



Woolf Bond Planning

Chartered Town Planning Consultants

Our Ref: SB/GR/7671

25th July 2022

Planning Strategy
Fareham Borough Council
Civic Offices,
Fareham

Sent by email to planningpolicy@fareham.gov.uk

Dear Sir / Madam,

FOCUSED LOCAL PLAN CONSULTATION: 5TH JULY – 25TH JULY 2022

On behalf of our clients, Foreman Homes Ltd, we respond to the current consultation associated with the Local Plan Examination Hearings on the following documents:

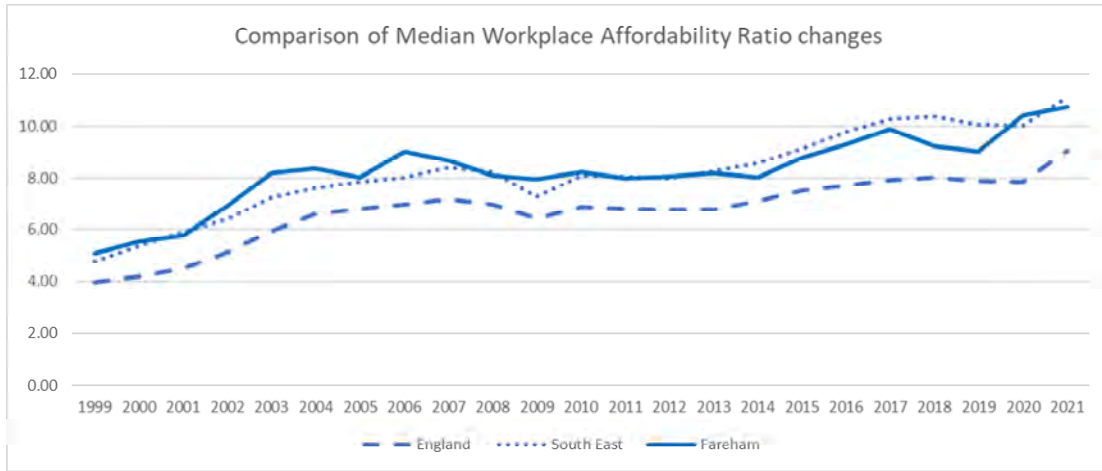
- Revised Affordable Housing Background Paper (July 2022) - FBC089;
- Revised Housing Supply Topic Paper (July 2022) – FBC090; and
- Windfall Analysis Update (May 2022) – FBC077.

Our response on each of these documents is outlined below.

Revised Affordable Housing Background Paper

We note that this details a revised assessment with respect of both the need and expected supply of affordable housing.

With regard to the former, the Council indicate that they have undertaken a review of their housing register which has resulted in a significant reduction in the number of households on it. No details of how this review has been undertaken is provided and consequently the extent that the past significant demand will not present itself in the future. This failure to consider further need is also illustrated by the Council's expectation that 8.9% of the growth in households will need affordable housing. Whilst this reflects the proportion of affordable housing in the Borough's housing stock, it does not adequately reflect the disparity between wages and house prices. This is illustrated by the changes in the median workplace-based affordability ratio for the Borough illustrated in the chart below that shows a clear trend of worsening affordability ratios over the past 2 decades. Consequently, the Council's suggestion at paragraph 3.33 that the worsening affordability does not increase housing need is not supported. This is an updated and extended chart compared to that included in our matter 3 statement.



In respect of the supply of affordable housing, we have significant doubts about the Council’s assumptions. This is highlighted by the expectation that windfalls will provide 156 affordable units between April 2026 and March 2037 (within Table 3 of the Update Background Paper). As indicated in the response to the windfall analysis, it is not considered that the Council’s approach is justified by the required “compelling evidence”, especially with regard to large sites. The NPPF (paragraph 64) is clear that affordable housing should only be sought from “major” schemes (those with 10 or more dwellings or exceed 0.5ha). Our doubts regarding large windfalls therefore discounts their ability to contribute towards affordable housing provision.

Revised Housing Supply Topic Paper

This document includes a number of factors with respect to the Borough’s housing requirement together with the envisaged supply. Whilst we maintain our soundness objections set out in the representations to the Draft Local Plan together with the submissions to the Examination, we have the following additional comments.

We dispute the need to include a stepped trajectory within the plan. As indicated in response to the Affordable Housing Background Paper, there has been and continues to be a worsening in the Borough’s affordability ratios. This is a consequence of the very poor delivery of housing, primarily as a result of the unjustified and overly optimistic expectations of delivery including from Welborne and other sites.

Furthermore, although paragraph 3.2 references the increase in the Borough’s housing requirement from the existing Plan (equates to 337.67dpa) to the Local Housing Need (‘LHN’) figure of 541, this discounts the position that the Borough has been subject to higher housing figures in the intervening period such as illustrated in the PUSH Position Statement (2016) (FBC053)¹ or the derivation of LHN following the implementation of this within the NPPF. Since these higher levels of growth have been accepted through the Council’s decision-making process together with appeals, it is not such a significant increase. Moreover, it is the clear intention of national policy that this local housing need should be met, and that housing delivery should be significantly boosted in the short term. The inclusion of a stepped trajectory cannot be considered to pass the positively prepared, justified or effective tests of soundness when considered against the reasonable alternative of including no such trajectory within the plan.

¹ Table 1 indicates that Fareham Borough’s Objectively Assessed housing need (2011-36) was 10,500 dwellings. This equates to 420dpa.

The inclusion of the stepped trajectory highlights that the plan is not positively prepared and is also not consistent with the Government's clear objectives of significantly boosting the supply of housing (NPPF paragraph 60). We also refer to the clear rejection of the stepped requirement within the examination of the Guildford Borough Local Plan as detailed in response to question 8 within our matter 3 statement.

We therefore maintain our position that the inclusion of a stepped housing requirement is inappropriate and unsound as previously outlined and reaffirmed in this statement.

The response to the Council's windfall analysis is also relevant in determining the robustness of their expectations of delivery. Whilst the appendix to the Revised Topic Paper includes an updated trajectory, consistent with the concerns expressed in the representations together with those in our statements to the examination, we do not consider this is supported by the necessary evidence as envisaged by the PPG².

Whilst this was highlighted with respect to Welborne, it applies to other sources/sites relied upon by the authority. The unjustified approach to expected delivery, especially within the short term is illustrated by the lack of evidence to support contended delivery within 5 years from the following sites as detailed in appendix 1 of the Topic Paper. As outlined, this is further to concerns with respect of lead in times and delivery rates at Welborne:

Outstanding large outline permissions

Site	Contended deliverable supply (2022-27)		WBP Assessment
	LPA	WBP	
Land east of Bye Road, Swanwick (P/17/1317/OA) (HA33)	7	0	This is a major development as site area is 0.8ha, exceeding the 0.5ha 'major development' threshold in NPPF. Whilst outline permission was granted 3 rd Jan 2019, there is no indication of timing for a reserved matters application relating to appearance, landscaping and scale of these custom build properties. In the absence of clear evidence, it cannot be defined as deliverable.
Land to the east of Brook Lane, Warsah (P/17/0752/OA – this was for up to 140 dwellings) (HA1)	64	42	Reserved matters application for phase 1 (76 dwellings) (P/21/0300/RM) approved (included in detailed permission supply category under ref P/21/0300/RM). Reserved matters application for phase 2 (42 dwellings) (P/21/2019/RM) received 17 th December 2021. As

² Housing Supply and Delivery section, ID ref 68-007-20190722

Site	Contended deliverable supply (2022-27)		WBP Assessment
	LPA	WBP	
			applications for the approved phase 1 and pending phase 2 extend to the whole of the site area approved at outline stage there is no further capacity for additional dwellings. This is therefore a reduction of 22 dwellings
Land adjacent to 125 Greenaway Lane, Warsash (P/19/0402/OA) (HA1)	100	80	Reserved matters application for 80 dwellings (P/21/1780/RM) submitted 1 st November 2021. As the application extends to the whole of the area with outline permission there is no further capacity for additional dwellings. This is therefore a reduction of 20 dwellings.
East & West of 79 Greenaway Lane, Warsash (P/18/0107/OA – this was for 30 dwellings) (HA1)	24	0	Whilst reserved matters application for 6 dwellings submitted (P/21/0133/RM), these are included in the Council's full planning permission component of supply. There is no detail of timing for reserved matters for the remainder of the site. In the absence of clear evidence, it cannot be defined as deliverable.
3-33 West Street, Portchester (P/19/1040/OA) (HA28)	26	0	Outline application with all matters other than landscaping approved 1 st June 2021. No details of timing of reserved matters. In the absence of clear evidence, it cannot be defined as deliverable.
Land east of Newgate Lane, Fareham (P/19/1260/OA) (3002)	99	96	Reserved matters application for 96 dwellings (P/22/0841/RM) submitted 14 th June 2022. As the RM application extends to the whole of the site area approved on the outline permission, there is no further capacity for additional dwellings. This is therefore a reduction of 3 dwellings.
Land at 18 Titchfield Park (P/20/0235/OA) (3183)	6	0	This was an outline application for the demolition of an existing dwelling and the erection of 6 dwellings (net 5).

Site	Contended deliverable supply (2022-27)		WBP Assessment
	LPA	WBP	
			As the site area was 1.1ha, it is major development as defined in the NPPF. As there are no details of timing for reserved matters following approval of outline permission on 19 th July 2021, this is not deliverable.
Total	326	218	-108

Sites with a resolution to grant permission

Site	Contended deliverable supply (2022-27)		WBP Assessment
	LPA	WBP	
Heath Road, Locks Heath – Hampshire County Council) (LP2 H11) (P/17/1366/OA) (HA9)	70	0	The site is allocated in the Part 2 Local Plan (adopted in 2015) under policy H11. However, in the subsequent 7 plus years since its allocation, it is still without a planning permission. An outline application P/17/1366/OA was validated on 10 th November 2019 with the Council's Planning Committee on 21 st February 2018 resolving to approve it. However, in the intervening 4½ years, the necessary S106 has not progressed or been signed. It is consequently not considered deliverable.
Robann Park, Southampton Road (P19/1322/OA) (HA3)	39	0	The application was validated on 24 th January 2020 and considered by the Council's planning committee on 14 th July 2021 where they resolved to approve it. However, the site is not allocated in the Local Plan and the signing of a legal agreement has now taken over 1 year and remains outstanding. There is no clear evidence with respect to the timing of when and if permission will be granted. It is not deliverable.
Total	109	0	-109

Local Plan Allocations in other Existing settlements

Site	Contended deliverable supply (2022-27)		WBP Assessment
	LPA	WBP	
Wynton Way, Fareham (HA22)	13	0	In the 7 plus years since its allocation in the current Local Plan, a planning application has not been submitted for this site. There is no clear evidence provided to demonstrate deliverability of the site.
335-357 Gosport Road, Fareham (HA24)	8	0	In the 7 plus years since its allocation in the current Local Plan, a planning application has not been submitted for this site. There is no clear evidence provided to demonstrate deliverability of the site.
Land east of Church Road (HA29)	20	0	In the 7 plus years since its allocation in the current Local Plan, a planning application has not been submitted for this site. There is no clear evidence provided to demonstrate deliverability of the site.
Locks Heath District Centre (HA36)	35	0	This site contains existing uses (car parking) and is not subject to any pending application for residential development. There is no clear evidence of deliverability, and it cannot be relied upon as deliverable.
Former filling station, Locks Heath Centre (HA37)	30	0	There is no clear evidence of deliverability, and it cannot be relied upon as deliverable.
Assheton Court, Portchester (HA44)	27	0	There is no clear evidence of deliverability, and it cannot be relied upon as deliverable.
Total	133	0	-133

Local Plan Allocations on Edge of Settlement sites

Site	Contended deliverable supply (2022-27)		WBP Assessment
	LPA	WBP	
Warsash Maritime Academy (HA7)	100	11.4	The Warsash Maritime Academy is subject to a planning application for the erection of 125 dwellings

Site	Contended deliverable supply (2022-27)		WBP Assessment
	LPA	WBP	
			<p>(P/21/2041/FP) following change of use and demolition of existing buildings. This was received on 22/12/21. There is also an application for Listed Building Consent for the works (P/21/2042/LB).</p> <p>Whilst these could suggest the site is deliverable, the application form for the residential proposal is clear that the site currently includes halls of residence for students. As detailed on the planning application form, the proposal would result in the loss of 284 student rooms.</p> <p>As set out in the HDT results³, every 2.5 student rooms equates to a single dwelling. Therefore, the loss of 284 student rooms is equivalent to 113.6 dwellings.</p> <p>The Council contends that 100 dwellings will be provided at the Maritime Academy within the five years. However, taking account of the pending application for 125 dwellings and the associated loss of 113.6 dwellings, this site would only contribute 11 dwellings (rounded).</p> <p>This represents a reduction of 89 dwellings compared to the Council's 100 figure.</p>
Total	100	11	-89

These adjustments as a result of a lack of the necessary evidence reduces the expected deliverable supply by 439 dwellings⁴. These adjustments will impact upon the ability to maintain a five year supply in the borough.

³ Including the associated guidance at [Housing Delivery Test measurement rule book - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/94444/Housing-Delivery-Test-measurement-rule-book-2018.pdf)

⁴ 108 (outstanding outline permission) + 109 (sites with a resolution to grant) + 133 (allocations in other settlements) + 89 (allocations on edge of settlement)

Whilst for some sites, the expected completions on the site may nevertheless be appropriate as the site is developable within the plan period, as indicated for many the overall capacity should be reduced to reflect the latest expectations of what is feasible i.e. where the submitted reserved matters applications are for fewer dwellings.

To address this, as previously explained, further sites must be allocated for residential development in the Borough.

Windfall Analysis Update

In responding to the Council's Windfall analysis, we highlight the importance of ensuring that the Council's approach is fully consistent with the advice in paragraph 71 of the NPPF. This details a number of specific factors which must all be complied with in order to provide the "compelling evidence" that is essential for enable an authority to include a windfall allowance. These specific factors are:

- A) Need for realism having regard to the Strategic Housing Land Availability Assessment;
- B) Historic Windfall Delivery Rates; and
- C) Expected future trends.

It is only where an authority has met all three tests in providing such compelling evidence that a windfall allowance can be justified.

It is acknowledged that the Windfall Analysis Update is designed to address the second of these essential factors – the historic delivery rates, although this is only for small sites. There is no detailed analysis of the sites upon which the authority relies upon to demonstrate that a large windfall allowance is justified. The updated analysis repeats the appraisal within the "Housing Windfalls Projections Background Paper" (June 2020) (HOP07), however, unlike for small sites there is no list of historic permissions which have subsequently been implemented which the authority subsequently relies upon as windfalls.

Alongside this failure, it is also not considered that the authority has adequately addressed the other matters. This is especially important given the need for "compelling evidence". In considering the potential for a windfall allowance, it is essential that this does not duplicate with other sources of supply, especially those deemed deliverable or developable by virtue of their existing planning status i.e. sites with planning permission, allocated in the development plan together with inclusion of the brownfield register. The latter is particularly important where permission is granted on a site included in the brownfield register. Such sites can and are already included in the supply.

This is confirmed by the third paragraph of the Council's response on small sites housing supply (FBC083). This states that the 487 dwellings can be delivered on locations listed in the Council's brownfield register and this consequently comprises 49% of the identified small sites. The Council has not provided any analysis to confirm that past windfalls did not arise on sites within the brownfield register. Furthermore, there is no evidence to indicate that the potential supply of such sites has not been adjusted to avoid duplication with this source, especially as there are numerous draft Local Plan allocations on brownfield register sites i.e. those at the Locks Heath Centre (HA36 & HA37), with Assheton Court (HA44) together with Warsash Maritime Academy (HA7)⁵.

⁵ Their Brownfield Register Status is confirmed by their inclusion in this category within the Council's January 2022 Housing Land Supply Assessment (FBC024)

A further illustration of the potential duplication in supply arises from the Council's inclusion of the Broad Location for Growth in Fareham town centre. No information is provided to confirm that past housing delivery which has informed the windfall allowance is not derived from this area. Without this, the plan potentially results in double counting of the potential supply.

In the absence of the clear evidence on how especially larger windfalls have been achieved on sites consistent with the Development Plan policies, together with there being no information to confirm it will not duplicate supply from other sources it is not considered that there is any compelling evidence, as obligated by the NPPF to include any contribution from large windfalls. This must therefore be omitted.

I trust this response is helpful to the Inspector examining the submitted Local Plan and that the adjustments advocated above are made.

Yours faithfully,

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