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**Examination of the Submitted Fareham  
Borough Local Plan**

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**STATEMENT FOR:**

**MATTER 1 – COMPLIANCE WITH THE ACT  
AND REGULATIONS, THE HABITATS  
REGULATIONS AND THE PUBLIC SECTOR  
EQUALITY DUTY**

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**Prepared by:**

**Woolf Bond Planning LLP**

**On behalf of:**

**Foreman Homes Ltd**



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**February 2022**

**WBP Ref: 7671**



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## Executive Summary

Foreman Homes Ltd (“FHL”) have a controlling interest in various sites within Fareham, including those with permission, those granted at appeal<sup>1</sup>, sites currently at appeal, sites allocated for development in the submission Local Plan and those not proposed to be allocated.

The Plan fails to plan for sufficient housing growth (in terms of the overall housing target in Policy H1) and places undue reliance upon the delivery of housing from Welborne (which has failed to deliver at the rates previously suggested by the Council). and Additional site allocations should therefore be identified, including through reserve site allocations.

FHL’s objections may be summarised as follows:

- The Plan is **not positively prepared** in so far as the proposed strategy for growth will fail to deliver the identified housing need for a minimum of 10,197 dwellings during the period 2021 to 2038.
- The Plan is **not justified** having regard to the approach envisaged to maintain a rolling five year supply of housing land and/or in relation to the approach to the allocation of sites for housing, such that it cannot be said to provide the most appropriate strategy when considered against the reasonable alternatives.
- The Plan is **not effective** and will fail to provide a five year supply of deliverable housing land on adoption and nor will it deliver the requisite amount of housing during the plan period; when assessed against the objectively assessed housing need.
- The Plan is **not consistent with national policy** having regard to the need to ensure housing site allocations will maintain an adequate supply of deliverable housing land.

The failure to provide sufficient deliverable site allocations will serve to frustrate attempts to address key factors affecting worsening affordability and denying people the opportunity to own their own home, contrary to Government policy which is seeking to boost the supply of housing in order to address the current housing crisis.

The above changes are necessary to ensure the Local Plan satisfies the tests of soundness at paragraph 35 of the NPPF (2021).

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<sup>1</sup> Including land south of Romsey Avenue, Portchester (PINS Ref: APP/A1720/W/21/3271412 (28 Jan 2022) (Appendix 14)

## **CONTEXT AND BACKGROUND**

- 1.1. This Statement has been prepared by Woolf Bond Planning LLP on behalf of Foreman Homes Ltd (“FHL”), and addresses several questions posed for Matter 1 of the Hearing Sessions as set out in the Inspector’s Matters and Issues.
- 1.2. In setting out our response, we continue to rely upon the content of the detailed representations submitted on behalf of FHL in response to the Regulation 19 consultation on the revised Plan in July 2021 (as well as those representations submitted in late 2020).
- 1.3. Our answers to the questions should be read in the context of our position that insufficient deliverable and developable land has been identified in the submission Local Plan in order to maintain a rolling 5 year supply of housing land as obligated by paragraph 74 of the NPPF. The Plan would not be sound without an amendment to include additional site allocations within revised settlement boundaries<sup>2</sup>.
- 1.5. This Statement details further responses to a number of the specific questions raised by the Inspector’s in their examination of the Local Plan.

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<sup>2</sup> To include omission sites controlled by FHL (see the site schedule at Appendix 15)

**MATTER 1: COMPLIANCE WITH THE ACT AND REGULATIONS,  
THE HABITATS REGULATIONS AND THE PUBLIC SECTOR  
EQUALITY DUTY**

**Questions 1 to 6**

**General**

- 2.1. Our detailed representations prepared and submitted on behalf of FHL in response to the Council's Revised Submission Local Plan provide a detailed justification for the inclusion of additional site allocations in helping to meet identified housing needs.

***Duty to Cooperate***

**Question 1: What strategic, cross-border matters have arisen through the preparation of the Plan and what cooperation took place to resolve them?**

- 2.2. Pursuant to section 33A of the Planning and Compulsory Purchase Act 2004 (as amended), there are a range of matters relevant for consideration under the Duty to Cooperate. These include meeting development needs, particularly those for housing, employment and other uses together with any infrastructure improvements to serve them i.e. utilities, flood prevention, education.
- 2.3. Our representations upon the revised regulation 19 Local Plan indicated that Portsmouth City was unable to address its housing needs, with an identified shortfall of around 3,000 dwellings.
- 2.4. At the time of the Regulation 19 consultation, Portsmouth City and Fareham Borough Council signed a Statement of Common Ground which indicated that Portsmouth City would require Fareham Brough to accommodate at least 1,000 dwellings from their unmet need.
- 2.5. The Council and others are to indicate the extent of other strategic, cross boundary matters and the measures undertaken to resolve any issues.

**Question 2: Has the cooperation between neighbouring authorities been constructive and proactive?**

2.6. No. Whilst this is a matter for the Council to confirm, the PPG (ID ref 61-015-20190315) highlights the value of Joint Evidence and that this can contribute towards demonstrating the Duty to Co-operate. This section of the PPG states:

*“Strategic policy-making authorities are expected to document the activities undertaken when in the process of addressing strategic cross-boundary matters whilst cooperating. These will include (but are not limited to):*

- *working together at the outset of plan-making to identify cross-boundary matters which will need addressing;*
- *producing or commissioning joint research and evidence to address cross-boundary matters;*
- *assessing impacts of emerging policies; and*
- *preparing joint, or agreeing, strategic policies affecting more than one authority area to ensure development is coordinated, (such as the distribution of unmet needs or policies relating to county matters).*

*These activities will need to be tailored to address local circumstances” (emphasis underlined).*

2.7. The extent to which Fareham Borough has commissioned joint evidence could illustrate whether it has “**engaged constructively, actively and on an ongoing basis**” as required by Section 33A of the Planning & Compulsory Purchase Act 2004 (as amended).

2.8. In contrast to the aforementioned advice in the PPG regarding the value of joint evidence, it is clear the Council’s commissioning of evidence indicates that the majority only relate to the Council’s administrative area rather than a wider area/joint evidence base. This includes the key assessments on matters such as Employment Needs (Aug 2019 (EMP001) & May 2021 (EMP002)), Landscape Assessment (Aug 2017 (DS001)), Technical Review of Special Landscape Quality and the Strategic Gaps (Sep 2020 (DS003)), the Retail and Commercial Leisure Study (Jan 2017 (RDF001) and Apr 2020 (REC002)) and

Strategic Flood Risk assessment (May 2021 (CC003)). These are all matters relating to cross-boundary issues as listed in paragraph 20 of the NPPF.

- 2.9. As referenced above, most of the evidence-base studies commissioned by the Council are specific to Fareham Borough and do not look beyond the administrative boundary.
- 2.10. Based on the foregoing, it is unclear whether the Council has cooperated constructively and positively as required by the 2004 Act (as amended).

**Question 3: What specific actions were identified as a result of dialogue with neighbouring authorities? What were the outcomes and how did they shape the preparation of the Plan?**

- 2.11. This is a matter for the Council to explain.

**Question 4: Aside from Portsmouth, have any other neighbouring authorities approached the Council with a request to accommodate unmet housing (or employment) needs?**

- 2.12. This is a matter for the Council.

**Question 5: What process did the Council follow in seeking to address unmet housing needs arising from Portsmouth? Has the process been constructive and proactive?**

- 2.13. Although this is a matter for the Council, and as indicated in our July 2021 representations upon the Proposed Submission Local Plan, the Council was aware that Portsmouth City's unmet housing need was approximately 3,000 dwellings. They also envisaged that circa 1,000 dwellings from this unmet need would be provided by growth in Fareham Borough<sup>3</sup>.

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<sup>3</sup> See paragraph 4.5 of Revised Submission Plan



- 2.14. However, the revised submission plan only seeks to make a contribution of 900 dwellings towards unmet needs of all neighbouring authorities (Table 4.1 refers). This is not considered to be sufficient, and the Council should seek to make a larger allowance.

**Question 6: 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?**

- 2.15. This is a matter for the Council. However, and as detailed in our earlier representations, an element of the already confirmed unmet housing need for Portsmouth City should be addressed within Fareham's Local Plan.
- 2.16. As set out in response to Question 6 at Matter 4 (see separate Statement), the original SoCG between the PFSH Authorities (SCG005) identified an unmet need for 10,750 dwellings (paragraph 4.6 refers). However, that has been superseded by the SoCG in the Examination Library as Document Ref FBC003, which shows an unmet need totalling 13,000 dwellings.

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