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FAREHAM BOROUGH COUNCIL LOCAL PLAN 2037
INDEPENDENT EXAMINATION
WRITTEN STATEMENT RELATING TO MATTER 2
MILLER HOMES LTD
FEBRUARY 2022



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Issue / revision	Prepared by	Sophia Goodhead
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This document is issued for <input type="checkbox"/> Information <input type="checkbox"/> Approval <input type="checkbox"/> Comment <input checked="" type="checkbox"/> Submission	Date	February 2022
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Contents

- 1.0 Introduction
- 2.0 Matter 2: Development Strategy (strategic policy DS1)
- 3.0 Conclusions

1.0 Introduction

- 1.1 This examination statement is submitted on behalf of Miller Homes Ltd (MH) in respect to Matter 2 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 3, 4 and 6 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 strategic policy DS1 (Development in the Countryside). 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 Matter 2: Development Strategy (strategic policy DS1)

2.1 The Inspector provided questions on Matter 2 in relation to DS1-DS3. MH have previously submitted representations in relation to draft policy DS1 and continue to support the location and nature of development in Fareham whilst raising issues in regard to the soundness of the Local Plan regarding policy DS1 and the requirement that proposals should not be on best and most versatile agricultural land, which is not entirely consistent with NPPF para 174(b) in this regard.

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?

2.2 Given the level of local housing need in the Borough, lack of urban capacity and limited and constrained opportunities for greenfield release, MH agrees with FBC's proposed locational strategy as well as the identification of additional sites for housing, to meet (as a minimum starting point) the revised standard methodology.

2.3 The Sustainability Appraisal and Strategic Environmental Assessment for the Revised Publication Plan (CD003) sets out that residential option 2F was selected as the preferred residential strategy at the Draft Plan stage (Paragraph 4.5.8) because it:

- *“Maximises developable sites in the urban area;*
- *Focuses on regeneration and redevelopment opportunities in Fareham Town Centre;*
- *Focuses on larger developable housing sites (typically 400-700 homes in size) that are better placed (by virtue of their scale) to achieve place making and wider benefits whilst also being distributed in different areas of the Borough;*
- *A preference towards those sites that have lower landscape sensitivity;*
- *Provides a mix of site sizes; and*
- *A preference towards urban extension sites that provide a logical extension to the existing urban area and/or a defensible urban edge for the future”.*

2.4 The development strategy proposed by the Revised Publication Local Plan (paragraph 3.21) includes:

- *“Provision for at least 9,556 new residential dwellings and 121,964m² of new employment floorspace;*
- *The strategic employment site at Daedalus (Solent Enterprise Zone) to deliver an additional 77,200 m² of employment floorspace over and above that already planned for;*
- *Strategic opportunities in Fareham Town Centre that contribute to the delivery of at least 961 dwellings as part of a wider regeneration strategy;*
- *Development allocations on previously developed land where available, and on greenfield land around the edges of existing urban areas in order to meet remaining housing and employment needs, but otherwise managing appropriate levels of development outside of urban areas”.*

- 2.5 Taking the above into account, larger sites have the capacity and likely critical mass to deliver a broad mix of housing types and styles to respond to the LHN and to deliver the associated infrastructure requirements and services that new development demands, that smaller and more dispersed sites are not able to respond in the same way.
- 2.6 MH believes that focusing on strategic-scale locations alongside smaller brownfield opportunities will support the delivery of the plan's aims and objectives and provides flexibility to changing circumstances and market conditions that will occur over the life of the plan. This is consistent with the NPPF, which identifies the need for small and medium sites to come forward (paragraph 69), whilst also advocating the benefits of strategic scale developments in the form of urban extensions or new settlements (paragraph 73).
- 2.7 It is notable that the Draft Plan historically proposed North Downend Strategic Growth Area (SGA) as one of three potential areas for growth selected by FBC and which was considered to be consistent with the preferred residential strategy 2F, focusing on areas with potential for larger scale development and which provided logical extensions to the existing urban areas. Proposed allocations HA4 (Site ID 3030) and HA56 (Site ID 3009) as well as the extension to HA4 (Currently an omission site: Site ID 3130 (North of Winnham Farm)) fell within the above SGA. However, in response to the Government's proposed changes / subsequent announcements regarding the standard methodology for calculating housing need, in 2020, further re-evaluation of the scale of housing growth for the Local Plan was undertaken. This prompted FBC to review its potential housing allocations in line with the preferred residential development strategy of focusing development on deliverable urban and sustainable urban fringe sites.
- 2.8 It is highly relevant that the Sustainability Appraisal confirms that both proposed allocations for HA4 and HA56 are located within a sustainable urban fringe location, in alignment with preferred development strategy 2F. They also feature well in alternative growth/locational strategies as set out at Appendix H to the Sustainability Appraisal, further confirming their superiority relative to alternative sites. Further, that although Site ID 3130 (HA4 extension site) is confirmed as a suitable site for residential development, it was not brought forward as a draft site allocation, even though it also performed well in the SA alternatives assessment.
- 2.9 Ultimately, additional housing sites were proposed for allocation within the Revised Publication Local Plan, which included the two Downend Road allocations (HA4 & HA56) in place of the above SGA, whilst omitting the HA4 extension. As confirmed in para 1.16 of the FBC/MH SoCG, the latter was omitted solely due to concerns about highway capacity at the A27 junction (with Downend Road and Shearwater Avenue) prior to the delivery of the link road (part of HA56), although the FBC evidence base fails to robustly address and assess this position. In any event, this concern is ultimately resolved by HA56 and the provision of a link road through that site, and the additional land should be retested against highway capacity given the now intended introduction of traffic signals on Downend Road Rail Bridge (as secured through the HA4 outline permission – appeal approved October 2021) and the traffic capacity benefits delivered by the HA56 link road. It is noteworthy that the FBC Evidence Base does not identify the A27 / Downend Road / Shearwater Avenue junction as an area of concern or constraint (see Figure 6-5, 6-6 and 6-12 of FBC022).

- 2.10 The development strategy clearly seeks to locate development in sustainable locations, relative to the existing urban areas whilst limiting harm in terms of, for example, landscape matters. MH considers that the proposed strategy is the most appropriate strategy for achieving sustainable development in the Borough, when considered against the reasonable alternatives and represents a positive solution to accommodating housing need. It is an effective and justified development strategy, in accordance with the presumption in favour of sustainable development. However, in the context of the district need and unmet need of adjacent authorities, as well as the planning progress being made with the delivery of HA4 (noting that the extension of HA4 could sensibly continue on from the delivery HA4, securing further housing completions in 2027/28 and 28/29 (so within five years from adoption of the plan) and reducing the need for the stepped trajectory), the extension land should be allocated, or in the very least acknowledged as a potential site to assist with maintaining a rolling five year housing land supply.
- 2.11 To confirm, the HA4 extension site is selected as a suitable site in Appendix G of the SA and MH considers this would also align with preferred development strategy 2F and should be allocated. 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. If not allocated at this stage, the supporting text should at least acknowledge the opportunity as follows:

“In addition to the proposed site allocations, there may be some potential for further development on the land further north of HA4. The site has not been allocated at this time but in principle it may be suitable, subject to additional highway capacity achieved through the HA4 and HA56 allocations, and could contribute to the five-year housing land supply. Its suitability for development should be tested against the provisions of policy HA4.”

Strategic Policy DS1 – Development in the Countryside

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

- 2.12 MH considers that the wording of policy DS1 is not consistent with National Policy. In their Regulation 19 consultation response (CD009 Part 1 – Page 837-839) MH outlined concern regarding the proposed policy criteria, which stipulates where development outside the urban area will be supported but requires proposals in these instances to demonstrate that they are not on best and most versatile agricultural land.
- 2.13 Whilst the NPPF outlines that, plans need to recognise the best and most versatile agricultural land and allocate land with the least environmental or amenity value (paragraph 175), footnote 58 is clear that “*where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality*”. The National Policy stance is not to prevent the use of the best and most versatile agricultural land but to support a preference for lower quality land and this only applies to ‘significant developments’.

- 2.14 Further, it should be noted that other factors need to be taken into consideration, for instance, the lowest quality agricultural land may not be in the most accessible locations or suitable for development.
- 2.15 The policy text should be amended to be consistent with the Framework's approach and not seek to prevent development on the best and most versatile agricultural land but to demonstrate a preference for low quality land.
- 2.16 Providing consistency with the NPPF would make this part of the policy sound; the text for criterion m) should be deleted as this aspect is covered by National Policy.

3.0 Conclusions

- 3.1 MH supports FBC's approach to progressing the Local Plan 2037 and the general location and nature of development but raises the need to include additional sustainable sites (by way of extension to HA4) in line with the development strategy and to remove the requirement that proposals should not be on best and most versatile agricultural land (in criteria m of policy DS1) to provide consistency with the NPPF and ensure the Plan is sound.