



FAREHAM BOROUGH LOCAL PLAN 2037

Hearing Statement

Written Statement relating to Matter 1

Compliance with the Act and Regulations, the Habitats
Regulations and the Public Sector Equality Duty

Prepared on behalf of Persimmon Homes (South Coast)



February, 2022

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1 INTRODUCTION

- 1.1 This Hearing Statement has been prepared on behalf of Persimmon Homes (South Coast) in response to the Revised Publication Fareham Local Plan (CD001). Our client previously made representations to the Publication Local Plan in December 2020 and also to the Revised Publication Local Plan in June 2021.
- 1.2 Persimmon Homes have land interests within Fareham Borough and in particular at the edge of Stubbington which includes (but is not limited to) the site south of Oakcroft Lane (Site HA54) which was recently granted planning permission on appeal.
- 1.3 This statement has been prepared in accordance with the prevailing planning policy and guidance, in particular the National Planning Policy Framework (NPPF), July 2021 and the Planning Practice Guidance (PPG). It expands on our client's previous representations and argues that whilst the Fareham Local Plan may have achieved legal compliance in relation to the Duty to Cooperate, the plan has not been 'positively prepared' in accordance with paragraph 35 of the NPPF as insufficient housing has been planned for to make a meaningful contribution to address the significant level of unmet needs from the wider Partnership for South Hampshire area.
- 1.4 Paris Smith LLP, on behalf of Persimmon Homes (South Coast) wish to take a full and active part in the Hearing to be held on Tuesday 8th March 2022 in relation to Matter 1 (Compliance with the Act and Regulations, the Habitats Regulations and the Public Sector Equality Duty).

2 DUTY TO COOPERATE

Q5. What process did the Council follow in seeking to address unmet housing needs arising from Portsmouth? Has the process been constructive and proactive?

- 2.1 It is a matter of public record that, in February 2020, Portsmouth City Council (PCC) made a request to Fareham Borough Council (FBC) for 1,000 dwellings to be accommodated within Fareham Borough to assist in addressing the unmet needs of PCC.¹ This request was made following extensive engagement between the two local authorities and so it will not have been a surprise to FBC.
- 2.2 At the time that PCC made the request, the City had a projected overall shortfall of some 3,000 dwellings over the plan period to 2036 and so the level of the request made to FBC was reasonable and justified in the absence of an up-to-date Partnership for South Hampshire (PfSH) position statement or joint strategy document.
- 2.3 In response to the request from Portsmouth, FBC provided for an additional 900 dwellings in Policy H1 of the Revised Publication Local Plan (CD001). Paragraph 4.5 of CD001 states that as at September 2020, the level of unmet housing need for Portsmouth was 669 dwellings. This statement appears to have been used as a justification for only providing 900 additional homes rather than the 1,000 originally requested.
- 2.4 Following the consultation on the Revised Publication Local Plan, the representation from PCC² makes clear that, based on evidence from the Portsmouth HELAA 2021, the level of unmet need was around 750 dwellings in July 2021. By September 2021, when FBC and PCC signed a Statement of Common Ground (SoCG)³, the level of unmet need had increased to 800 dwellings over the plan period. The September 2021 SoCG is clear that PCC expected this number to change through the preparation of the Portsmouth Local Plan. This expectation was based a range of factors, including taking into account new planning permissions, any under

¹ Appendix 9 of the FBC Statement of Compliance with to Duty to Cooperate (GEN003).

² Paragraph 6 of the representation from Portsmouth City Council, July 2021 (CD009).

³ Paragraph 3.8 in the Portsmouth City Council SoCG (SCG003) signed in September 2021.

delivery against the government's housing need targets and refinement of the draft strategic site allocation's proposals and likely implementation rates.

- 2.5 In September 2021, PCC undertook a consultation (under Regulation 18) on its own emerging local plan. This version of the plan proposed, in Policy S2 (Tipner) a large new mixed-use strategic site allocation to the northwest of the City. The Tipner site is divided into two parts by the motorway. Tipner West is effectively a peninsula which was intended to be created largely through land reclamation from Portsmouth Harbour. The draft Portsmouth Local Plan proposed that about 3,500 dwellings would be provided at Tipner West. However, it is important to note that in October 2021 (i.e. after the September SoCG was signed with FBC), a meeting of the Full Portsmouth City Council passed a 'vote of no confidence' in the Tipner West scheme. The Leader PCC subsequently confirmed that the project would be unlikely to go ahead. We therefore consider the September SoCG to be out of date and this should be revised to take account of the very significant loss of housing land supply for the PCC local plan that the scrapping of Tipner West represents.
- 2.6 In addition to Tipner West being an undeliverable site, there are a range of deliverability and viability issues with at least some of the proposed city centre sites that were described in Policy S1 of the Draft Portsmouth Local Plan. These serious issues for the Tipner site and the likely delays in delivering the proposed city centre schemes could amount to a reduction in the assumed supply amounting to thousands of dwellings over the plan period. Whilst it is not the place here to examine the soundness of the Portsmouth Local Plan, the above summary demonstrates clearly that the level of unmet housing need deriving from Portsmouth will certainly be significantly greater than the 800 dwellings assumed by PCC in September 2021.
- 2.7 Against this background, we consider the addition of 900 dwellings in the Fareham Local Plan would represent a bare minimum contribution for Fareham to make with specific reference to the unmet needs of Portsmouth and it should be acknowledged as such. This figure does not take into account the wider significant housing shortfalls arising from other neighbouring authorities within the Partnership for South Hampshire (see our response to Question 6 below).

Q6. In collaboration with Partnership for South Hampshire, what process is the Council following to seek to address the unmet housing need in the sub region?

- 2.8 As set out within the Statement of Common Ground (SoCG) between FBC and the PfSH,⁴ work to update the PfSH Spatial Position Statement to create a new 'Joint Strategy' commenced in 2019 and FBC has worked closely with other PfSH members on this process throughout. As part of this process the PfSH authorities agreed a SoCG in October 2019, which was updated in September 2020 and again in October 2021. The Joint Strategy will be a non-statutory high-level strategic plan to guide development across the sub-region to 2036. The intention is also to use the Joint Strategy to provide some strategic guidance as far ahead as 2050.
- 2.9 Whilst the Joint Strategy is not yet complete, significant work has been completed to date, as was set out in a report (FBC002) to the PfSH Joint Committee on 25th October 2021.⁵ This report included a clear analysis of the current housing requirement and projected housing land supply for the 2021 to 2036 period. Both the housing requirement figures and the supply projections were sourced from the PfSH member authorities themselves. In the case of the requirements, the figures represent the most up-to-date understanding of the application of the 'standard method' on a consistent basis, with figures being suitably apportioned where only part of an authority area falls within the PfSH area. Likewise, the housing land supply figures represent the most up-to-date position from each member authority, with some figures deriving from adopted local plans and others from emerging local plans as well as from SHLAA evidence and from windfall assumptions.
- 2.10 Table 4 of the PfSH report (FBC002) shows the overall position for the Partnership, with a combined shortfall of at least 13,000 dwellings to 2036. The report noted that this shortfall is split between the Southampton and Portsmouth Housing Market Areas. However, as Fareham

⁴ Paragraph 3.4 of the SoCG (FBC003) which was signed in October 2021.

⁵ <https://www.push.gov.uk/wp-content/uploads/2021/10/Item-11-Statement-of-Common-Ground-Revisions-and-Update.pdf>

Borough is itself split between these two-market areas, this distinction is not so significant in Fareham's case.

- 2.11 Although work on the optimal distribution of this overall housing shortfall has yet to conclude, the broad level of projected unmet need is stark and cannot be in any doubt, based as it is on figures provided by the Partnership's own members. Indeed, we would argue that this level of unmet need is likely to increase rather than decrease over the coming months. One reason for this assertion is the apparent abandonment by Portsmouth City Council of the Tipner West strategic development (see our response to Question 5 above). A further reason for an increase in the level of unmet need is the significant delay to the adoption of the Havant Borough Local Plan. When the PfSH report was prepared in October 2021, it was assumed that the Havant Local Plan would be adopted by early 2022. It is now clear that there will be a significant delay in this. This delay could be a year or more, even in the best-case scenario. The eventual delay will depend on how Havant Borough Council proceeds following the Inspector's latest advice to withdraw and resubmit a revised local plan.
- 2.12 Paragraph 35 of the NPPF is clear that for a local plan to be 'positively prepared' it must "provide 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." (our emphasis). This does not only apply in scenarios where a neighbouring local authority has formally requested assistance in meeting its unmet housing need, as PCC did in 2020. The projected level of unmet need across the PfSH area is clear now, based on the local authorities' own figures and, as we have emphasised above, this overall level of unmet need is only likely to grow over time.
- 2.13 Although Policy Table 4.1 of the Revised Publication Fareham Local Plan refers to a "Contribution to unmet need in neighbouring authorities", the figure of 900 dwellings relates specifically to the request from PCC and is broadly appropriate in response to that specific request. That contribution does nothing to address the unmet needs from elsewhere in the Portsmouth Housing Market Area (HMA), noting that the projected level of unmet need in Gosport Borough alone is nearly 2,500 dwellings. Equally, the 900 dwelling contribution does nothing at all to address the very significant level of shortfall within the Southampton HMA, where the combined projected shortfall for Southampton and Eastleigh amounts to almost 10,000 dwellings according to FBC002.
- 2.14 Overall, based on the careful work that PfSH members have already undertaken, it is our view that, in addition to the 900 dwelling contribution to meet Portsmouth's housing needs, a further contribution of at least a similar scale should be made to address the wider projected unmet housing needs of the PfSH area. We argue that there are a number of suitable sites that could be added as site allocations to the Fareham Local Plan to allow this increased contribution to be achieved, and these would include our client's sites at the edge of Stubbington, as set out in Persimmon Homes (South Coast) previous representations.