

## Examination of the Fareham Local Plan 2037

### Hearing Statement: Matter 2 Development Strategy

#### Hallam Land Management Limited

This Hearing Statement has been prepared on behalf of Hallam Land Management Limited and is in response to the Inspector's Questions relating to the Local Plan's Development Strategy (Questions 1 – 17). Hallam submitted representations to various stages of the Local Plan during its preparation; in this instance, its representations to the first Regulation 19 Plan are relevant along with the amendments proposed in the Revised Regulation 19 Plan and in particular the inclusion of additional allocations, including HA55.

#### **Question 1. Does the development strategy in the Fareham Local Plan reflect the vision and strategic priorities set out in the plan?**

1. The Vision and Strategic Priorities are set out in Section 2 of the Revised Regulation 19 Plan. These concern the "sort of place" that the Council want Fareham to be in 2037.
2. This concerns accommodating new housing and employment needs whilst ensuring that it retains its identity and protects important features so that Fareham is a place that offers a high quality of life to all its residents; as a broad approach this is unobjectionable. The principles are captured by the Plan's concept of *Good Growth*.
3. The Development Strategy comprises three policies: firstly a spatial policy to regulate development in the countryside (DS1), secondly, a policy intended to maintain the identity of settlements (DS2) and, thirdly, a policy that introduces and affords protection to Areas of Special Landscape Quality (DS3). Each of these policies, as a matter of principle, is consistent with the relevant parts of the Vision and associated Strategic Priorities, namely SP2 and SP9.
4. The Development Strategy does not include other policies that respond to other parts of the Vision and other Strategic Objective. For example, whilst the supporting text and key diagram refers to the scale and distribution of new development across the Borough, there is no policy within the Development Strategy section that articulates this. There is no policy that articulates the spatial strategy in overall terms.

**Question 2. Is the development strategy for the location and nature of development in Fareham, justified as the most appropriate strategy for the sustainable development of the borough, when considered against the reasonable alternatives? What alternative strategies were considered by the Council in terms of the options for the spatial distribution of development and why were these rejected?**

5. The Development Strategy as it relates to the location of new development is shown on the Key Diagram on page 23 of the Revised Regulation 19 Plan. The paragraphs in the Plan that precede this explain how this Development Strategy was arrived at with particular regard to the factors listed in paragraph 3.6. For the reasons set out in paragraphs 3.35 to 3.43 of our Response to the Regulation 19 Plan, the priority afforded by the Development Strategy to focusing new development adjacent to Fareham town, as distinct from villages away from it in the rural hinterland to the north and west of the Borough, is inherently the most suitable in terms of reflecting its morphology, preserving its natural environment, and maximising accessibility to services and facilities and employment to achieve the most sustainable pattern of development.
6. The foundation of this Development Strategy was set out in the **2017 Draft Local Plan** which was based on the following principles associated with Option 2F:
  - a) Maximis[ing] brownfield development & the realistic delivery of Welborne
  - b) Reduc[ing the] spread of greenfield development by focus[ing] on 3 clusters
  - c) Larger greenfield development sites are more likely to deliver meaningful infrastructure
  - d) Residual need met through a spread of urban fringe sites across the Borough which are likely to be deliverable in years 1 to 5 of plan period
7. Paragraphs 3.13 and 3.15 of that consultation document list the defining considerations of the Development Strategy at that time and they remain comparable with the Strategic Objectives in the Plan. Tables 4.3 and 4.4 of *CD003* list the *Strategy Alternatives* for development in the Draft Local Plan.
8. In 2019, a further **Issues and Options** consultation was undertaken in light of the need to increase the housing requirement to reflect the Government's Standard Method. This included eight potential areas for growth which represented reasonable alternatives. *ISLP005* provides a High-Level Assessment of those reasonable alternatives at Section 4.
9. This informed the **Regulation 18 Supplement** consultation in January 2020, which proposed Strategic Development Areas. The assessment process at this stage is described at paragraph 4.6.1 of *CD003*.
10. The **Regulation 19 Plan** of October 2020 did not include either of these Strategic Development Areas but this was reversed in the **Revised Regulation 19 Plan** of April

2021; Downend and South Fareham were included as proposed allocations along with a number of other additional smaller sites. This approach maintained the principle of Option 2F.

11. Sections 4, 5 and 6 of *CD003* explain the way in which various reasonable alternatives have been assessed during the gestation of the Plan and how what is proposed in the Revised Regulation 19 Plan is the most appropriate strategy.

## Settlement Boundaries

### Question 3. What is the justification for defining settlement boundaries?

12. Paragraph 3.3 of *DS002* explains the rationale for settlement boundaries, rightly drawing attention to the development management role in distinguishing between urban areas and open countryside where different policy approaches apply; permissive in the case of the former and restrictive in the case of the latter.
13. The Key Diagram on page 23 of the Local Plan identifies those areas that are considered “urban areas” and those considered to be “outside the urban areas”.
14. Settlement Boundaries are not shown on the Policies Map, rather there are two designations shown on the key:
  - (a) First, “urban area boundaries” which is a pale yellow wash generally across the built up area; and
  - (b) Second, land “outside of the urban” which has a lighter shade of colour.
15. A third classification exists which relates to those sites allocated for development but are shown to be outside urban area. Plainly, neither Policy DS1 or HP-1 or HP-2 should apply to those Sites as this would render the plan internally inconsistent.
16. However, unintentionally, something different can be inferred from paragraph 5.3 of the Plan.
17. In the first instance it confirms that the Local Plan focuses development in the existing urban areas and on specific allocated sites.
18. However, it goes on to state that “*to maintain the quality of the countryside and ensure a sustainable approach to development, residential development outside of the urban area will be treated as being within the countryside*”.
19. Policy HP1 then states residential development in locations outside of the Urban Area boundary will be permitted in two particular instances, neither of which relate to the housing allocations.

20. It follows therefore that in order to be effective, either Policies DS1 and HP-1 should by express reference omit the allocated sites from these Policies or alternatively the housing allocations should be included within the urban area and hence why settlement boundaries should be delineated on the Policies Map.

### **Strategic Policy DS1 – Development in the Countryside**

#### **Question 10. Is it clear to decision-makers, developers and local communities how proposals should demonstrate the requirement for a location outside of an urban area?**

21. The same point as set out in the previous answer can be made in respect of the Countryside Policy. In the opening sentence of the Policy, it is clear that the countryside is all of the land not within the Urban Boundary. No part of the policy exempts the Plan's allocations from the criteria set out therein and unintentionally creates an inconsistency. *Prima facie* the allocations are situated within countryside locations and subject to this policy. Whilst the Plan is to be read as a whole, the intention is that they should be easily understood and free of ambiguity. The alterations proposed in para 20 would address this.

#### **Question 11. Is the requirement that proposals should not be on best and most versatile agricultural land in criteria m) consistent with the Framework?**

22. No. Footnote 58 of the NPPF intends that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality. That does not preclude development of higher quality land where the absence poorer quality land has been proved.

### **Strategic Policy DS2 – Development in Strategic Gaps**

#### **Question 12. Has the Technical Review of the Strategic Gaps followed a robust process? Are the boundaries identified appropriate and justified?**

23. Yes, DS003 has followed a robust process as described in Section 1.3 therein. This draws the significant conclusion that development south of Longfield Avenue can be accommodated without a significant adverse effect on the function of the Strategic Gap. It follows that the integrity of the Fareham and Stubbington Gap can be retained alongside a major scale of new development subject to the implementation of an effective Green Infrastructure Strategy.

24. DS003 follows a clear methodology built on a technical review of recent Strategic Gap Reviews<sup>1</sup> (2012, 2017 and 2018) coupled with a quantified analysis of identified development pressure shown through potential site allocations assessed within the Strategic Housing and Employment Land Availability Assessment (SHELAA).
25. The technical review clearly establishes the current boundaries of each Strategic Gap, those routes (vehicular and pedestrian) from which one may reasonably be considered to experience the gaps, and an evaluation of both the physical and visual aspects of each gap that collectively create a sense of separation, and therefore preserve the identity of individual settlements. Moreover, the review considers perceptual aspects such as tranquillity and the effect on dark night skies as contributing factors in the determination of a functioning gap.
26. Appendix 5 of DS003 clearly sets out how the methodology established in Chapter 1 has been applied, with a concise rationale / justification presented for each of the judgements made alongside a traffic light system unambiguously depicting the evaluation. Furthermore, a mapped visual analysis of each gap from identified routes clearly depicts the role each gap plays in the visual separation of settlements.
27. Policy HA55 proposes a large scale of development but when viewed in the context of the remaining areas of undeveloped land and the extensive green infrastructure measures forming part of the proposed development, the integrity of the gap and the physical and visual separation of Fareham and Stubbington can be retained.
28. The landscape south of Longfield Avenue, dominated by a single field parcel with few discerning or distinguishing feature, is of such a scale that it can accommodate development whilst retaining the important defining landscape features immediately north of Tanners Lane. **That existing landscape boundary and Peak Lane provide long term and defensible boundaries for a newly defined Strategic Gap in this location.**
29. However, as explained in paragraph 3.46 of the Plan, the boundary of the current Fareham – Stubbington Strategic Gap has not been amended to exclude the proposed allocation HA55. It follows that the proposed development would occur within the Strategic Gap and subject to Policy DS2.
30. This gives rise to an unnecessary conflict between land being shown on the Policies Map both as a major housing allocation and subject to Policy HA55, and, at the same time, the requirements of the Policy DS2 concerning the Strategic Gap.
31. The practical effect of this is that development proposals will be judged by the decision maker on the basis of the final sentence of Policy: *Development proposals will not be*

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<sup>1</sup> The Fareham Borough Gap Review 2012, (David Hares Associates); the Strategic Gap review detailed within Chapter 3 of the Fareham Landscape Character Assessment 2017 (LDA), the Eastleigh Borough Strategic Gap Analysis, 2018 (Eastleigh Borough Council).

*permitted where they significantly affect the integrity of the gap and the physical and visual separation of settlements or the distinctive nature of settlement characters.* This is a subjective measure and the Plan does not provide its readers or the decision maker with an unambiguous position. Arguably the terms “*where they [do not] significantly affect*” in the Policy DS2 implies the same as “*limiting the effect*” in Policy HA55 but the very fact there are two measures illustrates the potential difficulty that could arise at the development management stage.

32. New development can be accommodated sensitively with a significant extent of open space and green infrastructure along the southern edge of the new development as shown by the work undertaken in relation to the Masterplan in FBC041a.
33. It is inevitable that there will be a change in the character and appearance of the land that is to be developed; new housing and associated uses will replace open countryside. However, there will continue to be undeveloped land between the new urban edge of Fareham and the northern extents of Stubbington such that the settlements do not coalesce, and their separate identities will be retained. North of Tanners Lane there is a substantial existing belt of woodland planting that to a large extent encloses the land to the north thereby limiting viewing opportunities and experience from this Public Right of Way. Moreover, the Stubbington bypass constructed within the Strategic Gap results in urban infrastructure between Tanners Lane and Stubbington alongside existing farm buildings associated with Newlands Farm. Each of these features has a material effect on the actual sense of openness between the two settlements and, together with new planting, limit inter-visibility and intra-visibility between the new development and Stubbington is minimised.
34. To avoid this conflict the Policies Map should be amended so that the Strategic Gap excludes land north of Tanners Lane and east of Peak Lane.

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**February 2022**