

Development Sites and Policies Plan

Fareham Borough Council

Response to Inspector's Question for the Council (post hearings) on the Ministerial Statement dated 25th March 2015

April 2015

DCD-39

1 Introduction

1.1 On 27th March 2015, the Inspector asked the following further question to the Council:

1.2 *“A written ministerial statement was made by Eric Pickles MP and published on 25th March 2015. It covers a wide range of issues intended to streamline the planning system, protect the environment, support economic growth and assist locally-led decision-making. Reference is made to a new system of housing standards.*

It would be helpful if the Council could comment briefly on whether or not, in its view, the content of the Statement has any implications for the Local Plan Part 2: Development Sites and Policies of which I should be aware.”

1.3 A response from the Council is set out below. The Inspector’s Question has been added to the Examination Documents (DID-17). The Ministerial Statement has also been added to the library of submission documents (DOE9).

2 The Ministerial Statement

2.1 The written ministerial statement was published by the Department for Communities and Local Government (DCLG) on 25 March 2015 and outlines the steps that the Government is taking to streamline the planning system, protect the environment, support economic growth and assist locally-led decision-making.

2.2 The statement provides an updated planning position from the Government on a wide range of issues including energy efficiency in buildings, brownfield land, the green belt, unauthorised encampments, parking and housing standards. The streamlining consists of updates to guidance and changes to legislation and indicates various timescales as to when the changes will take effect.

2.3 With regards to housing standards, it is noted that the new regulations and standards have now been implemented following Royal Assent being given to the Deregulation Bill 2015 on 26 March 2015, thus creating the Deregulation Act 2015.

2.4 The statement is wide ranging and covers the following areas. They are:

- Solar energy: protecting the local and global environment
- Brownfield land: increasing support for councils
- Green belt: protecting against inappropriate development
- Unauthorised encampments: ensuring fair play in the planning system
- Parking: helping local shops and preventing congestion
- Planning applications: streamlining the process
- Short term lets: championing the shared economy
- Planning guidance: making the planning system more accessible
- Change of use: supporting brownfield regeneration
- Zero Carbon Homes: supporting small builders
- Housing standards: streamlining the system
- Plan making

- Decision taking, transition and compliance.

3 Implications for the Development Sites and Policies Plan

3.1 Taking each section in turn, the Council considers the implications for the Development Sites and Policies (DSP) Plan are as follows:

3.2 Solar energy: protecting the local and global environment

This section mainly concerns large scale solar energy schemes. The statement and associated revisions to the Planning Practice Guidance (5-013-20150327) make it clear that local planning authorities will have to give due weight to the loss of any agricultural land and whether the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land.

3.3 The DSP Plan contains a policy on Renewable Energy (DSP56) and an associated map showing the areas of least constraint for solar energy (Appendix H). Paragraph 6.69 makes it clear that not all areas defined as “least constrained” will necessarily be suitable. Further, agricultural impacts are one of the issues identified in paragraph 6.75 which will need to be taken into account when considering renewable energy proposals. Policy CS16 of the adopted Core Strategy already states that proposals will be expected to prevent the loss of the best and most versatile agricultural land. Therefore the Council considers that although Agricultural Land Classification is not reflected in the map contained within Appendix H, the adopted and emerging plan policies provide a sufficient framework to ensure that any loss of the best and most versatile agricultural land for solar farm proposals will be assessed according to the new guidance.

3.4 The reforms to permitted development rights which encourage the take up of larger scale solar power generation on non-domestic buildings are not thought to conflict with the design principles set out in the DSP. The Council will include any forthcoming reforms in any future design Supplementary Planning Document (SPD).

3.5 Brownfield land: increasing support for councils

The Council understands the need to support the delivery of new housing on brownfield sites and where appropriate will support the use of Local Development orders (LDO) to deliver housing. However notwithstanding the support for LDO’s planning applications for residential development will be determined with reference to the policies in the adopted Core Strategy and the emerging DSP. Therefore no change to the Plan is considered necessary.

3.6 Green belt: protecting against inappropriate development

The announcement has no relevance for the DSP Plan. There is no Green Belt in Fareham or neighbouring authorities.

3.7 Unauthorised encampments: ensuring fair play in the planning system

The changes in guidance on unauthorised encampments is noted. The Council considers it does not have any relevance for the DSP Plan.

- 3.8 Parking: helping local shops and preventing congestion
The statement includes some additional text to be read alongside the National Planning Policy Framework (NPPF) regarding the imposition of local parking standards. It also makes it clear that non-residential parking space can be rented out.
- 3.9 The DSP Plan does not set parking standards. The Council will consider, in consultation with the Highway Authority, what the appropriate response to the ministerial statements will be in any future revisions to parking SPDs for Fareham Borough.
- 3.10 Planning applications: streamlining the process
The Council notes the changes to the Development Management Procedure Order and does not consider there are any implications for the DSP Plan.
- 3.11 Short term lets: championing the shared economy
The measures in the Deregulation Act 2015 to include new flexibility for short-term lets in London are not applicable to Fareham Borough and the Council considers there are no implications for the DSP Plan.
- 3.12 Planning guidance: making the planning system more accessible
The Council has considered the various updates to planning guidance outlined in this section and considers there are no implications for the DSP Plan. In the case of the reference to the ministerial statement of 28 November 2014, the Council considers that the clarification on the status of the advice does not affect the conclusions reached in its response to the previous Inspector's question (DCD30).
- 3.13 Change of use: supporting brownfield regeneration
The Council has considered the announcements in this section and the measures in the Town and Country Planning (General Permitted Development) (England) Order 2015. The Council considers that, insofar as changes of use require planning consent, then the policies in the adopted Core Strategy and the emerging DSP provide an appropriate basis for making a decision. Therefore this announcement and the revised Order do not impact upon the appropriateness of the DSP Plan policies.
- 3.14 Zero Carbon Homes: supporting small builders
The announcement regarding an exemption for small housing sites from the requirement for off-site carbon abatement measures is noted. The DSP Plan contains no requirements or expectations regarding zero carbon homes and so this announcement has no implications for the DSP Plan.
- 3.15 Housing standards: streamlining the system; and Plan Making
These sections outline a new system of additional optional Building Regulations on water and access, a new national space standard and a new approach to energy efficiency.
- 3.16 The DSP does not contain policies or expectations regarding the technical standards sought for new housing developments. These aspects of proposals for residential development will be assessed against relevant national policy and

guidance, and where still appropriate policies in the adopted Core Strategy. Therefore there are no implications for the DSP Plan.

Decision taking, transition and compliance

- 3.17 The statement concludes with some guidance regarding transitional arrangements regarding technical housing standards. Paragraphs 3.14 and 3.15 above have set out the Council's position regarding the ministerial statement and in particular that no changes are necessary to the Plan at this point in time.
- 3.18 Some of the changes highlighted in the statement are expected to come into force by the end of 2016. The Council has already indicated its commitment to a review of the Local Plan which will enable the emerging picture on energy efficiency standards and other aspects covered in the statement to be reflected in that review.

4.0 Conclusion

- 4.1 In conclusion, the Council considers that the Ministerial Statement does not raise matters which cannot be accommodated within the current drafting of the DSP Plan, and no further amendments to the DSP Plan are required as a result of this statement.