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FAREHAM BOROUGH COUNCIL LOCAL PLAN 2037
INDEPENDENT EXAMINATION
WRITTEN STATEMENT RELATING TO MATTER 10
MILLER HOMES LTD
MARCH 2022



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1.0 Introduction

- 1.1 This examination statement is submitted on behalf of Miller Homes Ltd (MH) in respect to Matter 10 of the Fareham Local Plan 2037 examination process. The comments provided respond directly to the Planning Inspector's questions set out in the *Inspector's Matters, Issues and Questions for Examination*. The responses should be read in conjunction with the submitted examination statements regarding Matters 2, 3, 4, 6.3, 6.8 and 7 and Miller Homes Regulation 19 representations (ref: CD009 Part 1 – Page 837-870), copies of which can be re-provided on request.
- 1.2 In responding to the Inspectors' matters and questions, due regard is had to the NPPF paragraph 35 in assessing the Plan's soundness.
- 1.3 MH responded to the previous Reg 19 Submission Draft Local Plan consultation in Summer 2021, including submissions in relation to draft policies NE2 (Biodiversity net gain) and NE8 (Air Quality). The previous representations remain valid, unless specifically updated with this submission and/or the agreed Statement of Common Ground (SoCG) between FBC and MH.
- 1.4 MH is promoting land to the west and east of Downend Road, Portchester, for residential development through the plan-making process, (HA56 as well as HA4 – including an extension to HA4 (SHELAA site refs: 3009, 3030, 3130)) on the basis that all three sites are sustainable, suitable and available. This is based on the evidence presented by both the Local Planning Authority (LPA) (with respect to the allocated areas) and MH (with respect to all areas), including the SoCG.
- 1.5 We are fully supportive of the HA4 and HA56 allocations. Additionally, MH is seeking an extension to the HA4 allocation, extending the allocation further northwards, to accommodate an additional 100 homes (SHELAA site 3130). This land was previously promoted by the Council as a sustainable alternative and included in the potential strategic growth area. The site's suitability for development is set out in the MH Regulation 19 consultation response (CD009 Part 1 – Page 840-847) which we would refer the Inspector so as not to repeat here.
- 1.6 An Outline Planning Application for 350 homes (ref. P/20/0912/OA) on HA4, with detailed access arrangements and provision of safe and suitable pedestrian links across Downend Road and its Rail Bridge, was allowed on appeal on 18 October 2021. A subsequent Reserved Matters application for a first phase of 180 dwellings was validated on 2 February 2022, with a target decision date of 4 May 2022. The site, including the extension land, is demonstrably in a sustainable location. An associated Outline Planning Application for improvements to Cams Bridge (ref. P/18/0001/OA), to enable direct pedestrian and cycle access to Portchester south of HA4 was approved on 3 May 2019. A subsequent Reserved Matters application was validated 28 April 2021, decision pending.
- 1.7 This examination statement responds to the Inspectors MIQs.

2.0 Response to Inspector's Questions on Matter 4

NE2 Biodiversity net gain

Question 3: How has viability been addressed?

- 2.1 Fareham Borough Council's (FBC) Local Plan Viability Assessment Addendum May 2021 includes an allowance for biodiversity net gain of £500 per unit, which was established in consultation with Natural England. The figure is derived as an average, suggested by figures for greenfield sites (£948) and brownfield sites (£207).
- 2.2 The Statement of Common Ground between Natural England and FBC states that Natural England "*The Environment Bill suggests that net gain should be maintained for a minimum of 30 years*". However, the policy refers to providing a net gain for the lifetime of the development. It is considered to be very challenging to demonstrate at the planning application stage and then post-completion to control and monitor.
- 2.3 The Environment Bill will cover the requirement for development sites to deliver net biodiversity gain. In order to ensure that the plan is consistent with national policy, the requirement for biodiversity net gain should be set at the national level.
- 2.4 In light of the above, we consider that policy NE2 should either be deleted or at minimum, the reference to require biodiversity net gain for the lifetime of the development removed, as this is not enforceable.

NE8 Air Quality

Question 18: Are the requirements of the policy clearly articulated and would they be effective? Is it clear what is expected in terms of good practice and principles of design in part b) of the policy?

- 2.5 The policy is not sufficiently flexible to ensure it is effective as technology advances in regard to the charging of plug-in and other ultra-low emission vehicles.
- 2.6 To ensure that such technological advances can be accommodated, the policy would be more effective if it required developers to enable dwellings with off-street parking to be future proofed by providing associated wiring / ducting and connections to enable its instalment, if required, in the future, rather than requiring a charging point for each dwelling with off-street parking.
- 2.7 The policy should be less specific in terms of the specification of charging infrastructure to enable an appropriate strategy for each site to be developed and delivered, in consideration of the available technology at that time. This provides more flexibility, is more effective and is compliant with para 107 (e) of the NPPF which requires development to 'ensure an adequate provision of spaces' for charging facilities.
- 2.8 Therefore, it is suggested to amend policy NE8 part a) as follows:

- a) Provides for the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations as follows:
- Enable the future installation of one EV charging point installation per residential dwelling with off-street parking; and,

2.9 Part b) of the policy requires development to demonstrate good practice and principles of design. This is not further explained in the informative text. It is open to interpretation and does not provide clear guidance for applicants or for the assessment of the application. Therefore, this should be expanded in the informative text, with guidance or reference to good practice and principles of design.

Question 21: What is the justification requiring fast rather than rapid charge points? Have the viability implications been considered?

2.10 FBC's Local Plan Viability Assessment Addendum (May 2021) states that the provision for EV charging was allowed for within the £10,000 per dwelling policy contingency. It suggests that domestic chargers and installation costs in the region of £615 and £1,115, with an average estimate of £779 per charger being used in the assessment. A breakdown of potential additional policy costs/mitigation is provided in table 2.4 of the Viability Assessment Addendum. It further states that rapid charge points are "*generally provided on a commercial basis*" and are provided at their own costs and is therefore "*not considered necessary to allow for additional costs for this type of provision*".

2.11 It is considered that requiring rapid charging infrastructure for parking areas serving 10 or more dwellings would be onerous. Rapid charging facilities are normally associated with public parking areas with a short duration of stay, delivering an 80% charge within 20 to 30 minutes. However, these facilities carry a very substantial installation cost and have not been included in the council's Viability Assessment Addendum.

3.0 Conclusions

3.1 Miller Homes supports the LPA's approach to progressing the Local Plan 2037 and the general need to address biodiversity net gain and air quality.

3.2 However, MH does not agree with the requirements of NE2, particularly requiring demonstrating a lifetime biodiversity net gain and its lack of justification, and the wording of policy NE8 and therefore requests the policies to be amended to ensure they are sound, justifiable and consistent with National Policy.