



Fareham Local Plan 2037
Revised

**Representations to
Housing Supply Topic
Paper July 2022**

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1.0 Introduction

- 1.1 These representations have been prepared by Southern Planning Practice Ltd (SPP) on behalf of Raymond Brown Rookery Properties who own land at Rookery Farm, Botley Road, Swanwick which was proposed to be allocated as a residential development site in the Supplement to the Draft Local Plan in January 2020; however, it was subsequently removed as an allocation from the Regulation 19 Submission Version of the Local Plan.
- 1.2 These representations are made in respect of the Housing Supply Topic Paper (FBC090) which has been produced by Fareham Borough Council following the Local Plan Hearings in March 2022 and in response to the Inspector's Post Hearing Letter dated 6 June 2022. The Inspector has invited representations on three topic papers produced by the Council namely this paper on Housing Supply as well as FBC089: Revised Affordable Housing Background Paper and FBC077 Windfall Analysis Update. Separate papers have been prepared by SPP in respect of each of these topic papers and together form the further representations by SPP on behalf of Raymond Brown Rookery Properties to this focussed consultation.
- 1.3 Representations have been made on behalf of our client, Raymond Brown Rookery Properties throughout the preparation of the emerging Local Plan. We also represented our client at the Local Plan Examination Hearings in March 2022. Whilst this statement is not a duplication of the contents of representations previously submitted to the emerging Local Plan or the Matter Statements prepared for the hearings, this statement draws on previous responses where necessary.
- 1.4 We request to participate in any further hearing sessions which may be held as part of the Local Plan Examination.
- 1.5 Notwithstanding the new evidence produced by the Council, it is our continued view that the draft Plan remains UNSOUND for the reasons outlined in each of the papers.

2.0 Response to Housing Supply Position Update

- 2.1 It is pertinent to note that as a result of the revised housing trajectory for Welbourne and the removal of two allocations Fareham Station East (FTC3) and Fareham Station West (FTC4) there is a loss of 814 dwellings from the Local Plan housing supply. It is not clear from the Inspector's letter whether Down End West has been accepted; if not it would result in a further shortfall of 550 homes.
- 2.2 Whilst it is acknowledged that there has been a recent uplift in housing supply due to a few permissions being granted at appeal, Table 1 of the Housing Supply Topic paper sets out that a total of 10,237 homes will be delivered over the plan period, this figure is 357 homes less than set out in Table 4.2 of the submission version of the Local Plan which set out a housing supply of 10,594 homes. Therefore, there is a shortfall in housing supply and there is a need to find additional suitable, deliverable sites to boost the housing supply to meet housing need.
- 2.3 Table 1 of the Housing Topic Paper sets out the updated housing delivery rates and not the sources of supply. For clarity and to allow direct comparison with Table 4.2 of the submission version of the Local Plan, the council should produce an updated version of Table 4.2.
- 2.4 From our calculations, the four additional sites cited at paragraph 2.2 of the Housing Topic Paper equate to an additional 376 homes. However, taking the 814 dwelling loss from revised housing trajectory for Welbourne and the removal of two allocations Fareham Station East (FTC3) and Fareham Station West (FTC4) into account, it would appear there is a reduction of 438 homes in the Local Plan housing supply, and not 357 less as Table 1 suggests. Clarity is sought on these figures.
- 2.5 We note that the updated supply position also reflects the updated windfall rates, as set out in FBC077. We would like to highlight that the council have included 35 annexes within the windfall calculations. We would question the reasons for their inclusion as most of these permissions are controlled by condition to ensure that their use remains ancillary or incidental to the residential use of the main property. They are not therefore creating a new dwelling. We would be grateful for further clarification in this regard as their inclusion would potentially show a higher windfall rate.

Contingency Buffer

- 2.6 As set out in our response to Matter 7 Question 2, given the constraints of the Welbourne development together with the removal of two allocated sites, a reduced contingency buffer of 7.1% is wholly inadequate.
- 2.7 The contingency buffer of 11% as proposed in the submission version of the Local Plan was inadequate and therefore the reduction to 7.1%, particularly given Fareham's history of under delivery, is not sufficient. As such, the council should look to allocate more sites to boost the housing supply and contingency buffer.

3.0 Response to Stepped Requirement

3.1 As set out in our Hearing Statements in response to Matters 3 and 7, the stepped housing requirement is not justified. Section 3 of the Housing Supply Topic Paper seeks to justify the stepped housing requirement. The main reason the council are stating the stepped requirement is required is to ensure that the policies within the plan, once adopted, can carry full weight as soon as possible given the implications of the Housing Delivery Test (HDT). Paragraph 3.1 sets out that the intention of the stepped trajectory is not to suppress housing delivery. However, by stepping the housing requirement, whilst perhaps not intentional, housing delivery is being suppressed in the early years of the plan period when housing is most needed given the historic under delivery rates in Fareham Borough.

3.2 It is understood that one of the reasons the stepped housing trajectory is proposed is due to the expectation that the majority of housing sites will start to deliver in the latter part of the plan period, with a significant number of homes coming from the Welborne site which will come forward in a few years' time. However, as set out in our Matter 3 Statement, we do not believe that such circumstances present adequate justification for this approach. Whilst the PPG (Paragraph 021 Reference ID: 68-021-20190722) sets out circumstances where a stepped housing trajectory **may** (our emphasis) be acceptable, given the history of under delivery at Fareham Borough Council, it is considered that the stepped housing trajectory is not appropriate for this authority. Instead, the Local Plan should provide a range of sites which can deliver in the short, medium and long term to ensure a consistent 5-year housing land supply throughout the plan period which would enable the housing delivery test to be met and negate the 'need' for a stepped housing trajectory.

3.3 Further, as acknowledged in paragraph 3.3 of the Housing Supply Topic Paper, the PPG states that *"Strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not to seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are fully met within the plan period."* Whilst the housing requirements may be met over the plan period, the proposed stepped housing requirement unnecessarily delays meeting the required housing needs in the early years of the plan period. As such, given the consistent under delivery of housing, as highlighted by SPP on behalf of Raymond Brown Rookery Properties Ltd and

others at the Local Plan Examination Hearings, it is considered that rather than adopting a phased approach to housing delivery, the Council should seek to facilitate and promote delivery early in the plan period to boost and maintain a five-year housing land supply. As such, if a stepped approach is still considered to be 'justified', the housing requirement should be boosted, not reduced, in the first two years of the plan period.

- 3.4 We support the statement made at paragraph 3.5 that the stepped housing trajectory is not expressed as a maximum figure and therefore allows more dwellings than the target to be delivered. However, we strongly believe that the housing delivery rates should not be suppressed just to ensure that the Housing Delivery Test is met. The Local Plan should effectively plan for homes needed now, which is in line with national policy which emphasises the importance of significantly boosting housing supply.
- 3.5 Whilst paragraph 3.6 of the Housing Topic Paper sets out that "*the evidence the Council uses to inform delivery assumptions is set out in the Council's response to Matter 7 Question 6 and consequently the Council is confident that the delivery rates are reasonable and realistic*", we do not believe there is sufficient evidence to offer confidence that the proposed delivery rates are realistic particularly in light of the Council's historic record of under delivery. Further evidence is required to provide confidence that the delivery rates are realistic and achievable.
- 3.6 Paragraph 3.7 asserts that the first 'step' has been shortened to 2 years and the housing requirement of this step has been lowered to 210 dwellings per annum. Whilst it is understood that the council are proposing the stepped trajectory to ensure the HDT is met and to ensure that development in the borough is 'genuinely plan-led', as the presumption in favour of sustainable development could otherwise apply, it is not correct to artificially suppress housing requirements in the early years of the plan period. Housing requirements must ensure they meet the identified housing need. Therefore, whilst the stepped trajectory may reduce the 5-year housing land supply and therefore allow the Housing Delivery test to be met, and ensure development in Fareham is 'genuinely plan-led', the housing actually needed in Fareham Borough is not being delivered.
- 3.7 With regards to the proposed changes to Strategic Policy H1, notwithstanding the above and the comments on the first 'step' of the housing trajectory, there has been no major change in the

proposed second 'step', the housing requirement has simply been averaged over the remaining years. We would, however, emphasise that the housing requirement should be both justified and achievable.

- 3.8 In summary, as previously set out in our Matter 3 and Matter 7 Hearing Statements, it is considered that the stepped trajectory approach which results in suppressing housing delivery for the first two years of the plan period is unsound as it is not necessary, justified or consistent with the NPPF to restrict or limit housing delivery through a stepped trajectory. The council's proposed stepped housing trajectory would not deliver sufficient homes early enough to meet the historic under delivery rates which would likely worsen affordability trends and would be contrary to government policy to boost the supply of housing.

4.0 Response to Housing Delivery Test

- 4.1 As expressed above, it is not considered consistent with national policy to make the housing trajectory artificially low to reduce the 5 year housing land supply and ensure the council pass the Housing Delivery Test to avoid the presumption in favour of sustainable development. The Local Plan must plan to deliver much needed homes and it should not be focused on manipulating figures to meet tests and avoid the presumption in favour of sustainable development due to a history of under delivery.
- 4.2 Whilst it is appreciated that the nitrate neutrality issue has affected delivery rates in recent years, the proposition that by 2023-24 the Borough will be able to achieve an average delivery of 653 homes per annum is not credible. There is no evidence to support the significant increase in delivery rates from 210 dwellings per annum to 653 dwellings per annum. This point is made irrespective of the debate that has already taken place on the appropriateness of having a stepped housing trajectory. At present, the sites allocated by the Local Plan will not be capable of delivering these significant numbers within the time frame stated. Therefore, to enable the council to have a realistic prospect of achieving the housing requirement, a greater mix of sites which can realistically meet the housing figures during the plan period needs to be considered.
- 4.3 Paragraph 4.6 sets out that the stepped housing requirement '*only proposes a modest reduction for the first two years*' whilst the reduction may be considered 'modest', it is a reduction of 90 homes per annum which is significant where there is a history of under delivery and homes are much needed. It is considered to be unnecessary, and it is not considered that sufficient justification has been provided to justify a further reduction in the number of homes in the first two years of the plan period.
- 4.4 Paragraph 4.6 also sets out that after the first two years of the plan period, '*the annual housing requirement exceeds the Standard Methodology requirement and the annualised unmet need contribution*'. As highlighted in our Matter 3 Hearing Statement, we would like to highlight that "*the standard method for calculating local housing need provides a **minimum** number of homes to be planned for. **Authorities should use the standard method as the starting point** when preparing the housing requirement in their plan, unless exceptional circumstances justify an*

alternative approach.” (our emphasis). (Paragraph: 001 Reference ID: 68-001-20190722 of the Planning Practice Guidance). As such, the standard method housing requirement should be exceeded as necessary to ensure sufficient homes are delivered.

- 4.5 The council have set out that it is “*impossible (to) significantly boost supply in the first couple of years of the plan period*” (Paragraph 4.7 of the Housing Supply Topic Paper). However, we do not believe that it is ‘impossible’ to boost supply in the first couple of years of the plan period. It is possible that windfall sites are in the pipeline and it is also possible that small scales sites could come forward. Particularly if the advise of the PPG is followed when granting planning permission, pre-commencement conditions should only be used where there is a clear justification for imposing one, which would help to speed up delivery.
- 4.6 The last sentence of Paragraph 4.7 states that “*the monitoring site visits show that as at April 2022, there were 296 homes under construction in the Borough, giving the Council confidence in its ability to meet its requirement in the current year*”. The number of homes under construction exceeds the stepped housing trajectory of the first two years of the plan period by 86 homes, if this is the case and the housing supply is increasing as permissions have now been able to be granted, then the stepped trajectory in the first two years should be increased to reflect this.
- 4.7 In summary, the Local Plan should not be striving to just meet the housing requirement test, it should be delivering the homes the borough needs. It is not consistent with national policy to supress housing requirements early in the plan period with the intention that this results in a reduced 5 year housing land supply requirements to avoid the failing of the housing delivery test and the application of the presumption in favour of sustainable development.



5.0 Response to Five Year Housing Land Supply

5.1 Paragraph 5.1 sets out that Policy H1 ensures that the Council can achieve a 5-year housing land supply on adoption of the Local Plan that is realistic and can be sustained. However, as set out in the responses above, we do not believe that the stepped housing trajectory is justified or sound. In addition, particularly in light of the complexities surrounding the general town centre allocation (Policy BL1) and the reliance on Welbourne, we are not convinced that the 5 year housing land supply can be sustained. Table 4 (Five Year Housing Land Supply with Proposed New Stepped Housing Requirement) also indicates that the five-year housing supply falls below 5 years between 2027/28 – 2031/32.

5.2 Further, paragraph 5.2 sets out that “*a five-year housing land supply can be secured upon adoption of the plan and maintained for the first five years of the plan period*”. Table 4 does confirm this position, however, we note that the housing land supply in the first five years of the plan period is only just over 5 years. If any sites fail to deliver in the expected timeframes or Welbourne does not meet its required housing trajectory it is likely that the housing land supply will fall below 5 years. The council should therefore be looking to boost supply by allocating further sites for housing.

5.3 Table 5 sets out what the five-year housing land supply position would be with the stepped requirement as submitted. It is noted that the housing figures set out in the submission version of the Local Plan result in a much higher 5-year housing land supply position and as such it is considered that the council should not be looking to step the housing trajectory as this in fact results in a worsened 5 year housing land supply. The figures as per the submission version of the Local Plan would result in a housing land supply of 6.54 years from 2022/23 – 2026/27 and 6.78 years from 2023/24 – 2027/28. Whilst paragraph 5.3 states that “*it demonstrates that both the submitted and the revised stepped requirement would ensure that the Council have a rolling five-year housing land supply for the first five years of the plan period*”, the position as set out in Table 5 is far more favourable than the position set out in Table 4 which details the five-year housing land supply with the proposed stepped housing trajectory. Thus, the Council’s justification for the stepped trajectory, particularly in the first two years of the plan period, appears to be weak as a better 5-year housing land supply position can be achieved through meeting the original figures in the submission version of the Local Plan.



- 5.4 Paragraph 5.3 sets out the possibility of an early review, however as raised in the hearing sessions and in our Matter 7 Hearing Statement, with regards to proceeding to adoption followed by an early review, whilst paragraph 33 of the NPPF does allow for this, we consider that there are fundamental flaws with the plan as currently drafted. Our main concerns relate to the suppression of housing delivery in the first two years of the plan period when there is a recognised backlog of much needed homes. Therefore, the adoption of an unsound plan followed by an early review would not be the best way to proceed and we urge the Inspector to review this suggestion.
- 5.5 It is noted that the Council acknowledge that the housing supply is a constantly evolving position and make reference to a site which has recently been granted planning permission. It is also pertinent to note that the supply could also easily decrease particularly with the over reliance on Welbourne and the town centre site which is a very broad, vague allocation (BL1).
- 5.6 Paragraph 5.4 confirms that both Tables 4 and 5 demonstrate that a five-year supply will be achieved on adoption of the Local Plan in accordance with paragraph 74 of the Framework, it is therefore unclear why the council are seeking to justify the proposed stepped trajectory to ensure that the council have a 5 year housing land supply and meet the housing delivery test, particularly when housing delivery rates appear to much improving.

6.0 Conclusion

- 6.1 We do not believe that the revised stepped trajectory is more effective, justified and positively prepared to ensure sustainable development in the borough as the Council state. The proposed stepped housing trajectory in fact supresses the housing requirement and does not deliver the homes required. The stepped housing trajectory would not deliver sufficient homes early enough to meet the historic under delivery rates which would likely worsen affordability trends and would be contrary to government policy to boost the supply of housing. It is therefore considered that the proposed amendment would not enable the Local Plan to meet the required tests of soundness.
- 6.2 The reduced contingency buffer of 7.1% together with the reduced housing supply is not considered to be sufficient to provide the much-needed homes in the Borough over the plan period.
- 6.3 Paragraph 6.2 sets out that the Council has a '*degree of confidence that this will be found to be a sound approach*', this statement is rather ominous, and we are still not convinced that enough evidence and justification has been provided to ensure that the delivery and developability of the proposed allocations are sound, particularly with regards to Policy BL1. The Council must have full confidence in the delivery and developability of the proposed allocations to ensure the Local Plan is sound.
- 6.4 We note that the council acknowledge that if the stepped requirement is considered to be acceptable by the Inspector, it is likely to constitute a main modification which they believe will be 'highly beneficial', however any such benefits have not been stated or evidenced and therefore it would appear that the proposed stepped trajectory is purely to avoid failing the Housing Delivery Test and having the presumption in favour of sustainable development applied. This reason alone is not good enough to supress housing and not positively plan for the needs of the Borough. As such, the stepped housing trajectory should not be amended, and the council should seek to allocate further suitable, achievable and deliverable sites to boost the housing supply.