundness" which require that the Plan has been "positively prepared, justified, effective and consistent with national policy". The PLB fails to meet the Tests of Soundness for the following reasons:

1. It has not been "positively prepared":

2.20 The Plan does not seek to, as a minimum, meet the area's objectively assessed need. Given that the Core Strategy was adopted on 4th August, 2011, it is significantly out of date such that (as advised by paragraph 73 and footnote 32 of

the NPPF) local housing need should be calculated using the current Standard Methodology. On this basis the local housing need target is 514 homes per annum (hpa) plus the appropriate buffer (5% or 20%). Instead, the PLP plans for 403 hpa, thereby failing to plan for the area's objectively assessed need, and failing to contribute to the achievement of sustainable development.

2.21 The lower housing requirement has also not been the subject of sustainability appraisal (SA). Whilst the SA re-assesses sites based upon a lower housing requirement it fails to consider the implications of a lower housing requirement, compared to the current standard method, upon the delivery of the SA objectives. Even if the lower requirement were justified by national policy, which it is not, the retention of the housing requirement at the level previously consulted upon would be a reasonable alternative.

2.22 The Council published an Affordable Housing Strategy in 2019. On page 14 of the Affordable Housing Strategy, it is suggested that there is a need for 3,500 affordable homes to 2036, or circa 220 per annum. This is based on the existing need for 3,000 affordable homes and an allowance of 500 homes to provide for new households and those falling into need. Given that an average of only 76 affordable homes have been built per annum in Fareham Borough since 2011, there is a significant need to boost the supply of additional affordable housing to address needs. Indeed, the delivery of affordable housing needs to almost treble. The provision of affordable housing to address this need is a significant matter.

2.23 It is also unclear whether the PLP has planned to adequately accommodate unmet need from other authorities. The PPG (ID 2a-010-20190220) identifies that meeting unmet needs from neighbouring authorities as set out in a Statement of Common Ground is one reason why local housing need calculated using the current standard should be exceeded. Contrary to the advice within the PPG (ID 2a-010-20190220) there are currently no Statements of Common Ground identifying if the figure of 847 dwellings is adequate or accepted by other authorities. Rather the Council speculates that this contribution would be "ratified" by a subsequent Partnership for South Hampshire Statement of Common Ground (Duty to Co-operate Statement of Compliance, paragraph 4.5). There is, however, no evidence to support this speculation. Indeed, the only evidence presented confirms a request for Fareham to accommodate 1,000 dwellings from a single neighbouring authority. The PLP has been prepared in advance of the publication of Statements of Common Ground –

as such it's preparation is premature.

2.24 At paragraph 4.4 of the PLP it is stated that unmet need in the sub-region over the plan period could be "circa 10,750 dwellings". At paragraph 4.5, Fareham's "immediate neighbours" are considered, and it is confirmed that Portsmouth City Council has requested that Fareham contributes 1,000 dwellings towards its unmet need, and that Gosport is "likely to have an unmet need issue, currently estimated to be in the region of 2,500 dwellings…". The Council's 'Duty to Co-operate Statement of Compliance' identifies at paragraph 4.6 that instead of responding to the request from Portsmouth the Council is proposing to: "…take the approach that the issue of unmet need is not dealt with as specific to any authority, but as a general contribution." It is not clear how this "general contribution" has been calculated but it appears inadequate. Gosport Borough lies between Portsmouth and Fareham. It is clear that Portsmouth cannot accommodate any of Gosport's unmet need so the obvious place to accommodate it is in Fareham Borough, and Fareham East forms part of the Portsmouth Housing Market Area. Therefore, if Fareham plans to deliver the unmet needs of Portsmouth and Gosport, its contribution would be 3,500 homes. However, the PLP (Table 4.1) proposes a contribution of just 847 dwellings to wider unmet need. This figure should be reviewed.

2.25 In relation to unmet need, it should also be remembered that Welborne (previously known as the North of Fareham SDA) was originally conceived by PUSH (now PfSH) as one of two SDAs which were promoted to meet the sub-regional needs of south Hampshire and brought forward in the "South East Plan". The Inspector's Report on the Examination into the Fareham LDF Core Strategy (dated 20th July, 2011) identified five Main Issues, Main Issue 1 being:

"*7. The North of Fareham SDA represents the most significant and controversial element of the Core Strategy. ….While the principle of the SDA"s development is contained in the regional strategy – policy SH2 of the South East Plan (SEP) – the justification for the proposal derives from evidence prepared by South Hampshire local authorities (the Partnership for Urban South Hampshire [PUSH]) during the SEP"s preparation….The advantages of SDAs are seen as threefold: safeguarding existing towns and villages by reducing coalescence; providing more opportunities for planning gain; and achieving a critical mass to deliver sustainability benefits.*

The development now proposed is one of two SDAs proposed by PUSH and brought forward into the SEP. Both are aimed at meeting sub-regional housing needs and, as such, their housing totals are separated from the housing requirement for the remainder of the Boroughs concerned in the sub-regional strategy and SEP." (our underlining)

2.26 However, the Council is now treating Welborne as a source of housing supply for Fareham Borough only, disregarding its planned sub-regional role. This compounds the lack of positive preparation of the PLP and starkly contrasts the Council's current approach to the delivery of housing to meet sub-regional needs with its approach of a decade ago.

2. It is not Justified:

2.27 The PLP's strategy for housing delivery is not appropriate, because it is based on a need figure derived from the draft revised Standard Methodology which was still the subject of public consultation at the time that the Plan was prepared. The Government's response to the consultation is awaited. The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa). As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa is procedurally flawed, lacking in evidential basis, premature and potentially misleading.

3. It is not Effective:

2.28 Fareham has decided to deliberately plan to not meet its local objectively assessed housing need, so fundamentally the plan will not be effective. This, coupled with its apparent failure to plan to contribute appropriately to the unmet housing need of the sub-region, indicates a failure to work effectively with its neighbouring authorities on cross-boundary strategic planning for housing delivery and a failure "to support the Government's objective of significantly boosting the supply of homes" (NPPF, paragraph 59). Rather, the PLP proposes to restrict the supply of homes in the plan period in a way which will exacerbate the local housing crisis.

4. It is not Consistent with National Policy:

2.29 The PLP is not consistent with the NPPF because:

- It will not contribute to the achievement of sustainable development by not, as a minimum, planning to meet its local objectively assessed housing need;
- It is not planning to adequately meet the unmet housing needs of neighbouring authorities in the sub-region;
- It has not based its housing proposals on the current Standard Methodology annual housing need figure of 514 hpa;
- Its strategy lacks a robust evidential justification;
- It's proposed housing land supply includes a majority of housing from sites which are not "deliverable" as defined by the NPPF

B3.3 The Publication Local Plan does not Comply with the Duty to Co-operate

2.30 As stated at B3.1 above, it is unclear whether the PLP has planned to adequately accommodate unmet need from other authorities.

2.31 Against a sub-regional unmet need figure of "circa 10,750 dwellings", and in the context of both neighbouring authorities of Portsmouth City Council and Gosport Borough Council having "unmet need issue(s)", and Havant Borough Council being expressly unable to accommodate any unmet need, the PLP (Table 4.1) proposes a contribution of 847 dwellings to wider unmet need. It is not clear how this has been calculated and it appears inadequate.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

1. Plan to meet, as a minimum, the area's objectively assessed housing need. The current Standard Methodology annual housing need figure is currently 514 hpa.
2. Provide Statements of Common Ground in relation to unmet need from neighbouring and PfSH authorities. Any agreements will need to be included as additional housing to the minimum 514hpa.
3. In any event, plan for a level of housing which contributes to the

achievement of sustainable development.

4. Treat this plan as an interim plan and reaffirm the Council's commitment to undertake an urgent a review of the Welborne Plan for incorporation into a consolidated early review of this plan.

5. The Council has not undertaken SA of all reasonable alternative housing requirements;

6. The Council has not planned to meet current housing needs, opting instead to phase its housing supply in a way which will exacerbate the current significant under-supply problems;

2.32 Consequential to the above, the Council must allocate additional sites for housing in this interim plan (ahead of the urgent review of the Welborne Plan) to meet its confirmed housing target of 514 hpa, including the allocation of our clients' site at Brook Avenue, Warsash.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

2.33 The role of plan-making in contributing to the achievement of sustainable development is a legal requirement (Section 39(2) of the Planning and Compulsory Purchase Act 2004).

2.34 Revisions to the plan so that it plans, as a minimum, to meet the local objectively assessed need for housing, meet affordable housing need and adequately contribute to meeting unmet need would assist the PLP to meet the Tests of Soundness.

3.0 Specific Proposed Changes

B4c Suggested revised wording of any policy or text:

Policy H1: Housing provision

3.1 Completely revise the proposed housing target on the basis of the confirmed Standard Methodology figure for the Borough of a minimum of 514 hpa plus an appropriate contribution to meeting sub-regional unmet needs.

3.2 Ensure that the revised housing target includes the delivery of a minimum of 220 affordable homes per annum.

3.3 Plan to deliver the revised housing target including a five year supply of deliverable sites. In this regard, Welborne (the supply of housing from which is relied on heavily by the PLP) cannot currently be regarded as "deliverable" as defined in the NPPF.

3.4 Consequential updates to paragraphs 4.1 – 4.20 including Tables 4.1, 4.2, 4.3.

3.5 Consequential revisions to the list of Housing Allocation Policies under paragraph 4.20 to include allocations sufficient to deliver the revised housing and affordable housing targets, including the allocation of our clients' land at Brook Avenue, Warsash.

3.6 Policy H1 also seeks to identify a 'phased' requirement. The overall supply is described as at least 8,389 dwellings - this is just 165 dwellings greater than the requirement when the correct local housing need standard method is applied. Given the need to provide for unmet needs from neighbouring authorities this is clearly insufficient and as such further allocations are required.

3.7 Policy H1 seeks to 'phase' this supply identifying the following:

- Approximately 2,250 dwellings (averaging 450 dwellings per annum) between 2021/22 and 2025/2613,
- Approximately 2,400 dwellings (averaging 480 dwellings per annum) between 2026/27 and 2030/31,

- Approximately 3,750 dwellings (averaging 625 dwellings per annum) between 2031/32 and 2036/2037.

3.8 This phasing clearly will not meet the overall plan requirement. The rationale for this phasing is due to an anticipation that many of the housing allocations will begin to deliver later in the plan period. This is simply a factor of the sites chosen rather than an evidence-based approach to need. The net effect is that in the early part of the plan period the full need will not be met, exacerbating the current significant housing land supply shortfall in the Borough. This will mean households will either be unable to form or will be forced to move elsewhere to find appropriate accommodation. This not only has an impact upon affordability through increased demand but also has implications for social mobility and health for young and old alike.

3.9 The lack of housing to meet needs in the short-term is exacerbated by recent under-delivery of both market and affordable housing. The Council recognises it has under-delivered in recent years due to the reference to the need for a 20% buffer in accordance with NPPF, paragraph 73 (paragraph 4.16, PLP).

3.10 The housing requirement in the PLP should not be phased to manufacture a five-year housing land supply in the short-term. The plan should seek to address housing need now - to do otherwise is not justified or effective.

3.11 The second part of Policy H1 identifies the sources of supply. Whilst our clients do not wish to comment upon individual sites, we do have significant concerns that the sources of supply will not deliver the plan period housing requirement in full. The PLP, paragraph 4.16, acknowledges that many of the chosen sites will not deliver until later in the plan period therefore any slippage in timescale could well push delivery beyond the plan period. Furthermore, the Council is heavily reliant upon delivery at Welborne. Within our comments upon the Plan overall we identify the need for delivery from this site to be reviewed and indeed question whether it is deliverable at all given the funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10.

3.12 Furthermore, the Council cannot currently demonstrate a five-year housing land supply. The Council's most recent assessment of its five-year housing land supply suggests a 4.03-year supply. This assessment appears optimistic given recent

appeal decisions which identify it is closer 2.4 years. Given these shortcomings it is essential that the PLP seeks to address this under-supply in the short-term.

Development Strategy

3.13 This section is substantially focussed on restricting development outside the existing settlement policy boundaries of urban areas. This marks a significant change in approach since the Regulation 18 version of this plan when the emphasis was on a strategy for locating development sustainably. This is in conflict with the NPPF, paragraph 11, which advises that "Plans and decisions should apply a presumption in favour of sustainable development" and that "For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their areas, and be sufficiently flexible to adapt to rapid change".

3.14 The highly restrictive strategic policy approach introduced into the PLP does not accord with this national guidance.

Policy DS1: Development in the Countryside

3.15 For housing development which is brought forward in the absence of a 5 year housing land supply, Policy HP4 applies. This will necessarily introduce new built form onto greenfield sites adjacent or well related to existing urban area boundaries. This will inevitably cause a change to the landscape character of the site and immediately adjacent land. Criteria ii) and iii) require proposals to "conserve and enhance landscapes" and "recognise the intrinsic character and beauty of the countryside". It is not clear which "landscapes" are being referred to – presumably this should be restricted to formally designated landscapes or defined "valued" landscapes because otherwise it could be applied to every area of countryside. It is also not clear how, for example, a housing development can "conserve and enhance" a landscape – relevant measures should be defined. Moreover, it is not clear how the extent to which a proposal has recognised "the intrinsic character of the beauty of the countryside" can be measured. After all, those attributes can be "recognised" but then disregarded. It is true that every area of countryside has a "character" but not that every area of countryside has "beauty".

3.16 Criterion v) should include an exception for development which is brought forward under Policy HP4, where the application of the "tilted balance" would allow the loss of BMVAL.

3.17 Paragraph 3.39 fails to explain how this policy works in relation to housing policies.

Policy DS3: Landscape

3.27 This draft policy designates about a quarter of the land area of the Borough as "Areas of Special Landscape Quality" (ASLQ) as shown on Figure 3.3 of the plan. This proposed designation affects our clients' site at Brook Lane, Warsash and all immediately surrounding land except (curiously) the Egmont Nursery site, Brook Avenue, which is a proposed allocation in the PLP and which has outline planning permission for 8 dwellings.

3.28 From the commentary provided in paragraph 3.49, it appears that the Council is equating its 'Areas of Special Landscape Quality' (ASLQ) with 'valued landscapes'. This is questionable. All landscapes are valued at some level by different people. NPPF paragraph 170 triggers a need to consider when landscape value is just a local consideration, or when landscapes are more 'out of the ordinary'. Fundamentally, for a landscape to be a valued landscape, it does not have to be designated - so by designating the ASLQ (or by creating a valued landscape designation) the Council is at risk of creating a policy that is irrelevant, because guidance says that non designated landscapes can be valued, so site-by-site assessments will be required in any event. In our view, **this creation of a potentially irrelevant layer of policy is unnecessary and Policy DS3 should be deleted.**

However, if it is held that Policy DS3 should be retained in the plan, then the following comments apply:

3.29 Paragraph 3.55 states that "…all parts of the Borough have some landscape quality and may be sensitive to landscape change". This is ambiguous. All landscape will be of 'a quality' but quality (in GLVIA3 aligned with condition) is only one consideration of landscape sensitivity.

3.30 With regard to "How the policy works", paragraph 3.56 states that *"The criteria within the policy (points a-g) are derived from the Guidelines for Landscape and Visual Impact Assessment (GLVIA 3) published by the Landscape Institute.".* The GLVIA is an extensive and diverse document and, if it is to be used as basis for this policy then a specific reference or explanation should be provided as to how points a-g have been derived.

3.31 Paragraph 3.57 refers to the submission of "…a proportionate Landscape Assessment". This should be amended to require the submission of a 'Landscape and Visual Impact Assessment'. There are many applications of Landscape Assessment and several forms of reporting. Reference to LVIA would be specific and clear as to what is required (and incidentally relates better to the approaches set out in GLVIA3).

Policy HP1: New Residential Development

3.32 This policy relates to all new housing proposals. However, it only envisages housing coming forward outside Urban Area boundaries through either the conversion of a non-residential building or as a replacement dwelling. It should also cross-refer to Policy HP4 which allows housing to come forward on land outside Urban Area boundaries if the Council cannot demonstrate a Five Year Housing Land Supply.

3.33 Therefore add:

> **"c) It is for additional housing in circumstances where the Council cannot demonstrate a Five Year Housing Land Supply and Policy HP4 applies."**

Policy HP4: Five-Year Housing Land Supply

3.34 The housing requirement set out in Policy H1 must be re-calculated using the current Standard methodology as described in our comments on draft Policy H1 above.

3.35 Paragraph 5.24 infers that Policy HP4 reproduces Local Plan Part 2 Policy DSP40. However, the third criterion in Policy DSP40 was as follows:

> *"iii) The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;"*

3.36 This has been replaced in Policy HP4 by:

> *"c) The proposal is sensitively designed to reflect the landscape character and setting of the settlement, is of a scale proportionate to its setting and recognises the intrinsic character and beauty of the countryside and, if relevant, does not significantly affect the integrity of a Strategic Gap;"*

3.37 If a five year housing land supply cannot be demonstrated, then in accordance with the NPPF, paragraph 11d, the most relevant policies in the plan would be out of date and the presumption in favour of sustainable development would apply. This policy may therefore be judged to be inappropriate because it adds restrictions which may prevent sustainable sites from coming forward. However, if such a policy is held to be necessary, then a faithful reproduction of Policy DSP40 iii) is strongly preferred. See our comments on Policy DS1 in this regard.

Policy HP5: Provision of Affordable Housing

3.38 This draft policy states that "affordable housing <u>must</u> be provided" (our underlining) in the following proportions:

i. At least 10% as Social Rent; and

ii. At least 55% as Affordable Rent or Social Rent; and

iii. The remainder, but no less than 10% as Affordable Home Ownership.

iv. The mix of property size and type should reflect the local need and the site characteristics.

3.39 As drafted this policy is not sufficiently flexible. As acknowledged at paragraph 5.36, development viability will be an issue on some sites. As acknowledged at paragraph 5.39, occasionally the tenure mix prescribed by the policy will not be appropriate; and as acknowledged at paragraph 5.34, other exceptional circumstances may arise (such as abnormal costs) which dictate that a non-standard provision of affordable housing is demonstrated to be appropriate.

3.40 Therefore, amend the first part of the policy to read:

> **"Sites that can accommodate 10 or more dwellings or sites with an area of 0.5 hectares or more shall normally provide: …"**

3.41 And amend the second part of the policy to read:

> **"The affordable housing shall normally be provided in accordance with the following proportions: …"**

Policy HP7: Adaptable and Accessible Dwellings

3.42 This draft policy states:

"Development proposals for all new dwellings shall provide:

a) At least 15% of all new dwellings at Category 2 standard; and

b) On schemes of over 100 dwellings (gross), at least 2% of private housing and 5% of affordable housing shall be provided as wheelchair accessible Category 3 properties."

3.43 Similar to Policy HP5 above, as drafted this policy is not sufficiently flexible. It is acknowledged that this policy is based on the requirements of Part M of the Building Regulations but it must allow for circumstances arising which mean that these requirements cannot be delivered (fully or otherwise).

3.44 Therefore, amend the first line of the policy to read:

"Development proposals for all new dwellings shall normally provide: …"

3.45 Paragraph 5.57 of the supporting text states:

"The cost to development for providing Category 2 and 3 is relatively minimal. Flexibility for additional costs have been factored into the viability evidence base and this indicates that the requirements for Category 2 and 3 should have no detrimental impact on the viability of schemes in the Borough..."

3.46 This statement is strongly disputed. In reality, these costs will not be factored into a developer's viability calculations (particularly in relation to Category 3 requirements) because option agreements / conditional contracts will have already been agreed on many of the sites that the Council want to see come forward, so these costs will not have been anticipated. The Category 3 requirements must be substantiated by quantified evidence of the need for such units in the Borough.

Policy HP9: Self and Custom Build Homes

3.47 This policy requires 10% of dwellings on sites of 40 dwellings or more to be provided for Self and Custom Build Homes. The practical implications of managing self or custom build developments on sites otherwise being constructed by housing developers or housing associations must be carefully considered. There is concern that 40 dwellings is too small a threshold at which to introduce this requirement due to the potentially onerous construction management implications which will arise. It would be preferable for the Council to allocate specific sites for self and custom build developments instead of requiring this element on all housing developments of 40 dwellings or more.

3.48 It is noted that, as stated at paragraph 5.70, only 1% of housing plots at Welborne are required to be provided for self or custom build under the Welborne Plan (2015). Strategic allocations such as Welborne provide the ideal opportunity for parcels of land to be allocated for self or custom build, so that opportunity should not be missed. This should be addressed in the review of the Welborne Plan which is overdue and necessary.

Policy D1: High Quality Design and Place Making

3.56 This is a highly aspirational policy which sets out ten criteria ("key characteristics of high quality design") against which all development proposals will be judged

"to ensure the creation of quality places." It is not clear what a "quality place" is – this should be defined. The ten criteria push the "bar" too high – all proposals cannot be expected to "create places that are attractive, memorable, distinctive and of strong character", for example, laudable though those aspirations are. In practice, very few proposals would receive planning permission if assessed against this requirement.

Appendix B: Housing Trajectory

3.57 This appendix must be updated as it does not reflect the quantum of housing required to meet the local needs. It also projects completions of 975 homes in 2023/24 and 961 homes in 2024/5, which are at risk due to the delays to Welborne which continue. Completions from Welborne should be shown separately as previously.

Appendix C:

3.58 The purpose of the inclusion of the Local Ecological Network Map at Appendix C is not understood. It includes the identification of land as "Network Opportunities". This does not appear to have a basis in the policies of the PLP. The plan is difficult to interpret given its scale but all or part of our clients' site may be identified as a Network Opportunity on this plan. This is not explained. This appendix should be deleted, as happened to a similar plan appended to the Regulation 19 Chichester District Local Plan.

Proposed housing allocation – land at Brook Avenue, Warsash

3.59 Our clients' site is identified at Appendix A of the accompanying February 2020 representations. It is SHELAA Site ID 3050 which is assessed as a "Discounted Housing Site" on page 161 of the Council's most recent SHELAA dated September 2020. Here it is confirmed that the site has a gross area of 2.04ha and an estimated yield of 55 dwellings. The site's "Suitability" (for development) was assessed as follows:

"Constraints: *Agricultural Land Grade 3b, Within 500m of SPA, Within 500m of SAC, Within 500m of Ramsar, Within 500m of SSSI, Countryside.*

Highways / Pedestrian access: *Access from the south would be unacceptable as the link to Brook Lane is narrow. Access from the north onto Brook Avenue is considered feasible. Footway provision along Brook Avenue would be required to Brook Lane.*

Conservation Comments: *No known constraints.*

Noise / Air Quality Assessment: *No issues.*

Archaeology: *Site not within identified area of archaeological potential.*

Ecology Comment: *The site contains an improved grassland field with boundary vegetation, which could be utilised by foraging and commuting bats, reptiles, dormice and breeding birds. Issues arising from increased recreation within the SINC will need to be considered. Protection and enhancement of the boundary vegetation is required.*

Accessible Facility Types 6/10: *Within 1600m of a Secondary School, within 800m of a Convenience Store or Supermarket, within 400m of a High Frequency Bus Stops, within 800m of a Accessible Green or Play Space, within 1200m of a Primary School, within 1600m of a Town/District or Local Centre.*

Reason for Discounting: *Development of scale promoted would not be in keeping with the settlement pattern.*

Is the site suitable? *No*

Is the site available? *Yes*

Is the site considered achievable? *Yes"*

Our comments:

The site is considered to be available and achievable for housing, but not suitable. This appears to be an illogical conclusion from the assessment

provided, particularly when account is taken of other planning permissions and allocations in the immediate area.

Proximity to the SPA/SAC/Ramsar and SSSI are not objections in principle to development in this location – as evidenced by the planning permission for housing at Egmont Nursery to the west of our clients' land (so closer to European designated sites) and the allocation of the "Warsash cluster" of housing sites north and south of Greenaway Lane a short distance to the east.

Access is available from Brook Avenue to the north.

There are no conservation, archaeology, noise or air quality constraints.

The site offers some ecological potential but this can be mitigated.

The site is sustainably located within walking distances of secondary and primary schools, local services and facilities including convenience shopping and a high frequency bus route.

Therefore, it appears that the only reason it was not allocated for housing was because the estimated yield of 55 dwellings was held to be not *"in keeping with the settlement pattern".* The site's area is 2.04ha, so a scheme of 55 dwellings would be at a density of about 27 dwellings per hectare, a relatively low density.

To the east of the site are consolidated frontages of suburban housing fronting Brook Lane and Brook Avenue, but to the west housing along Brook Avenue is of lower density and is more sporadic.

In this context, it is suggested that the density of housing development should reduce east to west across the site, that the site should be allocated for "about 25 dwellings", but that its capacity should be confirmed through a detailed assessment of its constraints and the preparation of a feasibility layout.

For these reasons, the Council is encouraged to allocate our clients' site at Brook Avenue, Warsash for about 25 dwellings. Our clients have received many expressions of interest in their land from housing

developers, such that the site is deliverable in the short term and can make a modest though important contribution to the Council's five year housing land supply.

4.0 Participation at the examination hearing sessions

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session.

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To contribute to testing the legal compliance and soundness of the PLP for the reasons set out in these representations.

Representations | Pat Rook

1812-261942

Respondent details:

Title:	Mrs
First Name:	Pat
Last Name:	Rook
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
Telephone Number:	
Email Address:	

1) Paragraph: 9.1

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 9.10 Whereas the LPA is aspiring to Nitrate Neutrality, Strategic Policy NE1 requires designated sites be protected and ENHANCED Likewise Para 9.50 (Policy NE4) confirms permissions will be granted when the integrity of designated sites be maintained or IMPROVED. Finally, Page 199 Para 9.54 indicates that proposals for development should provide a net REDUCTION in eutrophication for designated sites in an unfavourable condition. The LPA's approach therefore contravenes both the Habitats Directive and the Publication Plan in respect of these policies. Furthermore, a leading QC's opinion is it is unclear how any development could be contemplated in the Western Wards without negatively impacting the SAC and RAMSAR sites and therefore based on proximity alone, this would invalidate the deliverability of these developments. As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves beyond scientific doubt, that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been mitigated (rather than compensated). There is doubt that the LPA is applying the Natural England advice correctly and lawfully in this respect.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

no comment

How would the modification(s) you propose make the Local Plan legally compliant or sound?

no comment

Your suggested revised wording of any policy or text:

no comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

2) Paragraph: 10.26

Legally compliant	Yes
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 10.26 Infrastructure Delivery Plan calls for the expansion of health care provision through the addition of further GP locations in the Western Wards, However the table provided within the document only provides an historic timeline pre-dating the Local Plan

What modification(s) is necessary to make the Local Plan legally compliant or sound?

n/a

How would the modification(s) you propose make the Local Plan legally compliant or sound?

n/a

Your suggested revised wording of any policy or text:

n/a

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

December 2020 | JG | P20-3154

FAREHAM LOCAL PLAN 2037 REPRESENTATIONS

FORMER POLICY HA2 HOUSING ALLOCATION - LAND AT NEWGATE LANE SOUTH, FAREHAM

ON BEHALF OF
THE HAMMOND FAMILY, MILLER HOMES AND BARGATE HOMES

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

Prepared by: Jeremy Gardiner & Trevor Moody

Pegasus Group

Birmingham | Bracknell | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough

DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE

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Accompanying Supporting Specialist Representations
(referred to in these representations):

Pegasus Group – Preliminary Landscape and Visual Appraisal

i-Transport – Transport Delivery Technical Note

WYG (part of Tetra Tech) – Ecology Technical Note

1.0 Introduction

1.1 The following representations are by Pegasus Group on behalf of our clients The Hammond Family, Miller Homes and Bargate Homes. Our clients have interests in land at Newgate Lane South, Fareham which was previously proposed to be allocated for about 475 dwellings in the Regulation 18 version of this plan. For the reasons set out in these representations, our clients are strongly of the view that this allocation should be reinstated in the local plan.

1.2 Our clients are important stakeholders within Fareham and are keen to work with the Council to produce a plan which is legally compliant and meets the tests of soundness set out within the National Planning Policy Framework (NPPF). Currently the plan is neither legally compliant nor sound.

1.3 The following representations utilise the same format as the Council's response form. Each area of the Publication Local Plan (PLP) which is deemed to be either not legally compliant or unsound is clearly outlined below. Proposed changes to the plan in relation to policies, supporting text and the proposals map are provided.

	Agent	**Client**
Title	Mr	The Hammond Family, Miller Homes and Bargate Homes c/o Agent
First Name	Jeremy	
Last Name	Gardiner	
Job Title	Senior Director	
Organisation	Pegasus Group	
Address	[redacted]	
Postcode		
Telephone		
Email		

2.0 Plan Overall

B1 Which part of the Local Plan is this representation about?

2.1 The following comments relate to the overall Local Plan.

B1a Which paragraph? Please enter the correct paragraph found in the Local Plan:

2.2 Paragraphs 1.5 - 1.6, 1.14, 1.17,1.37, 2.12, 3.19 - 3.22, 3.43, 3.46, 3.49 – 3.57, 4.1 - 4.20, Appendices B and C.

B1b Which Policy? Please enter the correct Policy Codes found in the Local Plan

2.3 Policies H1, HP4, HP5, HP7, DS1, DS2, DS3, E2, E3, NE5, D1.

B1c Which part of the Policies Map

2.4 Former Policy HA2 allocation site Newgate Lane South, Employment allocations Policies E2 and E3.

B2 Do you think the Publication Local Plan is:

Legally compliant - No

Sound - No

Complies with the duty to co-operate - No

2.5 The Fareham Local Plan is not legally compliant and is unsound as it is not consistent with national policy, effective or justified.

B3 Please provide details you have to support your answers above.

B3.1 The Publication Local Plan is not Legally Compliant

2.6 The Publication Local Plan (PLP) has based its housing proposals on the annual housing target derived from the Government's draft Revised Standard Methodology published in August 2020 in its consultation "Planning for the Future". The Government's response to this consultation was published on 16th December 2020.

The Government does not propose to proceed with the changes to assessing local housing need consulted on earlier this year in "Changes to the Current Planning System"; but instead has published a revised approach to the Standard Method, which retains the method in its previous and current form except for London and 19 of the most populated cites and urban centres.

2.7 The key change is to apply a 35% uplift to the Standard Method for Greater London and the 19 most populated cities and urban areas in England – Birmingham, Liverpool, Bristol, Manchester, Sheffield, Leeds, Leicester, Coventry, Bradford, Nottingham, Kingston upon Hull, Newcastle upon Tyne, Stoke on Trent, Southampton, Plymouth, Derby, Reading, Wolverhampton and Brighton and Hove. The minimum housing requirement for Fareham calculated using the amended standard method therefore remains 514hpa.

2.8 The Government's White Paper, "Changes to the Current Planning System" (published in August 2020 alongside the "Planning for the Future" consultation) provided guidance to local planning authorities which were at or close to the Regulation 19 stage of plan-making at paragraph 43:

2.9 *"Transition*

43.The Government is aware that any change in the standard method will have an impact for plans that are currently under development, as authorities expend considerable resources in developing new plans. To enable an orderly transition to the revised standard method, and achieve as much short-term supply as possible while setting the right expectations for early stage plan-making, we propose that from the publication date of the revised guidance, authorities which are already at the second stage of the strategic plan consultation process (Regulation 19) are given 6 months to submit their plan to the Planning Inspectorate for examination. Authorities close to publishing their second stage consultation (Regulation 19), should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan and a further 6 months to submit their plan to the Planning Inspectorate. This is to strike a balance between allowing an appropriate transition period for plans that are nearly through the process, but without causing a significant delay in planning for a higher level of need." (our underlining)

2.10 This transitional arrangement applied to Fareham at the time, such that the previous Standard Method (514hpa) continued to apply for plan-making purposes

in the borough in any event, but the Council chose not to follow this national guidance.

2.11 The National Planning Policy Framework (NPPF) states (paragraph 16 a)) that Plans should "be prepared with the objective of contributing to the achievement of sustainable development". Footnote 10 confirms that this is a legal requirement of local planning authorities in exercising their plan-making functions. Meeting the objectives of sustainable development includes "…meeting the needs of the present…". By preparing a Plan based on the Consultation draft Standard Methodology target of 403 dwellings per annum, the local planning authority is failing to meet its local objectively assessed need for housing, thereby failing to plan to deliver sustainable development.

2.12 The PPG (ID 2a-003-20190220) is clear that the standard method should be used and any other method should only be used in exceptional circumstances. It further explains that:

2.13 *"…Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination."* (PPG ID 2a-015-20190220).

2.14 As discussed above the extant standard method identifies a requirement of 514hpa. The NPPF (paragraph 60) identifies that the current Standard Method provides a minimum requirement. To depart and provide a figure lower than the current Standard Method requires exceptional circumstances and must be justified by clear and robust evidence. This is absent from the Council's evidence base and as such is an unsound approach.

2.15 The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa) – a requirement confirmed by the Government's announcement of 16th December, 2020. As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the Consultation revised Standard Methodology figure of 403 hpa was procedurally flawed, lacking in evidential basis, premature and misleading.

2.16 The NPPF (paragraph 33) also states that plans should be reviewed every 5 years and updated as necessary. The Inspector's Report on the Examination into the Fareham Local Plan Part 2 (dated 12th May 2015) included modifications which were all proposed by the Council. Its first Main Modification was "a commitment to an early review of the local plan (ie. LP1, LP2 and LP3)". This included a timetable for the local plan review between 2016 and 2018 which the Council has failed to adhere to, having previously expressed its commitment to the Inspector.

2.17 The Local Plan Part 3 is the Welborne Plan which was adopted in 2015.The total quantum of housing to be delivered at Welborne has reduced over the years, and the date for its commencement has repeatedly slipped back. The development is currently running about 5 years late. Recently, serious doubts have been expressed over whether it is deliverable at all given the reported funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10. The development is certainly not currently "deliverable" in NPPF terms. Nonetheless, the PLP relies heavily on the delivery of homes at Welborne as by far the most important source of its housing supply - 4,020 homes (just over 48%) out of a total suggested supply of 8,389 homes are timetabled to be completed at Welborne by 2037, and completions are included in the Council's trajectory for the first five years of the plan. Given the heavy reliance placed on a development which, at best, appears to be at serious risk of continuing to be significantly delayed, the Welborne Plan should be reviewed as a matter of urgency.

2.18 Given the importance of the Welborne Plan to housing delivery this is considered an issue of both soundness and legal non-compliance.

B3.2 The Publication Local Plan is not Sound

2.19 Paragraphs 1.5 – 1.6 of the PLP set out the "Tests of Soundness" which require that the Plan has been "positively prepared, justified, effective and consistent with national policy". The PLB fails to meet the Tests of Soundness for the following reasons:

1. It has not been "positively prepared":

2.20 The Plan does not seek to, as a minimum, meet the area's objectively assessed need. Given that the Core Strategy was adopted on 4th August, 2011, it is significantly out of date such that (as advised by paragraph 73 and footnote 32 of

the NPPF) local housing need should be calculated using the current Standard Methodology. On this basis the local housing need target is 514 homes per annum (hpa) plus the appropriate buffer (5% or 20%). Instead, the PLP plans for 403 hpa, thereby failing to plan for the area's objectively assessed need, and failing to contribute to the achievement of sustainable development.

2.21 The lower housing requirement has also not been the subject of sustainability appraisal (SA). Whilst the SA re-assesses sites based upon a lower housing requirement it fails to consider the implications of a lower housing requirement, compared to the current standard method, upon the delivery of the SA objectives. Even if the lower requirement were justified by national policy, which it is not, the retention of the housing requirement at the level previously consulted upon would be a reasonable alternative.

2.22 The Council published an Affordable Housing Strategy in 2019. On page 14 of the Affordable Housing Strategy, it is suggested that there is a need for 3,500 affordable homes to 2036, or circa 220 per annum. This is based on the existing need for 3,000 affordable homes and an allowance of 500 homes to provide for new households and those falling into need. Given that an average of only 76 affordable homes have been built per annum in Fareham Borough since 2011, there is a significant need to boost the supply of additional affordable housing to address needs. Indeed, the delivery of affordable housing needs to almost treble. The provision of affordable housing to address this need is a significant matter.

2.23 It is also unclear whether the PLP has planned to adequately accommodate unmet need from other authorities. The PPG (ID 2a-010-20190220) identifies that meeting unmet needs from neighbouring authorities as set out in a Statement of Common Ground is one reason why local housing need calculated using the current standard should be exceeded. Contrary to the advice within the PPG (ID 2a-010-20190220) there are currently no Statements of Common Ground identifying if the figure of 847 dwellings is adequate or accepted by other authorities. Rather the Council speculates that this contribution would be "ratified" by a subsequent Partnership for South Hampshire Statement of Common Ground (Duty to Co-operate Statement of Compliance, paragraph 4.5). There is, however, no evidence to support this speculation. Indeed, the only evidence presented confirms a request for Fareham to accommodate 1,000 dwellings from a single neighbouring authority. The PLP has been prepared in advance of the publication of Statements of Common Ground –

as such it's preparation is premature.

2.24 At paragraph 4.4 of the PLP it is stated that unmet need in the sub-region over the plan period could be "circa 10,750 dwellings". At paragraph 4.5, Fareham's "immediate neighbours" are considered, and it is confirmed that Portsmouth City Council has requested that Fareham contributes 1,000 dwellings towards its unmet need, and that Gosport is "likely to have an unmet need issue, currently estimated to be in the region of 2,500 dwellings…". The Council's 'Duty to Co-operate Statement of Compliance' identifies at paragraph 4.6 that instead of responding to the request from Portsmouth the Council is proposing to: "…take the approach that the issue of unmet need is not dealt with as specific to any authority, but as a general contribution." It is not clear how this "general contribution" has been calculated but it appears inadequate. Gosport Borough lies between Portsmouth and Fareham. It is clear that Portsmouth cannot accommodate any of Gosport's unmet need so the obvious place to accommodate it is in Fareham Borough, and Fareham East forms part of the Portsmouth Housing Market Area. Therefore, if Fareham plans to deliver the unmet needs of Portsmouth and Gosport, its contribution would be 3,500 homes. However, the PLP (Table 4.1) proposes a contribution of just 847 dwellings to wider unmet need. This figure should be reviewed.

2.25 In relation to unmet need, it should also be remembered that Welborne (previously known as the North of Fareham SDA) was originally conceived by PUSH (now PfSH) as one of two SDAs which were promoted to meet the sub-regional needs of south Hampshire and brought forward in the "South East Plan". The Inspector's Report on the Examination into the Fareham LDF Core Strategy (dated 20th July, 2011) identified five Main Issues, Main Issue 1 being:

"*7. The North of Fareham SDA represents the most significant and controversial element of the Core Strategy. ….While the principle of the SDA"s development is contained in the regional strategy – policy SH2 of the South East Plan (SEP) – the justification for the proposal derives from evidence prepared by South Hampshire local authorities (the Partnership for Urban South Hampshire [PUSH]) during the SEP"s preparation….The advantages of SDAs are seen as threefold: safeguarding existing towns and villages by reducing coalescence; providing more opportunities for planning gain; and achieving a critical mass to deliver sustainability benefits.*

The development now proposed is one of two SDAs proposed by PUSH and brought forward into the SEP. Both are aimed at meeting sub-regional housing needs and, as such, their housing totals are separated from the housing requirement for the remainder of the Boroughs concerned in the sub-regional strategy and SEP." (our underlining)

2.26 However, the Council is now treating Welborne as a source of housing supply for Fareham Borough only, disregarding its planned sub-regional role. This compounds the lack of positive preparation of the PLP and starkly contrasts the Council's current approach to the delivery of housing to meet sub-regional needs with its approach of a decade ago.

2. It is not Justified:

2.27 The PLP's strategy for housing delivery is not appropriate, because it is based on a need figure derived from the draft revised Standard Methodology which was still the subject of public consultation at the time that the Plan was prepared. The Government's response to the consultation is awaited. The Government's guidance is that transitional arrangements require Regulation 19 plans to be based on the current Standard Methodology figure (in Fareham's case, 514 hpa). As such, Fareham's decision to progress to Regulation 19 stage with a strategy based on the draft revised Standard Methodology figure of 403 hpa is procedurally flawed, lacking in evidential basis, premature and potentially misleading.

3. It is not Effective:

2.28 Fareham has decided to deliberately plan to not meet its local objectively assessed housing need, so fundamentally the plan will not be effective. This, coupled with its apparent failure to plan to contribute appropriately to the unmet housing need of the sub-region, indicates a failure to work effectively with its neighbouring authorities on cross-boundary strategic planning for housing delivery and a failure "to support the Government's objective of significantly boosting the supply of homes" (NPPF, paragraph 59). Rather, the PLP proposes to restrict the supply of homes in the plan period in a way which will exacerbate the local housing crisis.

4. It is not Consistent with National Policy:

2.29 The PLP is not consistent with the NPPF because:

- It will not contribute to the achievement of sustainable development by not, as a minimum, planning to meet its local objectively assessed housing need;
- It is not planning to adequately meet the unmet housing needs of neighbouring authorities in the sub-region;
- It has not based its housing proposals on the current Standard Methodology annual housing need figure of 514 hpa;
- Its strategy lacks a robust evidential justification;
- It's proposed housing land supply includes a majority of housing from sites which are not "deliverable" as defined by the NPPF

B3.3 The Publication Local Plan does not Comply with the Duty to Co-operate

2.30 As stated at B3.1 above, it is unclear whether the PLP has planned to adequately accommodate unmet need from other authorities.

2.31 Against a sub-regional unmet need figure of "circa 10,750 dwellings", and in the context of both neighbouring authorities of Portsmouth City Council and Gosport Borough Council having "unmet need issue(s)", and Havant Borough Council being expressly unable to accommodate any unmet need, the PLP (Table 4.1) proposes a contribution of 847 dwellings to wider unmet need. It is not clear how this has been calculated and it appears inadequate.

B4a What modification(s) is necessary to make the Local Plan legally compliant or sound?

1. Plan to meet, as a minimum, the area's objectively assessed housing need. The current Standard Methodology annual housing need figure is currently 514 hpa.
2. Provide Statements of Common Ground in relation to unmet need from neighbouring and PfSH authorities. Any agreements will need to be included as additional housing to the minimum 514hpa.
3. In any event, plan for a level of housing which contributes to the

achievement of sustainable development.

4. Treat this plan as an interim plan and reaffirm the Council's commitment to undertake an urgent a review of the Welborne Plan for incorporation into a consolidated early review of this plan.

5. The Council has not undertaken SA of all reasonable alternative housing requirements;

6. The Council has not planned to meet current housing needs, opting instead to phase its housing supply in a way which will exacerbate the current significant under-supply problems;

2.32 Consequential to the above, the Council must allocate additional sites for housing in this interim plan (ahead of the urgent review of the Welborne Plan) to meet its confirmed housing target of 514 hpa, including reinstating the allocation of the former Policy HA2 site, Newgate Lane South.

B4b How would the modification(s) you propose make the Local Plan legally compliant or sound?

2.33 The role of plan-making in contributing to the achievement of sustainable development is a legal requirement (Section 39(2) of the Planning and Compulsory Purchase Act 2004).

2.34 Revisions to the plan so that it plans, as a minimum, to meet the local objectively assessed need for housing, meet affordable housing need and adequately contribute to meeting unmet need would assist the PLP to meet the Tests of Soundness.

3.0 Specific Proposed Changes

B4c Suggested revised wording of any policy or text:

Policy H1: Housing provision

3.1 Completely revise the proposed housing target on the basis of the confirmed Standard Methodology figure for the Borough of a minimum of 514 hpa plus an appropriate contribution to meeting sub-regional unmet needs.

3.2 Ensure that the revised housing target includes the delivery of a minimum of 220 affordable homes per annum.

3.3 Plan to deliver the revised housing target including a five year supply of deliverable sites. In this regard, Welborne (the supply of housing from which is relied on heavily by the PLP) cannot currently be regarded as "deliverable" as defined in the NPPF.

3.4 Consequential updates to paragraphs 4.1 – 4.20 including Tables 4.1, 4.2, 4.3.

3.5 Consequential revisions to the list of Housing Allocation Policies under paragraph 4.20 to include allocations sufficient to deliver the revised housing and affordable housing targets, including the re-instatement of HA2 Newgate Lane South for about 500 dwellings.

3.6 Policy H1 also seeks to identify a 'phased' requirement. The overall supply is described as at least 8,389 dwellings - this is just 165 dwellings greater than the requirement when the correct local housing need standard method is applied. Given the need to provide for unmet needs from neighbouring authorities this is clearly insufficient and as such further allocations are required.

3.7 Policy H1 seeks to 'phase' this supply identifying the following:

- Approximately 2,250 dwellings (averaging 450 dwellings per annum) between 2021/22 and 2025/2613,
- Approximately 2,400 dwellings (averaging 480 dwellings per annum) between 2026/27 and 2030/31,

- Approximately 3,750 dwellings (averaging 625 dwellings per annum) between 2031/32 and 2036/2037.

3.8 This phasing clearly will not meet the overall plan requirement. The rationale for this phasing is due to an anticipation that many of the housing allocations will begin to deliver later in the plan period. This is simply a factor of the sites chosen rather than an evidence-based approach to need. The net effect is that in the early part of the plan period the full need will not be met, exacerbating the current significant housing land supply shortfall in the Borough. This will mean households will either be unable to form or will be forced to move elsewhere to find appropriate accommodation. This not only has an impact upon affordability through increased demand but also has implications for social mobility and health for young and old alike.

3.9 The lack of housing to meet needs in the short-term is exacerbated by recent under-delivery of both market and affordable housing. The Council recognises it has under-delivered in recent years due to the reference to the need for a 20% buffer in accordance with NPPF, paragraph 73 (paragraph 4.16, PLP).

3.10 The housing requirement in the PLP should not be phased to manufacture a five-year housing land supply in the short-term. The plan should seek to address housing need now - to do otherwise is not justified or effective.

3.11 The second part of Policy H1 identifies the sources of supply. Whilst our clients do not wish to comment upon individual sites, we do have significant concerns that the sources of supply will not deliver the plan period housing requirement in full. The PLP, paragraph 4.16, acknowledges that many of the chosen sites will not deliver until later in the plan period therefore any slippage in timescale could well push delivery beyond the plan period. Furthermore, the Council is heavily reliant upon delivery at Welborne. Within our comments upon the Plan overall we identify the need for delivery from this site to be reviewed and indeed question whether it is deliverable at all given the funding gap of tens of millions of pounds that exists in relation to the required upgrade of M27 junction 10.

3.12 Furthermore, the Council cannot currently demonstrate a five-year housing land supply. The Council's most recent assessment of its five-year housing land supply suggests a 4.03-year supply. This assessment appears optimistic given recent

appeal decisions which identify it is closer 2.4 years. Given these shortcomings it is essential that the PLP seeks to address this under-supply in the short-term.

Development Strategy

3.13 This section is substantially focussed on restricting development outside the existing settlement policy boundaries of urban areas. This marks a significant change in approach since the Regulation 18 version of this plan when the emphasis was on a strategy for locating development sustainably. This is in conflict with the NPPF, paragraph 11, which advises that "Plans and decisions should apply a presumption in favour of sustainable development" and that "For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their areas, and be sufficiently flexible to adapt to rapid change".

3.14 The highly restrictive strategic policy approach introduced into the PLP does not accord with this national guidance.

Policy DS1: Development in the Countryside

3.15 For housing development which is brought forward in the absence of a 5 year housing land supply, Policy HP4 applies. This will necessarily introduce new built form onto greenfield sites adjacent or well related to existing urban area boundaries. This will inevitably cause a change to the landscape character of the site and immediately adjacent land. Criteria ii) and iii) require proposals to "conserve and enhance landscapes" and "recognise the intrinsic character and beauty of the countryside". It is not clear which "landscapes" are being referred to – presumably this should be restricted to formally designated landscapes or defined "valued" landscapes because otherwise it could be applied to every area of countryside. It is also not clear how, for example, a housing development can "conserve and enhance" a landscape – relevant measures should be defined. Moreover, it is not clear how the extent to which a proposal has recognised "the intrinsic character of the beauty of the countryside" can be measured. After all, those attributes can be "recognised" but then disregarded. It is true that every area of countryside has a "character" but not that every area of countryside has "beauty".

3.16 Criterion v) should include an exception for development which is brought forward under Policy HP4, where the application of the "tilted balance" would allow the loss of BMVAL.

3.17 Paragraph 3.39 fails to explain how this policy works in relation to housing policies.

Policy DS2: Development in Strategic Gaps

3.18 Strategic Gap 2 "Fareham / Bridgemary and Stubbington / Lee-on-the-Solent" should be redefined to exclude all land to the east of Newgate Lane, between Newgate Lane and the urban settlement boundary of Bridgemary.

3.19 Paragraph 3.46 states:

".Further to the east, retaining the gap will help maintain the separation of Stubbington and Lee-on-the-Solent from Fareham and Bridgemary along with maintaining the separate identity of Peel Common." (our underlining)

3.20 Peel Common is not an urban settlement with a separate identity which merits protection. It has resulted from an evolution of wayside development into ribbon development and even now is, in landscape terms, non-descript as a settlement. The purpose of the gap should be to maintain the separation of Stubbington from Fareham and Lee-on-the-Solent; and the separation of Lee-on-the-Solent from Rowner.

3.21 Paragraph 3.43 refers to "The need to respect settlement boundaries and protect the identity of our key settlements". Peel Common is not a key settlement and it does not have a settlement boundary. The deletion of housing allocation Policy HA2 Newgate Lane South from this version of the local plan has been accompanied by the extension of the Strategic Gap designation across the HA2 site to the settlement boundary of Bridgemary on the Proposals Map. It is suspected that the reference to Peel Common having a "separate identity" in the supporting text has been inserted to attempt to justify the extension of the gap designation over land which has previously been assessed as being suitable for development.

3.22 Paragraph 3.46 states that *"Although no boundary changes are proposed at this time, evidence has shown (that the) boundary of this strategic gap could be redrawn whilst retaining its important function of preventing settlement coalescence.".* This is a key failure of the process at this stage. The Council has a quite recent landscape character assessment as part of the evidence base (2017) and a very recent gap study. There are also two strategic road schemes (one complete, one in construction) that affect the landscape character of this gap. This is surely the time for the Council to redraw the boundaries of this strategic gap and strategically plan for growth.

3.23 In this regard, these representations are accompanied by a Preliminary Landscape and Visual Appraisal prepared by Pegasus Group of the former Policy HA2 site, Newgate Lane South. The Summary and Conclusions of this Appraisal include the following:

"7.7. In summary the site sits within a variable pocket of landscape. In isolation the site comprises remnant agricultural enclosures however it cannot be separated from the extensive urbanising influences which surround and frame it, particularly in the context of the more recent severance of the agricultural land that has arisen from the route of the bypass (Newgate Lane East East)….

7.16. In terms of the Fareham and Stubbington strategic gap, the site (along with its local landscape context), is well placed to accommodate some form of development without undue consequences or impacts on the role and function of the Strategic Gap as a whole. This is on the basis that:

- *A substantial distance will be retained across the wider gap, between the site and Stubbington;*
- *In terms of visibility, the site is physically and visually well contained, placed as the area is within a strong framework of green infrastructure and the settlement edge – furthermore, the site (and potential development) will not be visible across the gap from Stubbington;*
- *The surrounding context and urbanising influences, including the residential areas of Peel Common, Bridgemary and Woodcot which reduce the degree of change as they provide a relevant settlement edge context;*

- *The opportunity to contribute to, and maintain, a strong green infrastructure network and facilitate a strategic green infrastructure connection through the area that will reinforce and connect the linear routes which cross broadly north to south through this area; and*

- *In connection with the green infrastructure provision, the ability to incorporate substantial mitigation that will successfully avoid or minimise landscape and visual effects.*

3.24 These conclusions are consistent with the evidence base in relation to the Strategic Gap which acknowledges that the gap designation does not relate to landscape quality, value or condition; that development can be accommodated within gaps without undermining their function; and that urban influences can detract from the functioning of the gap, to the extent that they present a clear justification for amending the boundaries of the gap. The study concludes that the part of the gap between Peel Common and Bridgemary is weak and under development pressure, particularly with the recently constructed Newgate Lane East now forming such a strong urbanising feature in the local landscape context. The Policy HA2 site is not considered to form part of a priority area which is required to maintain the integrity and function of the Fareham / Stubbington Strategic Gap and it is concluded that the site is well placed to accommodate development that could come forward as a well-connected urban extension without significantly affecting the integrity of the gap and the physical and visual separation of settlements. Indeed, this was the Council's previous conclusion when it proposed to allocate the Policy HA2 site. Its December 2019 SHELAA included commentary on the three land parcels (SHELAA sites 3002, 3028 and 3057) which together make up the Policy HA2 site. The Suitability Comment for sites 3002 and 3028 (the smaller northern and southern parcels) were:

"The site is considered suitable for development as part of the proposed housing allocation. Development could be accommodated without significant effects on the landscape character of the wider area."

3.25 For site 3057 (the larger central parcel) the Suitability Comment was:

> *"Development could be accommodated without significant effects on the landscape character of the wider area (following construction of Newgate Lane South) or the integrity of the Strategic Gap…."*

3.26 All three component parcels of the HA2 site were described as Suitable, Available and Achievable. Nothing has changed in this regard.

Policy DS3: Landscape

3.27 This draft policy designates about a quarter of the land area of the Borough as "Areas of Special Landscape Quality" (as shown on Figure 3.3).

3.28 From the commentary provided in paragraph 3.49, it appears that the Council is equating its 'Areas of Special Landscape Quality' (ASLQ) with 'valued landscapes'. This is questionable. All landscapes are valued at some level by different people. NPPF paragraph 170 triggers a need to consider when landscape value is just a local consideration, or when landscapes are more 'out of the ordinary'. Fundamentally, for a landscape to be a valued landscape, it does not have to be designated - so by designating the ASLQ (or by creating a valued landscape designation) the Council is at risk of creating a policy that is irrelevant, because guidance says that non designated landscapes can be valued, so site-by-site assessments will be required in any event.

3.29 Paragraph 3.55 states that "…all parts of the Borough have some landscape quality and may be sensitive to landscape change". This is ambiguous. All landscape will be of 'a quality' but quality (in GLVIA3 aligned with condition) is only one consideration of landscape sensitivity.

3.30 With regard to "How the policy works", paragraph 3.56 states that *"The criteria within the policy (points a-g) are derived from the Guidelines for Landscape and Visual Impact Assessment (GLVIA 3) published by the Landscape Institute.".* The GLVIA is an extensive and diverse document and, if it is to be used as basis for this policy then a specific reference or explanation should be provided as to how points a-g have been derived.

3.31 Paragraph 3.57 refers to the submission of "…a proportionate Landscape Assessment". This should be amended to require the submission of a 'Landscape and Visual Impact Assessment'. There are many applications of LVIA and several forms of reporting. Reference to LVIA would be specific and clear as to what is required (and incidentally relates better to the approaches set out in GLVIA3).

Policy HP1: New Residential Development

3.32 This policy relates to all new housing proposals. However, it only envisages housing coming forward outside Urban Area boundaries through either the conversion of a non-residential building or as a replacement dwelling. It should also cross-refer to Policy HP4 which allows housing to come forward on land outside Urban Area boundaries if the Council cannot demonstrate a Five Year Housing Land Supply.

3.33 Therefore add:

> **"c) It is for additional housing in circumstances where the Council cannot demonstrate a Five Year Housing Land Supply and Policy HP4 applies."**

Policy HP4: Five-Year Housing Land Supply

3.34 The housing requirement set out in Policy H1 must be re-calculated using the current Standard methodology as described in our comments on draft Policy H1 above.

3.35 Paragraph 5.24 infers that Policy HP4 reproduces Local Plan Part 2 Policy DSP40. However, the third criterion in Policy DSP40 was as follows:

> *"iii) The proposal is sensitively designed to reflect the character of the neighbouring settlement and to minimise any adverse impact on the Countryside and, if relevant, the Strategic Gaps;"*

3.36 This has been replaced in Policy HP4 by:

> *"c) The proposal is sensitively designed to reflect the landscape character and setting of the settlement, is of a scale proportionate to its setting and recognises the intrinsic character and beauty of the countryside and, if relevant, does not significantly affect the integrity of a Strategic Gap;"*

3.37 If a five year housing land supply cannot be demonstrated, then in accordance with the NPPF, paragraph 11d, the most relevant policies in the plan would be out of date and the presumption in favour of sustainable development would apply. This policy may therefore be judged to be inappropriate because it adds restrictions which may prevent sustainable sites from coming forward. However,

if such a policy is held to be necessary, then a faithful reproduction of Policy DSP40 iii) is strongly preferred. See our comments on Policy DS1 in this regard.

Policy HP5: Provision of Affordable Housing

3.38 This draft policy states that "affordable housing must be provided" (our underlining) in the following proportions:

i. At least 10% as Social Rent; and

ii. At least 55% as Affordable Rent or Social Rent; and

iii. The remainder, but no less than 10% as Affordable Home Ownership.

iv. The mix of property size and type should reflect the local need and the site characteristics.

3.39 As drafted this policy is not sufficiently flexible. As acknowledged at paragraph 5.36, development viability will be an issue on some sites. As acknowledged at paragraph 5.39, occasionally the tenure mix prescribed by the policy will not be appropriate; and as acknowledged at paragraph 5.34, other exceptional circumstances may arise (such as abnormal costs) which dictate that a non-standard provision of affordable housing is demonstrated to be appropriate.

3.40 Therefore, amend the first part of the policy to read:

"Sites that can accommodate 10 or more dwellings or sites with an area of 0.5 hectares or more shall normally provide: …"

3.41 And amend the second part of the policy to read:

"The affordable housing shall normally be provided in accordance with the following proportions: …"

Policy HP7: Adaptable and Accessible Dwellings

3.42 This draft policy states:

"Development proposals for all new dwellings shall provide:

a) At least 15% of all new dwellings at Category 2 standard; and

b) On schemes of over 100 dwellings (gross), at least 2% of private housing and 5% of affordable housing shall be provided as wheelchair accessible Category 3 properties."

3.43 Similar to Policy HP5 above, as drafted this policy is not sufficiently flexible. It is acknowledged that this policy is based on the requirements of Part M of the Building Regulations but it must allow for circumstances arising which mean that these requirements cannot be delivered (fully or otherwise).

3.44 Therefore, amend the first line of the policy to read:

"Development proposals for all new dwellings shall normally provide: …"

3.45 Paragraph 5.57 of the supporting text states:

"The cost to development for providing Category 2 and 3 is relatively minimal. Flexibility for additional costs have been factored into the viability evidence base and this indicates that the requirements for Category 2 and 3 should have no detrimental impact on the viability of schemes in the Borough..."

3.46 This statement is strongly disputed. In reality, these costs will not be factored into a developer's viability calculations (particularly in relation to Category 3 requirements) because option agreements / conditional contracts will have already been agreed on the sites that the Council want to see come forward, so these costs will not have been anticipated. The Category 3 requirements must be substantiated by quantified evidence of the need for such units in the Borough.

Policy HP9: Self and Custom Build Homes

3.47 This policy requires 10% of dwellings on sites of 40 dwellings or more to be provided for Self and Custom Build Homes. The practical implications of managing self or custom build developments on sites otherwise being constructed by housing developers or housing associations must be carefully considered. There is concern that 40 dwellings is too small a threshold at which to introduce this requirement due to the potentially onerous construction management implications which will arise. It would be preferable for the Council to allocate specific sites for self and custom build developments instead of requiring this element on all housing developments of 40 dwellings or more.

3.48 It is noted that, as stated at paragraph 5.70, only 1% of housing plots at Welborne are required to be provided for self or custom build under the Welborne Plan (2015). Strategic allocations such as Welborne provide the ideal opportunity for parcels of land to be allocated for self or custom build, so that opportunity should not be missed. This should be addressed in the review of the Welborne Plan which is overdue and necessary.

Policy E2: Faraday Business Park

3.49 This draft policy proposes the allocation of land for 65,000 sq. metres of employment development (in addition to the 22,000 sq. metres already consented). The site is designated as a Low Use site for Brent Geese and Waders.

3.50 Criterion e) of the policy states:

> "e) Proposals shall meet the requirements of Policy NE5 given the site's Low Use status for Solent Waders and Brent Geese…"

3.51 The two site-specific reasons for the deletion of housing allocation HA2 Newgate Lane South given in the Fareham SHLAA (in the context of the Council planning for a reduced housing requirement in the PLP) are that the site lies within a Strategic Gap and that the site is designated as a Low Use site for Brent Geese and Waders. Given the proposed allocation at the Faraday Business Park, a site's designation as of Low Use status for Solent Waders and Brent Geese clearly does not prevent a site from being allocated for development.

Policy E3: Swordfish Business Park

3.52 This draft policy proposes the allocation of land for 12,100 sq. metres of employment development (in addition to the 28,000 sq. metres already consented). The site is designated as a Low Use site for Brent Geese and Waders.

3.53 Criterion f) of the policy states:

> "f) Proposals shall meet the requirements of Policy NE5 given the site's Low Use status for Solent Waders and Brent Geese…"

3.54 The two site-specific reasons for the deletion of housing allocation HA2 Newgate Lane South given in the Fareham SHLAA (in the context of the Council planning for a reduced housing requirement in the PLP) are that the site lies within a

Strategic Gap and that the site is designated as a Low Use site for Brent Geese and Waders. Given the proposed allocation at the Swordfish Business Park, a site's designation as of Low Use status for Solent Waders and Brent Geese clearly does not prevent a site from being allocated for development.

Policy NE5: Solent Wader and Brent Goose Sites

3.55 Accompanying these representations is a WYG Technical Note in relation to Ecology and the former Policy HA2 Newgate Lane South housing allocation. This addresses the two proposed options for mitigating the impact of development of Low Use SWBG sites. Policy NE5 limits mitigation solutions to either on-site provision or a financial contribution towards mitigation on a suitable identified site. However, as reported in the Technical Note, an off-site solution has been proposed as part of outline application P/19/1260/OA Land East of Newgate Lane East (that application site being the southern part of the former HA2 allocation), and that solution has been reviewed by the Council's Ecologist and found to be acceptable. This therefore represents a compliant solution which can be replicated for other developments in similar circumstances. Policy NE5 should be amended to include this additional option.

Policy D1: High Quality Design and Place Making

3.56 This is a highly aspirational policy which sets out ten criteria ("key characteristics of high quality design") against which all development proposals will be judged "to ensure the creation of quality places." It is not clear what a "quality place" is – this should be defined. The ten criteria push the "bar" too high – all proposals cannot be expected to "create places that are attractive, memorable, distinctive and of strong character", for example, laudable though those aspirations are. In practice, very few proposals would receive planning permission if assessed against this requirement.

Appendix B: Housing Trajectory

3.57 This appendix must be updated as it does not reflect the quantum of housing required to meet the local needs. It also projects completions of 975 homes in 2023/24 and 961 homes in 2024/5, which are at risk due to the delays to Welborne which continue. Completions from Welborne should be shown separately as previously.

Appendix C:

3.58 The purpose of the inclusion of the Local Ecological Network Map at Appendix C is not understood. It includes the identification of land as "Network Opportunities". This does not appear to have a basis in the policies of the PLP. The former Policy HA2 Newgate Lane South site is identified as a Network Opportunity on this plan. This is not explained. This appendix should be deleted, as happened to a similar plan appended to the Regulation 19 Chichester District Local Plan.

Reinstatement of the Policy HA2: Newgate Lane South housing allocation

3.59 The Council omitted a number of previous housing allocation sites for the Regulation 19 PLP on the basis that the PLP plans for the reduced housing requirement of 403 hpa. We have asserted that this approach fails to comply with legal requirements and is unsound. It is foreseeable that the Council's housing requirement may increase and in such circumstances Policy HA2 should be reintroduced and updated to allocate the site for about 500 dwellings.

3.60 The Policy HA2 site is comprised of three SHELAA sites:

- Copps Field, Newgate Lane, Peel Common (3028);
- Land East of Newgate Lane, Peel Common (3057); and
- Land East of Newgate Lane East, Peel Common (3002).

3.61 In the Council's SHELAA of December 2019, the commentary on each of these sites concluded with a "Suitability" (for allocation for development) Comment. For sites 3002 and 3028 (the smaller northern and southern parcels) the Suitability Comments were:

"The site is considered suitable for development as part of the proposed housing allocation. Development could be accommodated without significant effects on the landscape character of the wider area."

3.62 For site 3057 (the larger central parcel) the Suitability Comment was:

"Development could be accommodated without significant effects on the landscape character of the wider area (following construction of Newgate Lane South) or the integrity of the Strategic Gap…."

3.63 All three component parcels of the HA2 site were described as Suitable, Available and Achievable. Nothing has changed in this regard.

3.64 In omitting Policy HA2 form the PLP, the Council also updated its SHELAA for consistency with the PLP and justified the omission of the HA2 allocation due to the impact of development on the strategic gap, and the fact that the site is a low use SWBG site. Gosport Borough Council also previously objected to the HA2 allocation due to its alleged traffic impact on Newgate Lane East. Taking each of these matters in turn:

Strategic Gap:

3.65 These representations are accompanied by a Preliminary Landscape and Visual Appraisal prepared by Pegasus Group of the former Policy HA2 site, Newgate Lane South. This study concludes that the part of the gap between Peel Common and Bridgemary is weak and under development pressure, particularly with the recently constructed Newgate Lane East now forming such a strong urbanising feature in the local landscape context. The Policy HA2 site is not considered to form part of a priority area which is required to maintain the integrity and function of the Fareham / Stubbington Strategic Gap and it is concluded that the site is well placed to accommodate development that could come forward without significantly affecting the integrity of the gap and the physical and visual separation of settlements. This was the Council's previous conclusion when it proposed to allocate the Policy HA2 site, as evidenced by the quotations from the December 2019 SHELAA above.

Low Use SWBG site:

3.66 It is noted that Employment allocations E2 and E3 are similarly designated. These representations are accompanied by an Ecology Technical Note prepared by WYG which describes the off-site mitigation solution already advanced and agreed by the Council's ecologist in relation to a planning application for housing on the southern part of the HA2 site. Demonstrably, this is not an issue which would prevent development coming forward in principle on this site.

Transport impact:

3.67 These representations are accompanied by a Transport Technical Note prepared by i-Transport. This reports that the Council's transport evidence base was substantially prepared before the Council amended its spatial strategy in response to the draft revised Standard Methodology housing target so it included assessments of the Policy HA2 site, together with other housing allocations since omitted including the two Strategic Growth Areas (SGAs). On this basis the Council's Strategic Transport Assessment concludes that the plan is deliverable and sound from a transport perspective.

3.68 The Transport TN reviews the sustainable transport credentials of the HA2 site. The site is very well served by public transport – it is within a 5-10 minute walk of the South East Hampshire Rapid Transit system, and is close to local bus routes. HCC and its partners have recently submitted funding bids to Government for later stages of the SEHRT which includes a potential extension of the SEHRT to the site and the Solent Enterprise Zone. This will further improve the accessibility of the site to public transport services.

3.69 The site lies in close proximity (comfortable walk or short cycle trip) to major employment areas (Fareham Business Park, Newgate Lane Industrial Estate, Solent EZ) and supermarkets (such as Asda next to the site) for convenience shopping.

3.70 The primary vehicular access to the site will be from a new roundabout on Newgate Lane South. This has been designed to minimise interruptions to traffic flows on Newgate Lane South. The operation of this junction has been modelled, and this confirmed that the greatest queueing delay on any arm during peak periods is about 8 seconds. Thus the roundabout will operate wholly within capacity with a "Level of Service" rating of "A", classified as "Free Flow", such that it will not prejudice the benefits of the recent road project.

3.71 Hampshire County Council has not raised any in principle design or safety concerns with the junction and following substantial dialogue has accepted the junction modelling as a basis to consider the operation of the junction but required consideration of the corridor effects of the junction within the Local Plan evidence base.

3.72 This wider corridor assessment has now been completed with the release of the FBC SRTM Assessment, summarised in Section 4 of the accompanying Transport

TN. In summary this demonstrates that there are no material impacts on the wider Newgate Lane corridor that result from the delivery of an access to the HA2 site from Newgate Lane. Any objection to the allocation of the HA2 site on this basis is therefore not sustainable.

3.73 For all of these reasons, the Council is encouraged to reinstate the Policy HA2 housing allocation for about 500 dwellings. The site is controlled by two highly reputable housing developers – Miller Homes and Bargate Homes – who have a strong local track record of delivery and who are keen to bring it forward for development immediately, such that the site can make a significant contribution to the Council's five year housing land supply.

4.0 Participation at the examination hearing sessions

B5 If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

Yes, I want to take part in a hearing session.

B5a Please outline in the box below why you consider it necessary to take part in the hearing session(s):

To contribute to testing the legal compliance and soundness of the PLP for the reasons set out in these representations.

Technical Note

Site:	HA2
Client:	Bargate Homes and Miller Homes
Job Number:	A097690-2
File Location:	I:\Projects\Projects 097000 on\A097690-2 Newgate Lane East\REPORTS

Introduction

This Technical Note has been prepared to provide support in relation to Ecology to representations to the Fareham Borough Local Plan for the former strategic housing allocation HA2 Newgate Lane South.

This comprises the following three sites within the Strategic Housing and Employment Land Availability Assessment (SHELAA) prepared by Fareham Borough Council:

- Copps Field, Newgate Lane, Peel Common (3028);
- Land East of Newgate Lane, Peel Common (3057); and
- Land East of Newgate Lane East, Peel Common (3002).

The SHELAA includes comments in relation to Ecology and reasons for discounting the sites. For all three sites, the Ecology comments include the following:

> *"The site is a Brent Geese and Solent Waders 'Low Use' site. All such sites have the potential to support the existing network and provide alternative options and resilience for the future network. Therefore proportionate mitigation, off-setting and/or enhancement measures will be required. Natural England should be consulted."*

For Copps Field, it is also stated that:

> *"The hedgerows on site should be retained and protected by a planted buffer. Due to the presence of suitable habitats on site, it is likely that reptiles, Badgers, Water Voles, amphibians, Dormice and bats are present on site."*

For Land East of Newgate Lane it is stated that there is:

> *"Potential for badger, bat, reptile and green sandpiper."*

All three sites share the same reasons for discounting, one of which relates to Ecology. This states that:

> *"Site is designated as a Brent Geese and Solent Waders Low Use site and there is no evidence of a strategy compliant solution."*

Proposed Sites

Land East of Newgate Lane East, Peel Common (3002)

Land East of Newgate Lane East is currently the subject of an outline planning application P/19/1260/OA. As part of this application, a Wader and Brent Goose Mitigation Strategy has been devised by WYG and submitted to Fareham Borough Council and assessed as part of a Report to Inform Habitats Regulations Assessment Stage 1 and Stage 2 prepared on behalf of the applicants. This involves the creation of a mitigation area at Land West of Old Street, Stubbington and is designed to deliver mitigation for a further two sites currently the subject of appeals (Land at Newgate Lane North and Land at Newgate Lane South).

Although this has not yet been formally assessed by Fareham Borough Council through their Appropriate Assessment for P/19/1260/OA, the strategy has been reviewed by the Council's Ecologist for the two appeal sites and is agreed as part of the relevant Statements of Common Ground. Therefore, it is reasonable to conclude that this represents a 'strategy compliant solution' and as such this should not represent a reason to discount the site.

Copps Field (3028) and Land East of Newgate Lane (3057)

These two sites are not covered by the mitigation strategy discussed above, however; the presence of this strategy demonstrates that there are suitable opportunities to deliver mitigation.

The reasons for discounting refer to a 'strategy compliant solution', this in relation to the Solent Waders and Brent Goose Strategy (SWBGS). Under the SWBGS, mitigation for the loss of Low Use sites (such F15 which is covered by HA2) comprises compensatory funding to be used to maintain and enhance the network. The intention of this approach is for funding to be managed by the Local Authority to support schemes across the network, including within neighbouring authorities. In Fareham Borough, there is no scheme or schemes towards which the authority can direct this funding. Where no strategic approach is available, then it is necessary for a suitable mitigation solution to be provided by the applicant. This is confirmed by Natural England's written statement in respect of the above appeals. According to Policy NE5 of the Fareham Local Plan for Low Use sites:

> *"For development proposals of all kinds, proportionate mitigation, enhancement and/or offsetting will be required. Measures should avoid and/or adequately mitigate the impact of development on site in the first instance. However, where it is demonstrated that this is not practical or feasible, off-site options and / or a financial contribution for mitigation should be considered."*

In the case of each of these sites, on site mitigation is not possible (as any areas of open space retained would be unsuitable for waders and brent geese due to the reduces size and proximity of new development). Therefore, a suitable off-site mitigation solution, such as that proposed for Land East of Newgate Lane East, would be policy compliant. In addition to a scheme such as this, we are also aware of other opportunities for mitigation which are likely to be practical during the new plan period. Following discussions with Hampshire and Isle of Wight Wildlife Trust and Hampshire County Council, both bodies are in the process of identifying suitable sites which could be funded by mitigation payments under Policy NE5. Hampshire County Council already own large areas of suitable land within the wader and brent goose network, and the Wildlife Trust are considering acquiring land in a similar manner to their approach to providing mitigation for nitrogen outputs.

Policy NE5 is taken into account as mitigation within the Fareham Local Plan HRA prepared by Urban Edge Consultants which concludes that there will be no adverse effect on the integrity of the Solent and Southampton Water SPA or Portsmouth Harbour SPA (alone or in combination) as a result of site specific impacts (which includes loss of SWBGS sites). It can therefore be concluded that provided any development of these two sites is compliant with Policy NE5 (which it must be in order to be granted consent) there will be no impact on the integrity of the associated European sites or the wader and brent goose network. Given the presence of this policy, it is unreasonable to dismiss the sites on these grounds, or to require detailed mitigation at the plan stage (when Policy NE5 provides sufficient security).

It should also be noted that two proposed allocations within the Local Plan (employment allocations 3113 Farady Business Park and 3114 Swordfish Business Park) are incorrectly stated to have no constraints within the SHELAA. In fact, both these sites lie within a Low Use site (F13) and would also result in an adverse effect. Neither allocation is supported by a site-specific or detailed mitigation strategy and in the Local Plan HRA it is stated that mitigation for these allocations will be meeting the requirements of Policy NE5. On the grounds of consistency, either these two allocations should also be discounted, or a requirement to comply with Policy NE5 should be acceptable for all sites which affect Low Use sites.

Local Plan Policies

As requested, a review has also been undertaken of the proposed Natural Environment policies within the Local Plan relevant to our area of expertise. This includes Policies NE1 – NE5. These are summarised below along with a brief commentary in relation to the HA2 sites.

Policy	Description	Comments
NE1	Protection of Nature Conservation, Biodiversity and the Local Ecological Network	This policy relates to the protection of designated sites which is included within previous plans. It adds protection of the Ecological Network. The Local Ecological Network Map identifies 3028 as a 'Network Opportunity', which means it has been identified as an area which could be improved or managed to achieve measured biodiversity net gain (see NE2). None of the sites within HA2 comprise statutory or non-statutory designated sites.
NE2	Biodiversity Net Gain	This requires 10% gains in biodiversity for all sites and is in line with forthcoming government requirements. It is likely that this requirement can be achieved for HA2 (it has been demonstrated for 3002 in the submission) as a whole.
NE3	Recreational Disturbance on the Solent Special Protection Areas (SPAs)	This policy requires a financial contribution to mitigate recreational disturbance and is consistent with previous local plan policy.

NE4	Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent.	This requires the production of nutrient budgets and delivery of suitable mitigation to make sure that developments result in a net reduction in nitrogen outputs.
NE5	Solent Wader and Brent Goose Sites	Discussed above, this policy requires mitigation where there will be impacts on the wader and brent goose network. Mitigation is proposed for 3002 and suitable mitigation in compliance with NE5 will be required for 3028 and 3057 at the application stage. In Para 9.74, it states that *'off-site options and / or a financial contribution'* are suitable for mitigation, however it then only goes on to discuss financial contributions. In the absence of clear identification of where contributions will be applied, the policy wording should be make it clearer that bespoke mitigation solutions which do not result in such payments are also acceptable (where they satisfy the requirements of the Habitats Regulations).

[redacted]

David West CEnv MCIEEM

Associate Ecologist

J11 M27 – Down Barn Farm, Fareham

Representations on the Fareham Borough Local Plan to 2037

Submitted on behalf of Graham Moyse

December 2020

Turley
Planning

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Stuart Irvine
[redacted]

Client
Graham Moyse

December 2020

1. Introduction

1.1 Turley are instructed by Graham Moyse to prepare representations in respect of the Fareham Local Plan 2037 – Regulation 19 Submission Draft.

1.2 Graham Moyse owns land in the vicinity of Junction 11 of the M27 (known as Down Barn Farm) and as a local farmer and entrepreneur, oversees a number of valued local businesses.

1.3 The primary purpose of the representations is to shape the policies of the Local Plan to support the aspirations of Graham Moyse in respect of the potential that exists at Down Barn Farm.

1.4 The representations have been set out in Section 2 of this report and have also been submitted individually on the relevant representation forms.

1.5 Section 3 sets out some initial details of the potential that exists on the land at J11 of the M27 (including Down Barn Farm). Whilst these proposals are still at a formative stage, that they offer an exciting and unique opportunity to address two key development concepts, namely:

- A dedicated electric vehicle service station and associated facilities
- A location to accommodate business / infrastructure users that require proximity to the strategic road network

1.6 The location of the site at Junction 11 of the M27 is well suited to respond to such uses given its accessibility to the motorway network and its proximity to key urban areas.

1.7 Whilst the broad principles of the emerging Local Plan are supported, it is our view that there are two substantive omissions in terms of its content, namely:

- Insufficient recognition is given to the need to provide infrastructure to support the growth of electric vehicle usage (including specific allocations for such facilities); and
- There has been a failure to recognise the need for specific employment provision to accommodate users who need a high level of accessibility and are of form that is not well suited to being within the built up environment.

1.8 These principles are drawn out through the representation in Section 2.0, with the conclusions that:

- The wording of several policies should be amended to more fully recognise the importance of electric vehicles and to provide support to the delivery of infrastructure that is necessary to support the establishment and growth of the electric vehicle network over the lifetime of the Local Plan.

- Greater recognition should be given within the relevant employment policies, to supporting growth in locations, such as the land at J11 of the M27, where they respond to the specific needs of users.

2. Representations

2.1 Representations have been made in respect of the following chapters, paragraphs and policies of the plan.

- Paragraph 2.10 – Fareham Local Plan 2037 Vision
- Paragraph 2.12 – Strategic Priorities
- Paragraphs 3.4 / 3.5 – Good Growth
- Policy DS1 – Development in the Countryside
- Policy DS3 – Landscape
- Chapter 6 – Employment
- Policy E1 – Employment Land Provision
- Chapter 8 – Climate Change
- Policy CC1 – Climate Change
- Policy CC4 – Renewable and Low Carbon Energy
- Policy NE8 – Air Quality
- Policy TIN1 – Sustainable Transport
- Policy TIN4 – Infrastructure Delivery

2.2 Each representation is by its nature an objection and consideration has been given in respect of each as to how the plan could be amended to overcome the objection.

2.3 In addition to the representations being set out below, each has also been submitted on an individual objection form.

Paragraph 2.10 - Fareham Local Plan 2037 Vision

Representation

2.4 The vision is supported in general terms. However, its failure to include reference to supporting measures to address climate change is a significant oversight. Making provision for the necessary infrastructure within the Borough to support changing technologies is fundamental to addressing climate change. There are substantive changes, such as the transition of petrol to electric vehicles, which will take effect over the plan period, and the vision should reflect the need to deliver appropriate infrastructure to support that change.

Amendment

2.5 Add an additional statement to confirm that the Local Plan will promote the delivery of infrastructure to support infrastructure delivery that is relevant to address the climate change agenda.

Paragraph 2.12 – Strategic Priorities

Representation

2.6 Whilst there is a strategic priority relating the climate change, it fails to recognise the need for and importance of infrastructure delivery to support key aspects such as the transition from a road network that is dominated by petrol based vehicles to one where electric vehicles are the primary vehicle mode. This transition will take place over the life of the plan period and there is a need to promote both home and network based facilities to enable this to take place. A failure to specifically reference this as a strategic priority is a clear oversight.

Amendment

2.7 Amend strategic priority number 11 to make specific reference to the provision of infrastructure to supports electric vehicles changing, both at home and across the highway network.

Paragraphs 3.4 / 3.5 – Good Growth

Representation

2.8 The concept of good growth should be extended to make specific reference to highway network related infrastructure that promotes electric vehicles. Over the plan period the sale of petrol / diesel vehicles will end (2030) and the transition toward alternatives, principally electric vehicles will require the delivery of necessary infrastructure, both in homes and across the network. The promotion of good growth should include a clear and proactive intent to deliver such infrastructure.

Amendment

2.9 Include reference within the supporting text to the delivery of electric vehicle related infrastructure as part of measures to address climate change.

Policy DS1 – Development in the Countryside

Representation

2.10 The policy should include an additional bullet that allows for employment related development that has a specific locational requirement, such as accessibility to the strategic road network.

2.11 In addition there should also be a wording amendment to bullet h), to recognise that certain infrastructure can have specific location requirements, which means that delivery is required within a countryside location.

2.12 Examples of such provision include facilities to serve the strategic road network (including electric vehicle charging stations) and to those forms of business where there are specific sustainable advantages to being close to roads (for example waste related activities).

2.13 The policy should provide sufficient flexibility to allow for due consideration to be given to infrastructure and commercial requirements and the way in which key climate change and wider sustainability can be achieved by accommodating appropriate development in the countryside. It is recognised that such uses may be limited in form, but the policy should acknowledge that such uses should be supported.

Amendment

2.14 Amend the policy to include reference to commercial and infrastructure based uses that have key locational requirements, such as proximity and accessibility to the strategic road network.

Policy DS3 - Landscape

Representation

2.15 The policy is well formed, but would benefit from specific recognition that there will be forms of development that have specific locational requirements. This may include growth in locations where change in the landscape is more sensitive to change. In such circumstances, there will be means through which impacts can be appropriately mitigated. To support this, the policy should include reference to supporting development where landscape impacts are being addressed through appropriately formed landscape strategies.

Amendment

2.16 Amend the policy to reflect that where there are landscape impacts associated with development, growth can still be supported provided an appropriate landscape strategy (including mitigation where required) is set out.

Chapter 6 - Employment

Representation

2.17 The approach to employment provision set out within Chapter 6 serves to faces adequately into the quantitative employment needs of the Borough over the plan period. However, there is a lack of recognition to key qualitative matters, including the need to support the demands of business that have specific location requirements and to those uses that may be displaced to accommodate other uses (particularly residential).

2.18 There will be businesses that demand locations that are well related to the strategic road network for example, or are for forms of development that are not well suited to

either residential areas or B1 based business locations. There does not appear to be a cogent evidence base to demonstrate how the needs of such users are to be accommodated.

2.19 By its nature, the quantitative approach to employment provision does not factor this in, with new employment provision being on a restricted number of sites, which are either distant from the strategic network or are focussed on office based uses. On existing sites, there has been a significant reduction of available provision as a consequence of redevelopment for other uses, particularly residential. This implication of these changes has not been addressed, with the needs of displaced uses being particularly acute.

2.20 To address this, the employment strategy should make specific allowance for the broad needs of business, with a positive and proactive approach to accommodating the genuine needs of economic development, with a presumption in favour of investment in employment generating development and associated infrastructure.

Amendment

2.21 Expand the employment section to include a policy that supports employment generating development (by way of presumption in favour) and recognises the specific location requirements of certain commercial uses, including those that have been displaced by the redevelopment of existing employment sites.

Policy E1 – Employment Land Provision

Representation

2.22 The policy is wholly focussed on a numerical approach to employment provision, with no reference to qualitative employment needs. In addition, the new employment allocations are highly restrictive in locational terms and provide limited scope for new growth in other parts of the Borough.

2.23 The policy should recognise the broader employment needs that will exist within the Borough across the plan period, to ensure that opportunities for new investment are not missed, or that the qualitative and location needs of businesses can be met.

2.24 In this regard, the policy should be expanded to recognise that the employment requirements should not be viewed as a maximum provision and that other opportunities for employment growth should not be frustrated unnecessarily. This should take the form of a general presumption in favour of employment generating development in suitable and sustainable locations.

2.25 In specific terms, consideration should be given to identifying land at J11 of the M27 (including Down Barn Farm) as an employment allocation. This site is well related to the strategic road network and provides a unique opportunity to accommodate users who are dependent upon such a location. The site is also well suited to accommodate users who are also ill suited to either a residential environment or a more traditional business park location. This is reflected by its current use by the Highways Agency as a

processing facility to support the implementation of the smart motorway improvements on the M27.

2.26 The merits of this location are not driven by the quantitative needs as set out within the plan, but the qualitative considerations described above. The site would be of particular interest to a number of existing business who are being displaced by other major developments in the wider South Hampshire context. This is a unique opportunity that the Local Plan should embrace either by way of a specific allocation, or by creating policies that allow due consideration to be given to such development should it come forward via a planning application.

Amendment

2.27 Amend the policy to reflect the comments above.

Chapter 8 – Climate Change

Representation

2.28 The climate change chapter has not been drafted with a full recognition of key consideration that are relevant to the promotion of climate change objectives. In particular, the failure to adequately reference the transition of petrol to electric vehicle based travel and its associated infrastructure needs is a major oversight.

2.29 The Government has committed to ending the sale of petrol and diesel vehicles by 2030, with all vehicles to be zero emission based by 2035. Both of these events are within the plan period and will require the delivery of appropriate home based and network based infrastructure.

2.30 It is noted that the broader plan includes policies that reference the need to integrate electric vehicle charging into new development, however, it is entirely silent on the needs to delivery supporting infrastructure across the wider transport network. This should be addressed by the provision of a specific policy within Chapter 8 that promotes the provision of key infrastructure that will support the transition of the highway network to net zero. This would include support for electric changing facilities in appropriate locations that are well related to the strategic road network.

Amendment

2.31 Include specific reference within the Chapter to the need to support the transition to a net zero highway network, with a specific policy that promotes the delivery of related infrastructure, including electric vehicle changing.

Policy CC1 – Climate Change

Representation

2.32 This policy is inadequate as it fails to recognise the importance of supporting the transition of road vehicles towards net zero, which will be a key consideration over the plan period if wider Government objectives are to be achieved.

Amendment

2.33 Amend the policy to include a bullet point that recognises the importance of infrastructure delivery associated with the transition of the road vehicles to net zero, including appropriate supporting infrastructure.

Policy CC4 – Renewable and Low Carbon Energy

Representation

2.34 This policy focuses exclusively on energy generating development. This is unnecessarily narrow, and indeed has been drafted in an overly negative way that fails to recognise the fundamental benefits associated with delivering such valuable forms of energy generation.

2.35 The policy should recognise that there will be infrastructure that serves to promote net zero, such as electric vehicles, which should be supported. This may sit in a policy of its own, but failing that, CC4 should be expanded to include the consideration of development proposals that deliver such infrastructure, but with a more generous presumption in favour of such development, rather than the overly restrictive approach that is currently cast within the policy.

2.36 This restrictive approach has been driven by the perception that uses such as solar farms and wind farms imply significant impacts (particularly visual). This is not the case of all forms of net zero and progressive technologies and the policy should make a clear distinction in that regard.

Amendment

2.37 Unless addressed in a policy of its own right, CC4 should be amended to include reference to other forms of infrastructure that promote net zero related technologies, such as electric vehicle charging. In making these amendments, the policy text should be recast to recognise that these technologies are different to those energy generating uses that are perceived to have significant visual impacts. This should be reflected by a general presumption in favour of the delivery of lower impact infrastructure.

Policy NE8 – Air Quality

Representation

2.38 The references within this policy to the promotion of electric vehicle charging infrastructure is welcomed. However, this is focussed exclusively on provision within new developments. This is insufficient to meet the infrastructure needs required to service the transition of petrol / diesel vehicles to net zero emissions based vehicles over the period to 2025.

2.39 Whilst home based infrastructure is appropriate, it does not address the key consideration of charging facilities within the wider highway network, particularly in terms of users who are travelling across the strategic road network where there is a substantive issue regarding the ability to recharge when on longer journeys or where access to home based infrastructure is not available.

2.40 In this respect, unless addressed elsewhere in the plan, policy NE8 should include provisions that support the delivery of electric vehicle charging infrastructure to serve the wider strategic road network.

Amendment

2.41 Amend the policy as suggested above.

Policy TIN1 – Sustainable Transport

Representation

2.42 This policy is premised on the basis of the promotion of non-car based means of travel. This is commendable but does not adequately recognise that the transition towards net zero emissions based vehicles will also make a valuable contribution towards more sustainable transport patterns. Given the timescales associated with this transition (over the period to 2035), there should be strong support within TIN1 to the delivery of infrastructure that enables this transition.

Amendment

2.43 Amend to include reference to the role of electric vehicles as a sustainable mode of transport and to provide support for appropriate infrastructure to facilitate their delivery.

Policy TIN4 – Infrastructure Delivery

Representation

2.44 This policy focuses wholly on ensuring that infrastructure that supports new development is delivered in a timely manner. This is supported but it fails to address the need for the delivery of wider infrastructure, particularly that which stems from the objectives set out within the Climate Change chapter (and also reflecting our representations on the policies in that chapter).

2.45 The policy should be broadened in its intent to incorporate a focus on ensuring that this wider infrastructure is delivered alongside new development to ensure that core climate change objectives are capable of being met. This implies an imperative to support the early delivery of such infrastructure within the early parts of the plan period.

Amendment

2.46 Amend to include reference to the timely delivery of wider infrastructure, particularly that which is crucial to supporting climate change related objectives.

3. Land at J11 of the M27 (inc Down Barn Farm)

3.1 The land at J 11 of the M27 comprises the land immediately adjacent to the motorway junction (to the north and north east) extending up to Boarhunt Road. The site currently accommodates a number of users, including a park & ride and strategic base for the Highways England in undertaking the smart motorway improvements that are currently underway.

3.2 A plan showing the location of the site is attached at Appendix One.

3.3 This site offers a unique opportunity to respond to a range of development needs, including those that require a location that is directly related to the strategic road network, or to accommodate users that are not well suited to either a residential environment or a business park.

3.4 A number of potential forms of development are appropriate for this location, including:

- Service facilities to serve the M27, including scope for an electric vehicle charging station.
- Uses of a similar form to those that are currently in place to meet the needs of Highways England – such as processing of building / waste materials.
- Displaced users who require relocation away from other sites that are being redeveloped for other uses or are allocated for such development. This is particularly relevant to locations such as Tipner where the sites development will require a number of business to relocate to alternative sites that meet their needs.
- Other uses that require accessibility to the strategic road network.

3.5 The site can be developed in an appropriate manner, incorporating a strong landscape framework and measure to promote biodiversity gain. The ability of the site to accommodate significant development without giving rise to undue impacts is currently being demonstrated by the scale of existing activity on site.

3.6 Further details to support the promotion of the site in the manner outlined above are currently in preparation and we would welcome the opportunity to consider how the Local Plan can support its delivery.

Appendix 1: Land at J11 of the M27 (inc Down Barn Farm).

Turley
Planning

FROM: East Hampshire District Council <L[redacted]

Dear Planning Policy

Policy HP11 Gypsies, Travellers and Traveller Showpeople

There is a widely acknowledged national shortage of suitable accommodation for Travellers. The historic failure to provide accommodation has led to overcrowding and many unauthorised encampments. It is the view of EHDC that Council's should make every attempt to meet needs, in order to contribute to lessening the impacts on the Traveller community of a lack of suitable accommodation, and to lessen the impact on settled communities when unauthorised encampments occur. Equally, it is the responsibility of Councils to lead the way on equalities, neutralising language, and ensuring inclusivity.

We would therefore like to suggest the removal of the frequently used term "lawful" in this section of the Local Plan, unless that is equally used in reference to bricks and mortar housing. We would also encourage a review of the text to ensure that Traveller accommodation is always being referred to (the land use itself) rather than Travellers themselves. We would particularly encourage removal of any sentence that suggests a person can be lawful or unlawful.

With regards to the policy itself, we have one key comment, relating to the policy's first requirement that any proposal for Traveller sites must be able to show an identified need or personal circumstances that warrant a need. This does not appear to be compliant with the national planning policy (Planning Policy for Traveller Sites, PPTS) and is not consistent with the approach to bricks and mortar housing. The national policy is such that, proposals that are suitable in planning terms for Traveller accommodation (or any housing) are permitted regardless of need. Bricks and mortar housing in sustainable locations is still supported by national planning policy even if housing numbers have been met - there is equally no ceiling approach to Traveller accommodation. We suggest that this criterion should be reviewed to ensure compliance with PPTS.

With regards to meeting need, we note that the GTAA 2017 identified a need for 2 pitches from unknown households, but when the 10% approach is applied, that equates to 0 provision. We also note that the response rate for Fareham to interviews was 37.5%, one of the fewest by area, and that only 67% meet the planning definition. We would therefore contend that the Council is meeting the minimum number of pitches, and that the need is likely to be much higher. The lack of acknowledgement of this likely need, especially from unknowns, is what can cause pressure during the plan period in areas that may not be suitable for accommodation, and in other districts/boroughs. We would encourage the Council to relook at this, and see if further suitable provision can be made. The GTAA is dated 2017, and the consultation document states, " It is anticipated that an updated GTAA will be undertaken during the plan period." - instead, we would suggest that an updated GTAA should support the submission version of the Fareham Local Plan 2037, as it is now 3 years old, and only had a 37.5% response rate.

Kind regards

The Planning Policy team

Historic England

By email only to: planningpolicy@fareham.gov.uk

Our ref: PL00049426
Your ref:

[redacted]

Date: 18/12/2020

Dear Sir or Madam

Regulation 19 Local Plan Consultation

Thank you for consulting Historic England on the above document. Our main comments are set out in Appendices 1 and 2 to this letter.

Appendix 1 deals with all policies we wish to make comment on, excluding site allocation policies. Site allocation policies are located in Appendix 2. Appendix 3 is the same set of comments in Appendices 1 and 2, The official forms do not appear to be editable, so we have not used them.

We do not consider our appearance to be necessary at examination on any of the points we have raised, however, we would be happy to attend, should the Inspector request this.

Yours faithfully

Edward Winter
Historic Environment Planning Adviser

Appendix 1: Table of Historic England's detailed comments on the Fareham Regulation 19 Local Plan Policies (excluding site allocations: see Appendix B for site allocations)

Policy/section	Soundness/legal compliance/DTC	Comments	Suggested change
Vision, strategic priorities	Not sound.	We welcome the reference to the continued protection of heritage in the vision, and strategic priorities 3 and 10. These are important elements of the positive strategy for the conservation and enjoyment of the historic environment, which the plan should demonstrate, as set out in NPPF paragraph 185. However, to be **consistent with NPPF, and therefore sound**, para 185, in Strategic Priority 10, "historical assets" should be replaced with "historic environment".	In Strategic Priority 10, "historical assets" should be replaced with "historic environment".
Policy HP1: New Residential Development	No comment.	No comment.	
Design chapter, Policy D1	Sound.	We welcome the characterisation of well-designed, contextual development that is "responsive to local history, culture and heritage", and the reference to heritage in criterion (i) in Policy D1.	
Strategic Policy DS3: Landscape	Sound.	We support criterion (f) as part of the positive strategy for conserving and enhancing the historic environment	

Strategic Policy HE1: Historic Environment and Heritage Assets	Sound.	We support having a strategic policy for the historic environment and heritage assets and welcome its identification in paragraph 1.35, which lists those policies that are considered to be strategic, in line with NPPF paragraph 21. The inclusion of a strategic policy for heritage complies with NPPF paragraph 20.	
Historic Environment Chapter (general approach)	Sound.	We support the approach the Council has taken, to have separate policies for conservation areas, listed buildings/structures & settings, archaeology, non-designated assets and heritage at risk. The separation of each of these asset-classes provides more detailed policy for each of the identified types of asset, which should be more useful to applicants and decision-makers. The detailed policies are supported by the strategic policy, which also references national heritage policy. NB: Fareham has locally listed parks and gardens, i.e. non-designated assets, but has no registered parks & gardens i.e. designated assets.	
Background paper	Sound.	We welcome the background paper as a useful tool in demonstrating that a suitable evidence base has informed the plan, in respect of the historic environment.	

Appendix 2: Table of Historic England's detailed comments on the Fareham Regulation 19 Local Plan Site Allocation Policies

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
FTC1	Palmerston Car Park	Sound	A number of grade II listed buildings and structures, as well as a conservation area are located near to the site. These assets should be conserved and enhanced. The historic environment policies in section 12 of the plan and criteria c and d in policy FTC1 are considered appropriate for this purpose.	
FTC2	Market Quay	No comment.	No comment.	
FTC3	Fareham Station East	No comment.	No comment.	
FTC4	Fareham Station West	No comment.	No comment.	
FTC5	Crofton Conservatories	No comment.	No comment.	
FTC6	Magistrates Court	No comment.	No comment.	
HA1	North and South of Greenaway	No comment.	No comment.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
	Lane			
HA3	Southampton Road	No comment.	No comment.	
HA4	Downend Road	Sound	We support criteria (b) and (g).	
HA7	Warsash Maritime Academy	Not sound	We welcome criteria f and g, but we do not consider they go far enough to protect the listed buildings on site. As they stand, we do not consider the policy to be sound, because in offering insufficient protection to heritage assets, in is not consistent with national policy. The policy requirements should make it clear that new development should not be located to the west of the listed buildings. This because the relationship between the River Hamble/Southampton Water and academy is an important element to the significance of the academy. While development to the west of the listed buildings may be less likely, due to the presence of the Area of Special	Change criterion (f) to: **"f) Provision of a heritage statement (in accordance with Policy HE3)that assesses the potential impact of proposals on the significance of the Grade II Listed Buildings and their setting; and"** Add new criterion: • **"No development should be located to the west of the listed buildings"**

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			Landscape Quality and the flood zones 2/3, it is our view that this should be made explicit, through a policy requirement. We recommend adding the following criterion: • "No development should be located to the west of the listed buildings" Alternatively, the site boundary could be redrawn, to exclude this area. In addition to the above, the text in criterion (f) lacks some clarity. We are of the view that it should be amended as follows: "f) Provision of a heritage statement (in accordance with Policy HE3)that assesses the potential impact of proposals on the significance of the Grade II Listed Buildings and their setting; and"	Or, **"Alternatively, the site boundary could be redrawn, to exclude this area"**
HA9	Locks Heath	No comment.	No comment.	
HA10	Funtley Road	No comment.	No comment.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
	South			
HA12	Moraunt Drive	No comment.	No comment.	
HA13	Hunts Pond Road	No comment.	No comment.	
HA15	Beacon Bottom West	No comment.	No comment.	
HA17	69 Botley Road	No comment.	No comment.	
HA19	399-403 Hunts Pond Road	No comment.	No comment.	
HA22	Wynton Way	No comment.	No comment.	
HA23	Stubbington Lane	No comment.	No comment.	
HA24	335-357 Gosport Road	No comment.	No comment.	
HA26	Beacon Bottom East	No comment.	No comment.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
HA27	Rookery Avenue	No comment.	No comment.	
HA28	3-33 West Street	No comment.	No comment.	
HA29	Land East of Church Road	No comment.	No comment.	
HA30	33 Lodge Road	No comment.	No comment.	
HA31	Hammond Industrial Estate	No comment.	No comment.	
HA32	Egmont Nursery, Brook Avenue	No comment.	No comment.	
HA33	Land East of Bye Road, Swanwick	No comment.	No comment.	
HA34	Land South West of Sovereign	No comment.	No comment.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
	Crescent			
HA35	Former Scout Hut, Coldeast Way	No comment.	No comment.	
HA36	Land at Locks Heath District Centre	No comment.	No comment.	
HA37	Former Locks Heath Filling Station	No comment.	No comment.	
HA38	68 Titchfield Park Road	No comment.	No comment	
HA39	Land at 51 Greenaway Lane	No comment.	No comment	
HA40	Land west of Northfield Park	No comment.	No comment.	
HA41	22-27a Stubbington Green	No comment.	No comment.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
HA42	Land South of Cams Alders	Not sound	Proposed site allocation H42 is one of three sites proposed to be allocated for sheltered housing, in this case for 60 dwellings, the site being 1.29 hectares in total area. The site allocation plan shows the extent of the scheduled area of Fort Fareham, as well as a 50m buffer around the monument. The site allocation area, is located approximately 70m due north of the monument, at the closest point. The site allocation area extends to the north-east and north-west of this point, with an irregular shape. The whole of the proposed allocation is considered to be located within the setting of Fort Fareham. The setting of the fort has already been significantly compromised by development in its setting, as well as within the monument itself. The northern corner of the monument, where the proposed allocation is located, therefore represents the only significant area that remains free from development, and this would have been part of the field of fire associated with the fort. This area does contain a tree belt,	**Change criterion (h) to:** **"h. Provision of a heritage statement (in accordance with Policy HE3) that assesses the potential impact of proposals on the significance of Fort Fareham and through development in its setting, together with an archaeological assessment (in accordance with Policy HE4) and a scheme of mitigation to off-set any harm to the setting of the monument."**

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			which, through blocking the field on fire, also compromises the setting, but as this is not development, we consider this is something that has the potential to be reversed at some point in the future. The allocation text or plan does not make clear to what extent the allocated area would be built upon, but with a stated capacity of 60 dwellings on a site of 1.29 hectares, we presume that no significant areas of the site would be left undeveloped. Therefore it is likely that the proposed development will affect the significance of the monument, through development in its setting. The NPPF states that "[heritage] assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations" (184), and that "great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			substantial harm, total loss or less than substantial harm to its significance" (193). "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification" and "scheduled monuments are considered to be assets of the highest significance" (194). The NPPF also states that "significant adverse effects on [any of the sustainability] objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered) (32). We recognise that the site allocation requires a heritage statement and this is welcome.	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			In the SA of the publication version of the plan, the main reason for the site selection seems to be based on location: the SA asserts that demand for sheltered housing is most likely to occur in Portchester and Fareham South. Presumably, no other suitable sites are suitable, in terms of location (if other sites were available that do not cause significant adverse effects on a sustainability objective, following NPPF para 32, Land South of Cam Alders should not be allocated). However, given that the impact of the proposed allocation is recognised as 'negative' in the high level assessment result, in the historic environment objective, the policy should reflect the NPPF requirement to mitigate, as set out in para 32. Therefore the site allocation should require a mitigation plan to offset harm to the setting of Fort Fareham. Without this, we consider the policy to be **inconsistent with national policy and therefore unsound**. In addition to the above concern, the	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			policy is also somewhat unclear in terms of its wording, with regard to "conservation and setting…" and "grade II scheduled monument". Fort Fareham is not a grade II scheduled monument: this classification does not exist. It is both a scheduled monument, AND a grade II listed building. In such cases, the scheduling take precedence. Describing Fort Fareham as a grade II scheduled monument could give the impression that it is not an asset of the highest significance. The reference to "conservation and setting" is considered to lack clarity. We suggest criterion (h) is amended as suggested below, to account for all three of our concerns. Without amendment, we consider the policy to be **inconsistent with national policy and therefore unsound,** for each of the three reasons we cite. **"h. Provision of a heritage statement (in accordance with Policy HE3) that assesses the potential impact of proposals on the significance of Fort Fareham and through development in**	

Site ref	Site name	Soundness/legal compliance/DTC	Comments	Suggested Change
			its setting, together with an archaeological assessment (in accordance with Policy HE4) and a scheme of mitigation to off-set any harm to the setting of the monument."	
HA43	Corner of Station Road, Portchester	No comment.	No comment.	
HA44	Assheton Court	No comment.	No comment.	
HA45	Rear of 77 Burridge Road	No comment.	No comment.	
E2	Faraday Business Park	No comment.	No comment.	
E3	Swordfish Business Park	No comment.	No comment.	
E4	Solent 2	No comment.	No comment.	

Date: 18 December 2020
Our ref: 333521
Your ref: N/A

NATURAL ENGLAND

Planning Strategy Team
Fareham Borough Council

BY EMAIL ONLY

Dear Sir/Madam,

Regulation 19 Local Plan Consultation (6th November – 18th December 2020)

Thank you for your consultation dated 06 November 2020 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the Council's approach to achieving sustainable development through its Local Plan, particularly through its suite of Natural Environment policies that include protection of internationally, nationally and locally designated sites, the enhancement of the local ecological network and the requirement for biodiversity net gain.

Our comments on the Regulation 19 Local Plan and supporting Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA) are made below.

Strategic Policy DS1: Development in the Countryside
It is recommended this Policy also requires proposals to ensure compliance with Natural Environment policies, in particular Strategic Policy NE1 and Policy NE2, to ensure impacts on nature conservation interests are properly considered and addressed, and biodiversity net gain is achieved (for applicable development).

With regards to soils, the local plan outlines that 'the benefits of protecting the Best and Most Versatile (BMV) agricultural land are considered against the need for development'. This Policy requires development proposals to demonstrate they 'Conserve and enhance landscapes, sites of biodiversity or geological value and soils'.

The National Planning Policy Framework sets out that:

> 'Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework[1]; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.'
>
> *1 Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.*

It is recommended that this Policy is amended to give appropriate weight to the roles performed by the area's soils. These should be valued as a finite multi-functional resource which underpin our wellbeing and prosperity. Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver. The plan should safeguard the long term capability of BMV agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future.

Where site allocations are sited on BMV land, the Plan should outline a requirement for the protection of soils during construction where possible, referencing the 'Defra Code of practice for the sustainable use of soils on construction sites'.

Strategic Policy DS3: Landscape
Natural England welcomes the proposed designation of eight Areas of Special Landscape Quality within the Borough, and the requirement for development in these areas to meet stringent criteria that seek to protect and enhance landscape.

Strategic Policy CC1: Climate Change
Natural England advise all Local Plans consider climate change adaption and recognise the role of the natural environment to deliver measures to reduce the effects of climate change, for example tree planting to moderate heat island effects. In addition factors which may lead to exacerbate climate change (through more greenhouse gases) should be avoided (e.g. pollution, habitat fragmentation, loss of biodiversity) and the natural environment's resilience to change should be protected. Green Infrastructure and resilient ecological networks play an important role in aiding climate change adaptation.

Natural England welcomes Strategic Policy CC1: Climate Change that promotes mitigation and adaptation to climate change through various methods including the integration of green and blue infrastructure into the design of developments, adopting higher water efficiency standards, the integration of energy efficiency, renewable and low carbon technologies into all development, and reducing reliance on car travel.

Natural England supports the embedding of policy that will deliver measures to increase sustainability of development over the Plan period. This should also include reducing consumption of raw natural resources, sourcing more renewable or 'green' energy, and reducing waste. Consideration should be given to the collection of financial contributions from development to offset residual carbon emissions elsewhere in the Borough. Consideration can also be given to the retrofitting of existing development with technology that improves energy and water efficiency.

It is recommended that Local Plan policy also seeks measures that help natural habitats across the Borough adapt to the effects of climate change. We would encourage you to refer to the Natural England and RSPB Climate Change Adaptation Manual and look at the step by step approach to identifying the climate resilience of habitats that occur in the Borough. Consideration should be given to addressing issues on habitats and protected sites that will be exacerbated by climate change, such as flooding, drought, reduction of water resources etc.- the Manual can also help identify these.

Consideration can be given to delivering specific projects within the Borough. For example, to maximise climate change adaptation and mitigation through the establishment of a Nature Recovery Network (NRN), and the Local Nature Recovery Strategy in which the NRN would sit, to ensure climate change resilience at their core. Such projects could potentially benefit from carbon offsetting contributions from development over the local plan period.

Such an approach could link into other aspects of the Plan such as water and air quality, nutrient mitigation for Solent European designated sites, delivery of biodiversity net gain, natural flood management, and green infrastructure implementation among others. Natural England would be happy to advise further on this aspect.

Policy CC2: Managing Flood Risk and Sustainable Drainage Systems
Natural England welcome this Policy that requires development ensures flood and surface drainage are properly addressed, and that Sustainable Drainage Systems (SuDS) are designed in accordance with CIRIA C753 SuDs Manual, to be as 'natural' as possible.

It is advised that the policy makes clear that where a development drains to a protected site(s), an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection may be required to ensure water quality impacts are avoided.

Where SuDS are proposed serving as mitigation for protected sites, development should ensure that appropriate resources are put in place to ensure their long-term (in perpetuity) monitoring, maintenance/replacement, and funding.

Policy CC3: Coastal Change Management Areas (CCMAs)
Sea level rise and coastal change are inevitable and bring both challenges and opportunities for people and nature. Sustainable coastal management needs to embrace long-term change and achieve positive outcomes for both.

Policy CC3 identifies that the North Solent Shoreline Management Plan (SMP) policy for the majority of Fareham Borough's coastline is 'Hold the Line', and identifies two CCMAs between Hook spit and Meon Shore, with an identified coastal management policy of 'No Active Intervention'. The Policy will ensure that development in these areas will appropriately consider coastal change. It also will ensure replacement coastal defence schemes 'are consistent with the relevant Shoreline Management Plan and that there will be no severe adverse impact on the environment, the English Coast Path, and the rights of way network'.

We would advise that the Local Plan should also help facilitate the relocation of valued environmental assets away from areas of risk.

Strategic Policy NE1: Protection of Nature Conservation, Biodiversity and the Local Ecological Network
Natural England welcomes this policy that sets out clearly the hierarchy of nature conservation and the requirement for development to 'demonstrate clearly that the mitigation hierarchy has been followed' in terms of avoiding, mitigating or compensating (as a last resort) impacts on biodiversity. Natural England welcomes the Local Ecological Network (LEN) approach that has been included in the local plan.

It is helpful that the LEN and the Council's Green Infrastructure Strategy have been suggested as tools to provide opportunity for enhancements across the Borough. Please read our comments below in relation to Policy NE2 that regards the choosing of suitable opportunities for biodiversity enhancement.

Policy NE2: Biodiversity Net Gain
Natural England is fully supportive of the inclusion in the local plan of a Policy for biodiversity net gain. It is welcomed that the policy refers to the benefits to Borough residents from the ecosystem services that being close to nature provides, and outlines an expectation that offsite net gain must be sought as close to the development as possible. However in some instances this may be difficult, and Natural England recommends that consideration is given to developing a suite of projects across the LEN that development within the Borough can contribute to thereby ensuring the biodiversity within the Borough is protected and enhanced. For example, partners that manage Local Nature Reserves and Sites of Importance for Natural Conservation in the Borough could submit projects to the local planning authority to enhance the ecological value of these sites. These projects could be funded by development that requires offsite compensation or additional enhancements to achieve biodiversity net gain. This approach can also be used by development with limited opportunities for biodiversity net gain on-site.

The Policy outlines that the Council may prepare and adopt a Supplementary Planning Document (SPD) for Biodiversity Net Gain. Due to the need to ensure net gain is delivered in a suitably

strategic way, and having regard to the timescales of the legislative requirement for net gain and further national guidance, Natural England would support the development of such an SPD and would encourage Policy NE2 to outline this as a clear intention of the Council, in order to provide further guidance and support to aid sustainable development across the borough. Natural England will be happy to advise further to aid the development of such an SPD.

- *Calculating net gain*

Please note that Biodiversity Metric 3.0 is due to be published early 2021, which will supersede Biodiversity Metric 2.0. We advise that the Policy is updated accordingly and that this metric is used to measure gains and losses to biodiversity resulting from development, and implement development plan policies on biodiversity net gain.

Please note that although the Policy includes 'nesting and roosting features' as suggestions for achieving net gain, it is our advice that features such as bird and bat boxes, swift bricks, bee hotels etc should be classed as general biodiversity enhancements that should be included as part of a wider biodiversity enhancement and mitigation plan. Net gain specifically should derive strictly from habitat enhancement and creation, required as calculated using the metric.

- *Wider environmental gains*

The reference to seeking wider environmental gains, for example to address water/air quality, flooding, climate change etc. is welcomed. Opportunities for environmental gains, including nature based solutions to help adapt to climate chance, might include:

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g. by sowing wild flower strips, changing cutting regime of open spaces and road verges*) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g. a hedgerow or stone wall or clearing away an eyesore)
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats

*Please see this paper regarding cost-effective and low-maintenance management for species-rich grassland on road verges and the value it can contribute to biodiversity and ecosystem services.

Please note that Natural England and Defra are developing an Environmental Net Gain/metric for Natural Capital Net Gain that can be used in conjunction with the Biodiversity Metric (but not instead of). Further information will be available in 2021.

- *Monitoring of net gain*

Your plan should include requirements to monitor biodiversity net gain. This should include indicators to demonstrate the amount and type of gain provided through development. The indicators should be as specific as possible to help build an evidence base to take forward for future reviews of the plan, for example the total number and type of biodiversity units created, the number of developments achieving biodiversity net gains and a record of on-site and off-site contributions.

LPAs should work with local partners, including the Local Environmental Record Centre and wildlife trusts, to share data and consider requirements for long term habitat monitoring. Monitoring requirements should be clear on what is expected from landowners who may be delivering biodiversity net gains on behalf of developers. This will be particularly important for strategic housing allocations and providing as much up front information on monitoring will help to streamline the project stage.

Policy NE3: Recreational Disturbance on the Solent Special Protection Areas (SPAs)

Natural England welcome this policy that will require new residential development to address in-combination effects on the Solent SPAs via recreational disturbance. It is recommended the Policy also outlines that other types of development (such as new hotels, student accommodation, care homes etc.) may also need to address recreational disturbance impacts, both alone and in-combination. Such development should be assessed on a case by case basis.

Policy NE4: Water Quality Effects on the Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites of the Solent
Natural England welcome this policy that will require new development that propose a net increase in overnight accommodation to address in-combination effects on the Solent designated sites via eutrophication from nutrients in wastewater.

Policy NE5: Solent Wader and Brent Goose Sites
Natural England welcome this policy that will require development to address effects on sites identified by the Solent Wader and Brent Goose Strategy (SWBGS) which serve as functionally linked land to the Solent SPAs.

It is recommended that the following wording within the Policy "*Sites which are used by Solent Waders and/or Brent Geese (as shown on the Policies map)*" is amended to read "*Sites which are used by Solent Waders and/or Brent Geese (as identified within the most up to date version of the Solent Wader and Brent Goose Strategy)*" to take account of any changes to sites and their distribution across the Borough, as these updates can be implemented at irregular times. Any further references to the Policies map should be similarly amended to refer to the SWBGS mapping.

Core Areas – due to their essential function within the SWBG network, it is advised these sites are identified for protection by the Policy. Any development that would result in impacts to a Core Area will need to be carefully assessed on a case-by-case basis. There are limited options where the function of a Core site can be fully replicated elsewhere in terms of its suitability and appropriate locality; where such land is available, an assessment of replicability will need to be undertaken through discussions with Natural England and the Local Planning Authority.

Financial contributions – it is welcomed that the Policy outlines that financial contributions proposed as mitigation will be used for the management and enhancement of an 'agreed suitable identified site for Solent Waders and Brent Geese'. Such proposals should demonstrate how such funds will be used to enhance, manage and monitor sites within the wider Solent Waders and Brent Geese network, in perpetuity. It is suggested that the Council works with relevant partners/stakeholders, including cross-boundary partnerships, to develop a strategic project(s), such as a bird reserve, and/or list of projects to enhance, manage and monitor the wider Solent wader and brent goose ecological network, to which contributions can be directed.

Policy NE6: Trees, Woodland and Hedgerows
Natural England welcomes this Policy that seeks to protect and enhance trees, woodland and hedgerows within the Borough. It is recommended that this Policy requires development proposals that affect ancient woodland, ancient trees and veteran trees, to ensure they are in line with standing advice published by Natural England and the Forestry Commission.

Policy NE8: Air Quality
It is welcomed that the Policy recognises that 'poor levels of air quality can also lead to environmental issues'. The Policy includes a need for planning applications to consider if they will have a 'potential adverse effect on biodiversity, especially where it would affect sites designated for their biodiversity value'.

The Policy outlines that the Local Plan HRA concludes the Plan 'would not have a likely significant effect on the internationally important habitats and species present in the area'. As this issue has

been considered within the HRA appropriate assessment, the wording here should be amended to use the correct terminology under the Habitats Regulations, i.e. the HRA concludes the Plan will not result in an 'adverse effect on integrity' (the term 'likely significant effect' is used at the screening stage of the HRA). See further comments on air quality below in regards to the Local Plan HRA.

Policy NE9: Green Infrastructure
Natural England welcomes this Policy that seeks to fully integrate green infrastructure (GI) into development and maximise opportunities to connect to the wider environment. The provision of enhanced green infrastructure and sites of nature conservation value can not only help address some of the mental and physical health problems that are experienced in the Borough's population, but can also benefit society in other ways including improvements to local air and water quality, reducing the risk of flooding, alleviating noise levels and aiding climate change adaptation.

Policy NE10: Protection and Provision of Open Space
This Policy references protection of public rights of way. Natural England advises that the Policy should also seek to secure enhancement of public rights of way and National Trails, as outlined in paragraph 98 of the NPPF. Recognition should be given to the value of rights of way and access to the natural environment in relation to health and wellbeing and links to the wider green infrastructure network. It is welcomed the plan seeks new access opportunities; it should seek to link existing rights of way where possible. The plan should avoid building on open space of public value as outlined in paragraph 97 of the NPPF.

It is welcomed that the Policy makes provision for appropriate quantity and quality of green space to meet identified local needs (as outlined in paragraph 96 of the NPPF) based on Natural England's work on Accessible Natural Greenspace Standard (ANGSt) in assessing the level of accessible natural greenspace; it is also welcomed that it recognises development may be required to 'provide more open space above what is required by the standards to make the development more acceptable'.

Policy D1: High Quality Design and Place Making
Natural England welcomes this Policy that requires the design of developments to integrate existing and new habitats and biodiversity within a coherent and well managed, connected structure. It is advised that landscaping of developments and open spaces seeks to use appropriate native and locally sourced species as far as possible to cater for local wildlife.

Policy D4: Water Quality and Resources
Natural England welcome this policy that seeks to conserve water and improve its quality.

Southern Water's Water Resources Management Plan (WRMP) 2019, that covers the planning period 2020-2070, projects a significant supply demand deficit during periods of drought in the Western Area, and commits to implementing a long term water resources scheme to restore the supply demand balance whilst avoiding and/or mitigating impacts on European sites, including the River Itchen SAC.

It is Natural England's advice that in advance of any permitting of such a suitable long term scheme, uncertainty remains with regards to water resources and the impacts of abstraction on protected sites.

Although it is welcomed that Policy D4 requires a water consumption for new dwellings of no more than 110 litres per person per day, Natural England strongly recommend all new development within the Southern Water supply area adopt a higher standard of water efficiency of 100 litres/per person/day, including external water use and re-use, in line with Southern Water's Target 100 demand reduction programme which is committed to within their WRMP19. Natural England also recommends that the Policy encourages the wise use of water in conjunction with the water companies, for example by developments incorporating grey water recycling systems and efficient appliances

Please see Natural England advice above in relation to Policies NE4 and Policy CC2 with regards to nutrients and surface water treatment via SuDS.

Neighbourhood Plans
Currently there are no Neighbourhood Plans in the Borough, but the Local Plan provides a 'strategic evidence base' which will inform any future Neighbourhood Plans.

It is recommended that any future Neighbourhood Plans which allocate housing should also identify spaces for environmental enhancement, for the purpose of offsetting environmental impacts, e.g. through the designation of Local Green Spaces. Such a local approach could give communities more ownership over such green spaces and provide a more strategic route to addressing common environmental impacts from development in that area, such as air and water pollution, habitat and species loss and increased carbon emissions, and could deliver biodiversity net gain and nutrient offsetting.

Such spaces could include the development of community orchards and play areas, woodlands and nature reserves, and serve a variety of functions that benefit both nature and the local community, for example providing benefits to health and wellbeing, offsetting nutrient discharges from allocated development and providing further scope for carbon sequestration.

Specific comments on Housing Allocation Policies

- HA9 - Heath Road (70 dwellings)

It is acknowledged this allocation site has resolution to grant permission for 70 dwellings. It is recommended this Policy includes the requirement to secure an appropriate level of offsite compensation to address the loss of secondary woodland on site which may in parts qualify as lowland mixed deciduous woodland habitat.

- HA29 - Land East of Church Road (20 dwellings)

Much of this site shows as Lowland Mixed Deciduous Woodland priority habitat on the Ecological Network mapping for Hampshire. Part of the site is designated as a Site of Importance for Nature Conservation (SINC) according to the Policy map. The Policy outlines a requirement for ecological mitigation for the site-specific construction and operational impacts of a development proposal. It is advised the Policy outlines a requirement to secure an appropriate level of offsite compensation to address any loss of priority habitat on site to ensure compliance with Policy NE1.

- HA31 - Hammond Industrial Estate (64 bed care home)

The Policy should ensure the impact of nutrients in wastewater is addressed to ensure compliance with Policy NE4.

- HA37 - Former Locks Heath Filling Station (30 dwellings)

This site is adjacent to an area of Lowland Mixed Deciduous Woodland priority habitat as shown on the Ecological Network mapping. The Policy should ensure that impacts on priority habitats and protected species are taken into account and appropriately addressed.

- HA38 – 68 Titchfield Park Road (9 dwellings)

The site is adjacent to Sylvan Glade SINC, much of which is ancient semi-natural woodland. The Policy should ensure compliance with standing advice on ancient woodland, ancient trees and veteran trees and that impacts on the SINC and protected species are appropriately addressed.

- HA42 - Land South of Cams Alders (60 sheltered housing)

This allocation site is located on 'Fort Fareham Grassland' SINC that supports woodland and meadow communities. It also lies adjacent to Fort Fareham SINC known for supporting wet woodland communities.

As previously advised in our response to the Supplement to the Reg 18 Local Plan (letter dated 23rd April 2020), allocations and development proposals should ensure they engage the mitigation

hierarchy, where impacts on designated ecological sites/features should first be avoided, and where not possible, adequately mitigated. Where this is not possible, any loss of priority habitat should be appropriately compensated. All residual ecological impacts will need to be addressed before any net gain for biodiversity can be achieved.

Natural England recommends that where loss of SINC habitat cannot be avoided, the policy should make clear how requirements set out within the NPPF, NERC Act 2006 and Local Plan Natural Environment policies will be met. It is advised an appropriate level of offsite compensation should be required to address any loss of priority habitat on site to ensure compliance with Policy NE1 .

- E4: Solent 2 (Employment - 23,500 sq. metres)

This employment allocation is located on Whiteley Meadow - Plot 2184 SINC and Ashley Wood, Fareham SINC. The Hampshire Ecological Network Mapping dataset shows much of this area as Lowland Mixed Deciduous Woodland, a priority habitat listed as required under Section 41 of the Natural Environmental and Rural Communities Act 2006. The site is also situated adjacent to the Gull Coppice (South-West Remnant) SINC which comprises ancient semi-natural woodland.

It is acknowledged that this site is an existing allocation within the adopted Fareham Local Plan Part 2 (2015).The current Policy outlines a requirement for this development to protect existing woodland and avoid habitat severance, and appropriate mitigation and compensation for any loss of protected trees. However, it is our view that a significant area of habitat, including mature woodland, is likely to be lost as a result of development. The Policy should ensure that it is compliant with Strategic Policy NE1 with regards to impacts on the local ecological network in this locality. In line with existing national and local policy and legislation, it is Natural England's advice that the mitigation hierarchy of avoid, mitigate and lastly compensate is employed where considering impacts on these habitats, particularly those designated as SINC. Measures should be sought to protect and enhance the local ecological network. Where impacts cannot be avoided or adequately mitigated, a comprehensive compensation package should be required that addresses the loss of all priority habitat on site (rather than just specifying protected trees), that seeks to enhance and connect habitat in the locality.

Comments on the HRA

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the Local Plan in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

We have the following comments on the HRA:

- *Recreational disturbance – New Forest designated sites*

The Local Plan HRA screening assessment outlines that although the Borough falls within the 25km buffer of the New Forest designated sites (via a straight line), the minimum actual travel distance by car is of approximately 30km travel distance (via the M27). In comparison to the number of visits from residents closer to the New Forest, the assessment states 'visits to the New Forest SAC/SPA/Ramsar associated with increased housing development in Fareham Borough contribute a significantly lower proportion of overall visits to the designated sites and it is not considered likely that significant effects associated with recreational disturbance from Fareham housing development would arise'. The HRA screens this impact pathway out from an appropriate assessment on this basis.

It is understood Footprint Ecology are currently conducting further analysis on several aspects of their latest visitor surveys. This analysis will assist the definition of a robust catchment area for recreational impacts. It will help in the preparation of a strategic, cross-boundary approach with neighbouring competent authorities to deliver habitat mitigation for the New Forest SPA/SAC/Ramsar. This work is due to be completed shortly and will provide a useful update to the evidence base against which such impacts from new development from surrounding local authority areas can be assessed.

Therefore, whilst acknowledging that the level of additional impacts from new residents is known to significantly decrease with distance from the New Forest designated sites, Natural England consider at this time there remains some uncertainty with regard to the evidence confirming the level of additional impacts from new residents of Fareham local plan development. We therefore advise this issue is taken forward to the appropriate assessment stage where further work may be carried out to ascertain the level of impacts as accurately as possible.

Where impacts are identified, suitable and proportionate mitigation should be proposed; we recommend the Council works with the New Forest National Park Authority and the other partner authorities to develop a strategic approach to addressing recreational impacts from new development on the New Forest designated sites. Such an approach should include developer contributions towards the New Forest National Park Authority's Habitat Mitigation Scheme to enable the authority to deliver site specific mitigation measures on behalf of applicants.

Natural England will be happy to provide further advice to the Council on this aspect as the evidence base develops.

- *Air quality*

The Local Plan is supported by an Air Quality Habitats Regulations Assessment (Ricardo, Sept 2020). The conclusions drawn in the Local Plan HRA in regards to air quality impacts are based on those drawn within the Ricardo report. Natural England concurs with the conclusions drawn in the report.

The Ricardo report suggests that the Council regularly reviews the Defra airborne NOx forecast levels. This is welcomed as a way to ensure any changes in forecasting and potential consequential changes to conclusions drawn in the report for this pollutant can be appropriately reviewed and addressed during the local plan period.

- *Water quality – nutrients*

The HRA calculates a nitrogen budget for the local plan of 2536.99 kgTN/yr. Appendix III of the HRA outlines various mitigation schemes that can be utilised or progressed as a means to ensure nutrient neutrality can be delivered by new development.

The HRA states within its Summary of Findings that the sites Chichester and Langstone Harbours SPA/Ramsar, Portsmouth Harbour SPA/Ramsar and Solent and Dorset Coast SPA are screened out of an appropriate assessment in relation to water pollution impacts. Much of development within Fareham borough is served by Peel Common wastewater treatment works (WwTW), which is a coastal WwTW that discharges effluent several kilometres out into the Solent. It is our advice that long-shore outfall pipes are likely to have shifted and widened the distribution of nitrogen loading within the effluent across the Solent SAC and SPAs. It is important to recognise the loading from Peel Common WwTW contributes to a number of estuaries and catchments within the Solent (including Portsmouth Harbour, Langstone Harbour, Chichester Harbour, River Meon, Wootton Creek and the Medina Estuary catchments). It is therefore Natural England's view that, because of this wide distribution of nitrogen loading, all designated sites should be screened in.

- *Other comments on the HRA*

Section 7.7.3 – this paragraph refers to the 'SAC' although it is relating to Portsmouth Harbour SPA and Ramsar.

Comments on the SA

We are broadly satisfied that the objectives and indicators within the Sustainability Appraisal cover our key interests, and welcome the identification of the need to conserve and enhance biodiversity, landscape character, and to reduce pollution. We also welcome the need to address minimise the

effects of climate change, and to minimise impacts on best and most versatile agricultural land. Please see some more specific comments below.

- SA5: To Minimise Carbon Emissions and Promote Adaptation to Climate Change

This SA objective to address the effects of climate change is welcomed. It is suggested a further monitoring parameter(s) is included to monitor the implementation of new GI/habitat that can seek to alleviate the pressures of climate change on species and the ecological network whilst also providing other benefits as described further in our advice above; e.g. percentage of new GI/ extent of priority habitat within the ecological network.

- SA7: To Conserve and Enhance Biodiversity

We advise that this SA objective also seeks to conserve and enhance geodiversity within the Borough, in line with national planning policy.

The SA outlines the Plan 'is predicted to lead to negative impacts to ecological receptors in the short to medium term, but many of these impacts are capable of being mitigated. Long-term effects are likely to be both positive and negative, and highly site-specific'. It is acknowledged these effects can be avoided/mitigated by the implementation of several policies including NE1, NE3, NE4 and NE5. It is advised Local Plan Policy requires relevant development to carry out site-level Habitats Regulations Assessments in order to ensure impacts on European sites are suitably addressed.

It is also suggested that further monitoring parameters are incorporated to ensure impacts on internationally, nationally and locally designated sites are monitored throughout the Plan period, e.g. via the number, extent and condition of sites designated for nature conservation. We would advise the use of a green infrastructure standard as an indicator, such as Natural England's Accessible Natural Greenspace Standard (ANGSt). Parameters for measuring the implementation of net gain should be introduced, see further above for our advice on net gain monitoring.

We would be very happy to comment further as the plan process progresses. If you have any queries relating to the detail in this letter please contact me on [redacted]

Yours faithfully

Rebecca Aziz
Sustainable Development Senior Advisor
Thames Solent Area Team

Representations | Richard Jarman

1712-211841

Respondent details:

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First Name:	Richard
Last Name:	Jarman
Job Title: (where relevant)	[No Reply]
Organisation: (where relevant)	[No Reply]
Address:	[redacted]
Postcode:	
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1) Paragraph: 5.24

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

olicy HP4 (Para 5.24) HA1 fails to meet criteria e) as the proposal would demonstrably have unacceptable environmental, amenity and traffic implications. Policy HA1: Page 51 refers to traffic routes and despite recommendation to limit access to 6 dwellings on Greenaway Lane, the plan proposes for up to 140 dwellings to use this as access through a widening of the Lane. This will result in a considerable negative impact on the character of the lane and to the safety of its non-vehicular users. In general, Page 54 suggests 7 new accesses onto the already very busy Brook Lane and Lockswood Road, as well as one additional access at Brook Lane, via 3 entry points from Greenaway Lane. The position and proximity of these access points will be a recipe for serious gridlock and accident blackspots. Para 10.15 Transport plan does not include an analysis of streets where the majority of the houses are proposed. Why, when there are 830 new dwellings proposed, hasn't more consideration been given to HA1 in the transport assessment. With an average of 2 cars per dwelling, an additional 1660 vehicles will be on local roads and there is no reference for the mitigation required to reduce congestion by 2037. The Plan fails the Test of Soundness by not being Positively Prepared in this respect. Para 10.14 The Local Plan Strategic Transport Assessment at Para 14.16 reads; "In conclusion, based on the work of this Strategic Transport Assessment, it is considered that the quantum and distribution of the development proposed in the Fareham Local Plan, and the resulting transport impacts, are capable of mitigation at the strategic level, and that the plan is therefore deliverable and sound from a transport perspective." This statement doesn't include the area HA1, of the local plan with 830 homes and isn't assessed within the The Local Plan Strategic Transport Assessment document. Policy HA1: Page 52 indicates the need for the provision of “2 junior football pitches” Why are these not shown in the Masterplan?

Policy HA1 (currently a Greenfield site), is proposed to be re-designated as an urban area (via the re-definition of Settlement Boundaries ref. WW17). In the Foreword to Publication Plan: Greenfield sites are less favoured locations for development. Para 2.10 states Fareham Borough will retain its identity, valued landscapes and settlement definition and will protect its natural, built and historic assets. The proposed allocation of Policy HA1 contradicts these aspirations and those of Para 2.12 “Strategic Priorities” which strive to maximise development within the urban area and away from the wider countryside and to create places which encourage healthier lifestyles. The re-designation of the Policy HA1 to urban status and the movement of the Settlement Boundary to encompass it, is a blatant and possibly, unethical, manœuvre by stealth of the council, to suit its own objectives.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

We really need to rethink the number of houses planned for development in Warsash, with no infrastructure supporting that development. Warsash is bounded on two sides by water - there is very limited access in or out, especially with another potential 1600 cars in the village.

Remove the proposal to redefine the settlement boundary

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Reconsider the transport, traffic and impact on local infrastructure.

It will also the area to retain its identity, valued landscape and settlement definition

Your suggested revised wording of any policy or text:

Revise the policy test in line with environmental, amenity and traffic issues

I have no revised wording to suggest. I am not a town planner or lawyer.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

No, I don't want to take part in a hearing session

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2) Paragraph: 5.6

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Strategic Policy DS1 (Paras 5.6 and 3.36) deals with the need (in exceptional circumstances and where necessary and justified) for residential development in the countryside on previously developed land. Additionally, Policy HP1 calls for the efficient use of existing buildings to meet such need on a one-for one replacement dwelling basis. These conditions do not apply to HA1 and therefore it seems the “convenient” alternative was for FBC to redraw the urban boundary!

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Remove the proposal to redefine the settlement boundary

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would protect the local identity, valued landscapes and settlement definition

Your suggested revised wording of any policy or text:

I have no proposed revised wording - I am not a lawyer or town planner

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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3) Paragraph: 3.1

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

The decision to “rewild” the Stubbington Strategic Gap was made without consultation with council officers or elected Members. Instead, this announcement came via a press release issued after the start of the Full Council meeting which was in the process of debating this Plan?

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Reconsider the re-wilding or the Stubbington gap. Why couldn't Warsash have this designation instead, and the building commence at Stubbington?

How would the modification(s) you propose make the Local Plan legally compliant or sound?

I would allow a full consultation on the options available, instead of choosing the most convenient

Your suggested revised wording of any policy or text:

I have no revised wording - I am not a lawyer or town planner

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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4) Paragraph: 1.28

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Para 1.28 In agreeing to take up a shortfall in homes of 847 from Portsmouth, Fareham Council are taking a risk as the new methodology for calculating Housing Need has not been signed off by the Government and the Housing Delivery test will not be available during this public consultation period.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

The government appear to be changing their mind on allocation of housing - Fareham has taken too much of a hit and should revisit the building targets.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would re-look at the housing targets for the region

Your suggested revised wording of any policy or text:

I have no revised wording or text

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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5) Paragraph: 9.1

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Whereas the LPA is aspiring to Nitrate Neutrality, Strategic Policy NE1 requires designated sites be protected and ENHANCED Likewise Para 9.50 (Policy NE4) confirms permissions will be granted when the integrity of designated sites be maintained or IMPROVED. Finally, Page 199 Para 9.54 indicates that proposals for development should provide a net REDUCTION in eutrophication for designated sites in an unfavourable condition. The LPA's approach therefore contravenes both the Habitats Directive and the Publication Plan in respect of these policies. Furthermore, a leading QC's opinion is it is unclear how any development could be contemplated in the Western Wards without negatively impacting the SAC and RAMSAR sites and therefore based on proximity alone, this would invalidate the deliverability of these developments. As per advice from Natural England, it is the responsibility of the LPA to fulfil its legal obligations and satisfy themselves beyond scientific doubt, that adverse effects on the designated SAC, SPA and RAMSAR sites, from harmful nutrients generated by new residential development, has been mitigated (rather than compensated). There is doubt that the LPA is applying the Natural England advice correctly and lawfully in this respect.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

The development site needs to be protected and improved , with a net reduction on nitrites and consider the legal opinion.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would meet legal requirements on the habitats directive

Your suggested revised wording of any policy or text:

No comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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6) Paragraph: 1.16

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

No mention is made of the 2017 unadopted draft Plan and Officers confirm it is the previous, 2015 plan which is extant. Para 4.8 Allows the LPA to consider Housing sites allocated in the previous adopted (extant) Local Plan. Yet, whilst HA1 did not feature in the extant 2015 Plan, page 38 ignores this, stating that housing will be provided through HA1 and other local sites. The total new homes proposed for specific sites across the Borough (not including Welborne) is 1342. It is an unfair distribution for HA1 (proposed at 830 dwellings) to contribute 62% of this quantum. Moreover, whilst FBC recently enjoyed an overall reduction in new houses of 22.5% they are now proposing Warsash should endure a 20% increase in their local number! There is no joined up "Masterplan" for HA1 (with developers working in complete isolation of one another). Therefore, another environmental impact assessment must be conducted showing the cumulative effect of HA1 in its entirety.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Reconsider the allocation of housing to Warsash and reconsider redistribution across Fareham. Complete a full environmental assessment for all development in Warsash

How would the modification(s) you propose make the Local Plan legally compliant or sound?

Fairer distribution of housing allocation, with full impact assessment for all proposed development, rather than in isolation

Your suggested revised wording of any policy or text:

No comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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7) Paragraph: 1.5

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

ntroduction: Statement of Community Involvement Paragraph 2.1 says a “variety of methods” should be used to solicit comments from the public. Because paper-based documents failed to be employed across the borough, a large proportion of residents were deprived of sharing their opinion. This was exacerbated by Covid restrictions, limiting the access to libraries and the council office. The Publication Plan Introduction Page 1 specifies that representations should focus solely on “Tests of Soundness” but is contradictory to FBC’s guidance in Fareham Today which includes the additional areas of ”Legal Compliance” and “Duty to Cooperate” This is misleading and confusing to members of the public wishing to provide commentary. Since 2017 residents’ concerns have not been considered regardless of protest marches, deputations and objections raised. For example, despite a petition exceeding the prerequisite number of signatures needed to trigger a Full Council meeting debate, such debate was refused, even after a challenge was raised to the Council’s scrutiny Board. It is discriminatory that community-generated evidence carries less weight than that provided by Developers consultants. E.g. regarding previous use of land in Nitrate budget calculations similarly with traffic survey results captured by residents and Community Speedwatch teams. Para 4.7 The Warsash Neighbourhood Forum (although now defunct) were never consulted with respect to their intention to allocate housing, in line with Para 66 of the NPPF.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

It needs to have a much wider consultation process, involving great access for the community. The online method is restrictive for many people.

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would allow all residents to view and comment on the proposals

Your suggested revised wording of any policy or text:

No comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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8) Paragraph: 10.26

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Infrastructure Delivery Plan calls for the expansion of health care provision through the addition of further GP locations in the Western Wards, However the table provided within the document only provides an historic timeline pre-dating the Local Plan. This is not a Sound approach taking into consideration that HA1 alone will bring an additional 830 dwellings.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Legally enforce the provision of further healthcare provision

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would provide sufficient healthcare resources to meet the demand of the additional housing

Your suggested revised wording of any policy or text:

No comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

9) Paragraph: 7.13

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Local retail/commercial facilities figures do not cater for the additional houses in Warsash. For example, no additional convenience goods floor space has been allocated to Warsash. Para 7.18 Out of town shopping is discussed, but not defined; Out of town shopping will take jobs and customers away from local shopping areas and will increase traffic on the routes in and out of Warsash and Locks Heath.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Legally enforce the provision of further retail space in Warsash

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would reduce traffic and provide local jobs in the community

Your suggested revised wording of any policy or text:

no comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

10) Paragraph: 10.26

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

Infrastructure Delivery Plan Section 5.4 Education is planned with HCC but the period of any proposed extensions for child placements is only up to 2021 whereas the Plan covers up to 2037. This is not a sound approach for the education of our children.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

There is already a lot of pressure on the local schools - adding more housing will in most likelihood, force children to travel some distance for schooling. the plan needs to legally enforce the provision of further schooling through the lifetime of the plan

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It would provide for child placements up to the lifetime fo the plan

Your suggested revised wording of any policy or text:

no comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session

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11) Paragraph: 11.34

Legally compliant	No
Sound	No
Complies with the duty to co-operate	No

Please provide details you have to support your answers above

The council will support applications where development exceeds Building Regulations but no percentage target for improvement has been set. The Plan is therefore not a Sound and effective approach to carbon emissions reduction in the Borough.

What modification(s) is necessary to make the Local Plan legally compliant or sound?

Set targets for exceeding carbon emissions as part of the plan

How would the modification(s) you propose make the Local Plan legally compliant or sound?

It will legally enforce the reduction of carbon in the borough

Your suggested revised wording of any policy or text:

No comment

If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I don't want to take part in a hearing session