

# **The Development Sites and Policies Plan**

**Fareham Borough Council**

---

Response to Inspector's Question 3

January 2015

**DCD-31**

## **1 Introduction**

1.1 On 13<sup>th</sup> January 2015, the Inspector asked the following further question to the Council:

1.2 *“I am required to consider the Fareham Local Plan Part 2 independently and on the basis of the evidence submitted. However, a number of references have been made (for example in the responses to the recent work undertaken by the Council following the hearing sessions) to the Preliminary Findings of the Inspector into the Eastleigh Local Plan.*

*I appreciate that the two plans are fulfilling different functions but it would nevertheless be helpful if the Council could briefly comment on whether or not the findings of Mr Emerson have any implications for LP2 of which I should be aware.”*

1.3 A response was requested by 27<sup>th</sup> January 2015, and is set out below. The Inspector’s Question has been added to the Examination Documents (DID-14). The Eastleigh Local Plan Inspectors Preliminary Conclusions has also been added to the library of submission documents (DOE7)

## **2 Eastleigh Examination & Preliminary Findings**

2.1 Eastleigh Borough Council submitted the Eastleigh Borough Local Plan (2011-2029) on 15<sup>th</sup> July 2014. The Inspector (Simon Emerson) originally planned to hold hearing sessions on strategic issues between 10-13<sup>th</sup> November 2014, before considering the Plan’s remaining issues in January 2015. However, following the initial set of hearings the Inspector published Preliminary Conclusions on Housing Needs and Supply and Economic Growth (DOE7), setting out serious concerns with the approach taken on these issues. For these reasons the Inspector did not consider it appropriate to proceed with the planned further hearings in January.

2.2 The main issues raised by Mr Emerson in his conclusions regarding the Eastleigh Local Plan were:

- Housing Requirements;
- Affordable Housing;
- Economic Growth; and
- Housing Supply and Delivery

2.3 Mr Emerson’s overall conclusions were that the Eastleigh Local Plan had two important shortcomings. *“The first is the failure of the Council to recognise the true scale of need for affordable housing and therefore the consequential failure to consider how it might be addressed....The second is the inadequacy of the five year supply given that a 20% buffer is required”* (DOE7).

## **3 Role of LP2 and Eastleigh Local Plan**

3.1 The Council considers that the Eastleigh Local Plan and LP2 are, as referenced in the Inspectors question, designed to fulfil completely different

functions.

- 3.2 Fareham Borough Council adopted the Core Strategy (DLP02) in August 2011, which represents the first part of the Local Plan. The Core Strategy sets out all the development requirements for the Borough up to 2026. Fareham Borough Council therefore maintains that the purpose of LP2 is to complete the overall Local Plan for the Borough, which was started by the adoption of the Core Strategy. The only role of LP2 is, therefore, to meet the requirements as set out in the Core Strategy. It is not the role of LP2 to seek to set new requirements for the Borough or to review or change the adopted position set out in the Core Strategy.
- 3.3 In contrast, Eastleigh Borough Council does not have an adopted Core Strategy, with the Borough currently relying on the Eastleigh Borough Local Plan Review (2001-2011) which was adopted in 2006. Their revised Local Plan is a single, comprehensive document, whose role is to set the development requirements for the Borough but also to set out how these requirements can be met. The Eastleigh Plan must, therefore, demonstrate that it has, in terms of its housing requirements, met the tests set out in the NPPF and, in particular, demonstrate that it has met housing targets based on objectively assessed housing needs for its area. This is distinct from the purpose of LP2.

#### **4 Housing Requirements**

- 4.1 The Gladman Development Ltd v Wokingham Borough Council judgement makes it clear that where a development plan document is not setting housing requirements it does not need to consider objectively assessed needs. The Council has covered the relevance of this decision in detail in Fareham Borough Council's answer to Inspector's Question 1 (DCD-02), but the conclusion is clear: *"In accordance with the approach set out in Gladman Development, we consider that the soundness of the Welborne Plan and DSP is not contingent on identifying the full objectively assessed needs for market and affordable housing for the purposes of paragraph 47(1) of the NPPF. We consider that both documents merely deal with the allocation of sites for a quantity of housing which has been identified as needed, rather than dealing with the assessment of the need for housing"* (DCD-02)

#### **5 Conclusions**

- 5.1 The Eastleigh Local Plan sets out to determine the development requirements for Eastleigh Borough, and therefore needed to demonstrate it was meeting its full objectively assessed needs. The main conclusions drawn from Mr Emerson were that the Plan did not meet the objectively assessed needs of the Borough, especially with regards to affordable housing.
- 5.2 LP2 is seeking to complete the Local Plan process started by the Borough's adopted Core Strategy. The development requirements, including housing, were established in the Core Strategy and have been found sound. The role of LP2 is to allocated land to meet the requirements of the Core Strategy, and

does not seek to establish requirements itself. In line with the Gladman v Wokingham case (further detail of the relevance of this is set out in DCD-02) the Council maintains LP2 does not need to demonstrate that it meets objectively assessed needs.

- 5.3 Given that the roles of the Eastleigh Local Plan and LP2 are distinctively different the Council does not feel that the findings of Mr Emerson with regards to the Eastleigh Local Plan have any implications for LP2.