

Fareham Borough Council Local Plan Examination **Council's Response to Inspector's Matters and Issues**

Matter 4 - Housing Policies

Policy HP1 New Residential Development

1. Is Policy HP1 justified, effective and consistent with national policy in particular paragraphs 79 and 80 of the Framework?

- 1.1 The Council considers that the policy is justified, effective and consistent with the Framework. Policy HP1 continues the approach in Policy DSP6 of the Adopted Local Plan and links to DS1 in the submitted Plan providing clear guidance to readers in relation to the acceptability of housing in urban areas (see Matter 2, Questions 3-5) and the conditions under which residential development in the countryside would be permitted, whilst protecting the intrinsic character and beauty of the countryside (para 174b of the Framework). The policy focuses development within the urban area boundary which is consistent with the Plan's development strategy.
- 1.3 The Council considers that that countryside areas (as defined in the Glossary of the Plan) within the borough are not classified as a designated rural area as set out in paragraph 64 and the glossary of the Framework. Therefore, Paragraph 79 of the Framework is not relevant. The Plan includes supporting text in relation to the need for a rural worker dwelling in paragraph 5.7 of the Plan. The Framework is a material consideration, so the Plan does not need to repeat its content and Policy HP1 is considered sufficiently flexible.
- 1.4 The policy sets out the circumstances where development would be looked upon favourably in the countryside. Although Policy HP1 has been written in accordance with Para 79 and 80 of the NPPF it should be noted that there are other policies in the Plan that relate to these paragraphs in the Framework such as HP2 for small scale development in the countryside.

Policy HP2 Small Scale Development Outside the Urban Areas

2. Should the title of the policy include the word housing for effectiveness?

- 2.1 The policy is effective as the wording clearly refers and is only applicable to 'housing development' and the title as drafted does not undermine the clarity of the policy or its effectiveness. However, it is a sensible suggested minor modification that the council would support if the inspector is minded to recommend it.

3. What is the justification for defining small scale as no more than 4 units?

- 3.1 The Council has limited the policy to four units for three key reasons. Firstly, the Council's SHELAA (DS004) assesses sites of 5 or more dwellings and where sites are identified suitable, available and achievable, they are considered developable and allocated in the Plan. Consequently, all developable sites in the Borough that are known to the Council are allocated or already permitted, so this policy focusses on smaller sites up to 4.
- 3.2 The second reason is to boost the supply of small sites in line with paragraph 69a of the NPPF. Within the supply of 1 April 2021, we estimate that 9.4% of homes in the supply are on sites smaller than 1ha. This is short of, but close to, the 10% suggested proportion, and is monitored alongside the overall supply. Therefore, this policy was specifically included to

encourage the supply of small sites in borough which are well related to the urban area boundaries.

- 3.3 Figure 1 of the Housing Windfall Projections Background Paper (HOP007) illustrates that the number of permissions granted for windfall sites is greatest on those sites of between 1-4 dwellings.
- 3.4 The third reason for the policy restriction on dwelling numbers is that, from a design perspective, it allows the successful integration of the development into countryside where development is restricted. Therefore, it is considered that this policy and the requirement to restrict dwellings is sound.

4. On what basis has the requirement for the site to be within a reasonable walking distance to a good bus service been defined in paragraph 5.16 of the supporting text?

- 4.1 The Plan, in accordance with the NPPF, seeks to ensure that new development is sustainably located. This includes alternative movement modes to use of a car. The evidence set out in the Council's Accessibility Study (DS008) identifies 400m or 5 minute walk to a bus stop as a reasonable distance to a bus stop. DS008 relies on other sourced evidence, including the Chartered Institution of Highways & Transportation (CIHT) study 'Buses in Urban Environments' (2018). This study highlights the importance of frequency and duration of services as well as their reach to destinations as important factors in generating demand and enabling residents to choose alternatives to cars. Given the likely suburban nature of locations where such development is anticipated to take place, the Council considered that two buses per hour during the day, capturing work commute, leisure and shopping trips, is reasonable compared to the CIHT study's 'turn up and go' frequency of every 10-12 mins in urban areas. One of the objectives of HP2 is to stimulate small scale growth to meet the 10% small and medium scale sites requirement in the Framework but only in locations which are sustainable. Therefore, the Council considers that parameters are required in relation to travel distances to be considered acceptable.

Policy HP3 Change of Use to Garden Land

5. Should the Policy title make it clear that the policy relates to residential gardens in the countryside?

- 5.1 The adopted Local Plan contains policy DSP6 on 'change of use to garden land' and so for consistency, the wording was proposed to be brought into the new Plan. However, the Council are happy to make a minor modification at the Inspector's request.

Policy HP4 Five Year Housing Land Supply

6. What is meant in part a) that a proposal should be relative in scale to the five-year housing land supply shortfall? Is the Policy effective?

- 6.1 Identifying that proposals should be of relative scale to any housing land supply shortfall means that if for example such a shortfall were to be 50 dwellings, then an application of around 50 dwellings would be relative in scale as it would meet the shortfall. In the same scenario, an application for 500 dwellings would not be relative in scale as it would be for ten times the amount of the identified shortfall. Part a) of policy HP4 therefore seeks to protect areas outside of the urban area from applications which are much larger than the shortfall in supply giving the Council control in how it can meet its housing need in the event of a lack of

five-year housing Lland supply. The Council consider the meaning is sufficiently clear (having regard to relevant caselaw on the interpretation of policies) and is there to allow for a proper exercise of planning judgment as to whether the scale is relative. In the example above applications for 1 dwelling and 51 dwellings would also be likely to be considered relative, as they go to addressing shortfall. The Council does not consider it appropriate to set a cut-off threshold of development that exceeds the shortfall nor a minimum, especially so when the quantum of shortfall is also subject to an exercise of planning judgement.

- 6.2 Policy HP4 is a contingency policy in the event that the Council does not have a five-year housing land supply and a development proposal comes forward on countryside sites that are not allocated in the Plan or covered by Policies HP1 and HP2. Policy HP4 is effective as it allows the Council to boost the supply of housing in this event but in sustainable locations in the borough and at an appropriate scale.
- 6.3 This effectiveness is evidenced by the success of policy HP4's predecessor policy DSP40, which is the current adopted Local Plan policy. Policy DSP40 has been successfully applied in the absence of a five-year housing land supply to deliver development in the right place. Inspectors considering a number of appeals have considered that the policy has applied to a range of sizes of development including single units.

7. The Framework in paragraph 119 seeks to make effective use of land making as much use as possible of previously developed land. Is the policy effective in this regard? Does it give too much emphasis to development outside the urban area?

- 7.1 Policy HP4 is a policy carried forward from the adopted plan which has been specifically designed to assist the Council in determining applications on unallocated land outside of the urban area in a situation where the Council is unable to demonstrate a five-year housing land supply. The supporting text identifies that proposals within the urban area are likely to be policy compliant and will be considered in accordance with the other policies in the Plan. The Council is aware of the misapprehension that has arisen during the consultation on this point, which has been addressed in the Statements of Consultation (CD005). However, the policy does not provide emphasis to developments in any particular location, it is a reactive and contingency policy allowing the Council to consider speculative applications in the absence of a five-year housing land supply. In such a scenario, urban area sites would still benefit from the established principle of being in a sustainable location, and so should be permitted (subject to other policies in the Plan).
- 7.2 The policy is appropriate because it seeks to focus development in the most sustainable locations in circumstances where the Council has a five-year housing land supply shortfall. Policy HP4 provides a more criteria-based approach to development than the paragraph 11(d) test. Further, it ensures that (whilst para 11(d) of the Framework will be a relevant material consideration if not considered to accord with this policy and the plan as a whole) proposals can still first be considered against the development plan policies and ensure in such circumstances, where addressing the housing shortfall a key factor, that development in the Borough is plan led. It remains consistent with the Framework as where a scheme is considered contrary to HP4, para 11(d) would be relevant, but in such circumstances, the Council considers that the failure to comply would ordinarily demonstrate significant harm to outweigh any benefit.
- 7.3 Policy HP4 provides the Council and readers of the Plan clarity over how the Council will determine acceptable sustainable development in the absence of a five-year supply, in order to boost the supply of houses.

8. Does the policy provide sufficient protection to Strategic Gaps?

- 8.1 Criterion c) of the policy addresses the issue of protection to Strategic Gaps. In the context of less than five years housing land supply, this is a policy to allow the Council to lower some of its otherwise necessary requirements in order to regain the five-year supply and full control of its planning decisions. Policy DS2 is the policy which would apply under normal circumstances and the test applied to proposals in the Strategic Gap is rightly high; '*significantly affect the integrity of the gap and the physical and visual separation of settlements or the distinctive nature of settlement characters*'. In the absence of the five-year supply, policy HP4 would be applied which includes the lesser test of '*significantly affect the integrity of the gap*'. In both cases, development which significantly affects the integrity of the gap would not be permitted, but in the absence of a five-year supply, the Council would consider permitting applications which affect the physical and visual separation of settlements or the distinctive nature of settlement characters. There is a difference which is justified in the scenario where the Council is proactively seeking to regain a five-year supply and is the same position as the Council has been applying DSP40 under the adopted Plan. The Council considers that both scenarios provide sufficient protection to Strategic Gaps as the overall integrity is not harmed.
- 8.2 This difference in policy tests has been highlighted in a recent appeal in relation to a site in the Strategic Gap (Land at Newgate Lane (North and South) FBC030), where the difference between the two points can be seen by reviewing the arguments advanced by the Council, and then subsequently by the appeal Inspector. The Appeal Inspector ultimately agreed that the physical and visual separation of the settlements would be harmed, but there was no impact on the integrity of the Strategic Gap and allowed the appeal given the Council's lack of five-year supply. This Appeal decision helps to demonstrate the difference between the two tests in policy DS2 and HP4.

9. In part d) of the policy, is it clear to decision makers, developers and the community what is meant by 'short term'. Is this phrase necessary?

- 9.1 Yes, the Council believes that in the context of the policy on five-year housing land supply, it is clear that short-term means within that period to assist with the Council's housing position. The aim of the policy is for any scheme proposal that comes forward to be delivered as soon as possible to ensure the shortfall in the Council's five-year housing land supply is made up. The reason that five years is not specified is that the Council frequently foreshortens permissions to just twelve or eighteen months and it is advantageous to retain the flexibility to do so to boost housing delivery in the very first years of the plan period, (particularly when faced with the challenge of meeting the Housing Delivery Test as referenced in Matter 7, Question 9).

Policy HP5 Provision of Affordable Housing

10. What is the justification for requiring the different levels of affordable housing provision on greenfield, brownfield and Fareham Town Centre sites? What is this based on, how was it calculated and what alternatives were considered?

- 10.1 The Plan has proposed an approach based on site typologies towards the proportion of affordable housing in Policy HP5, which is justified by the Council's Viability Assessment (VIA001). The typologies tested were spread across greenfield, brownfield and town centre sites and the calculations were based on residual values once policy requirements were taken into account. The calculations showed that differing levels of affordable housing

provision impacted the viability of sites, particularly in the town centre and for that reason, different policy requirements were tested and set. For instance, a proposal that is viable on a greenfield site may not be viable in the town centre due to its constraints and the development costs are generally higher, including the benchmark land values. Therefore, the amount of affordable housing sought by the Council for different sites in the borough is altered accordingly in the policy.

- 10.2 Policy alternatives were tested in section 6.2 – 6.5 of VIA001 and include higher levels of affordable housing in the town centre and on brownfield sites. These were either shown as not viable or not as viable due to the existing use values and the higher development costs associated with town centre development.
- 10.3 The introduction of a variable rate for percentage of affordable housing sought from new residential development allows the authority to strike an appropriate balance between meeting affordable housing need and delivery of plan policies.

11.Does the Viability Assessment and Viability Assessment Addendum demonstrate that the required percentages of affordable housing in different locations is viable across the District, for both strategic sites and small-medium scale sites?

- 11.1 The Viability Assessment is based on a range of typologies that are representative of the planned development and key strategic sites as set out in sections 4.2 VIA001 and section 2.1 VIA003. The property markets were reviewed (see section 5.2 VIA001 and section 3 VIA003), and an assessment of costs (section 5.3 VIA001 and sections 2.3 – 2.5 and section 3 VIA003). A range of appraisals were run under several scenarios, including different sizes of sites, site types and the effect of different proportions of affordable housing, different affordable housing mixes and levels of developer contributions. Section 6.2 to 6.5 VIA001 show the results of the testing, demonstrating that (proposed) policy requirements, including affordable housing are viable for the small, medium and large site typologies.
- 11.2 The Council's Viability Assessment (VIA001) therefore demonstrates that the proportion of 40% affordable housing on greenfield sites and the lower proportions of 35% affordable housing on brownfield sites and 20% affordable housing on town centre sites is justified.
- 11.3 It is also important to note that during the last five years the majority of developers have not contested the 40% affordable housing requirement through the development management process or appeals that is currently applied through Adopted Local Plan policy CS18.

12.Do the residential appraisals cover an appropriate range of typologies? Do they reflect the size, scale and location of development likely to be delivered by the policies and allocations in the Plan?

- 12.1 Yes. The residential appraisals have been carried out by experienced consultants using a range of typologies in a well-established and tested approach that is consistent with wider experience and has been supported through examinations previously. This approach has been applied to the local circumstances at a proportionate, appropriate level, informed by close working with Council officers at all stages, as well as consultation with the development sector. The appraisals have been refined and updated over a period of time to the extent reasonably possible.
- 12.2 Para 4.2.1 on page 17 of the Viability Assessment (VIA001) describes the approach to typologies stating that they are typical forms of development reflective of supply and as table 1 shows, the typologies match well to the allocations in the Plan. Therefore, no site-specific

testing for allocations in the Plan has been undertaken, and the testing as per PPG para 10-004-20190509, uses a set of average standard costs, including for infrastructure provision.

12.3 For ease of reference Table 1 sets out each of the allocations within the plan, their current planning status and which typology range is representative of that type of development.

Table 1 – Site Typologies compared with Plan allocations

Site Typology	Housing Allocation Policy Reference	Planning permission or Resolution to Grant	Viability Assessment Outcomes
Small Site (between 2 - 8 dwellings)	HA24 (8 Dwellings)	None	0% affordable – under the NPPF/PPG threshold.
	HA26 (9 Dwellings)	PP (P/19/1061/FP approved)	
	HA30 (9 Dwellings)	None	
	HA32 (8 Dwellings)	PP (P/18/0592/OA approved)	
	HA33 (7 Dwellings)	PP (P/19/0061/VC approved)	
	HA35 (7 Dwellings)	PP (P/17/1420/OA approved)	
	HA38 (9 Dwellings)	PP (P/20/1137/FP approved)	
	HA39 (5 Dwellings)	None	
	HA41 (9 Dwellings)	PP (P/18/1410/FP approved)	
	HA46 (8 Dwellings)	PP (P/20/1282/FP approved)	
	HA47 (9 Dwellings)	PP (P/18/0625/OA approved)	
	HA53 (6 Dwellings)	None	
	FTC8 (9 dwellings)	None	
	FTC9 (6 dwellings)	None	

Medium Brownfield Site (15 -50 dwellings)	HA7 (100 dwellings)	None	35% affordable can be achieved.
	HA9 (70 Dwellings)	RTG (P/17/1366/OA)	
	HA13 (38 Dwellings)	None	
	HA19 (16 Dwellings)	PP (P/19/0183/FP approved)	
	HA22 (13 Dwellings)	None	
	HA23 (11 Dwellings)	PP (P/19/0915/FP approved)	
	HA28 (16 Dwellings)	PP (P/19/1040/OA approved)	
	HA29 (20 Dwellings)	None	
	HA36 (35 Dwellings)	None	
	HA37 (30 Dwellings)	None	
	HA43 (16 Dwellings)	PP (P/19/0840/FP approved)	
	HA44 (60 Net yield 27)	None	
	HA48 (Indicative yield 18 mixed use residential & retail)	None	
	HA49 (50 Net yield 26)	None	
HA51 (20 Dwellings net yield 12)	None		
Medium Greenfield Site (15 -50 dwellings)	HA10 (55 Dwellings)	PP (P/18/0067/OA) approved	40% affordable can be achieved.
	HA12 (48 Dwellings)	PP (P/18/0654/FP) approved	
	HA15 (29 Dwellings)	PP (P/18/1258/FP approved)	
	HA17 (24 Dwellings)	PP (P/19/0643/FP approved)	
	HA27 (32 Dwellings)	None	
	HA34 (38 Dwelling)	RTG (P/18/0484/FP approved)	
	HA40 (22 Dwellings)	RTG (P/18/1437/FP approved)	

	HA42 (60 Dwellings)	None	
	HA50 (55 Dwellings)	None	
	HA52 (12 Dwellings)	None	
Medium Town Centre Site (15 - 50 dwellings)	FTC4 (94 Dwellings)	None	20% affordable can be achieved.
	FTC5 (49 Dwellings)	None	
	FTC6 (45 Dwellings)	None	
	FTC7 (18 Dwellings)	PP (P/20/1359/FP resolution to grant)	
Large Greenfield Site (120 – 1,000 dwellings)	HA1 (824 Dwellings)	Approximately 85% of the site has PP	40% affordable can be achieved.
	HA3 (348 Dwellings)	PP (P/18/0068/OA and P/18/0897/FP approved)	
	HA4 (350 Dwellings)	PP P/20/0912/OA appealed allowed	
	HA54 (180 Dwellings)	PP (P/20/0522/FP appealed allowed)	
	HA55 (1250 Dwellings)	None	
	HA56 (550 Dwellings)	None	
Large Town Centre Site (120 – 1,000 dwellings)	FTC3 (120 Dwellings)	None	20% affordable can be achieved.
	BL1 (620 Dwellings)	None	
Specialist Housing Site	HA31 (68 Bed care home)	PP (P/20/1597/FP approved)	Affordable housing not viable.

13. How has the viability evidence considered the higher costs associated with large scale sites, such as the need for strategic highways infrastructure?

- 13.1 Within VIA001 (Table 5.10) there are a range of allowances for a wide variety of infrastructure requirements. These include site development costs and policy and mitigation costs and as sites increase in scale, so do the total allowances in the viability testing of typologies.
- 13.2 The site development costs range from an allowance of £5,000 per unit for site typologies of 10 to 100 dwellings up to £25,000 per unit for the large scale sites of 500 plus dwellings (this upper range reflects guidance set out for cost allowances for strategic infrastructure in the Harman report 'Viability Testing Local Plans' (adjusted for inflation). In addition, an allowance for typical planning contributions includes £2,000 per dwelling unit for Transport as well as further £6,500 per unit for open space and education. Also, to note are the allowances for Community Infrastructure Levy (which also may be used for strategic highways infrastructure), Biodiversity Net Gain, other environmental mitigation and the broader £10,000 per unit allowance for a range of infrastructure costs.

- 13.3 Therefore for each typology these individual costs do allow for a significant per dwelling allowance that has been included within the testing and increases for larger sites. For example, the total infrastructure allowance (on and off site) for R13 (large greenfield site typology) 600 dwellings would be over £50,000¹ per unit and this is higher than for smaller scale sites.
- 13.4 Tables 6 and 7 of the Infrastructure Delivery Plan (TOI007) show that there are no abnormally high costs associated with any of the sites identified in the Plan, with no large scale strategic infrastructure required for delivery. This reaffirms that the standard costs associated with large scale sites in the viability study are considered appropriate.
- 13.4 The testing assumptions included in the Viability Assessment (VIA001) include allowances for typical planning contributions towards infrastructure requirements. This includes £2,000 per dwelling unit for transport (Table 5.10). The Strategic Transport Assessment (TOI008), table 11-4 (page 87) summarises the proposed highways mitigation measures required to mitigate the impact of Local Plan development. Indicative costs of these are included in table 13-1 (page 98) and average £925 per unit, comfortably within the £2,000 per dwelling S106 allowance. The Updated Strategic Transport Assessment SRTM Do Something Report (FBC022) identifies a different list of junctions where mitigation is required. The impact of this on viability is covered in the answer to question 14 following. Therefore, the testing assumptions included in the Viability Assessment (VIA001) are considered appropriate to cover the cost of highway mitigation as well as other localised improvements as a result of development.

14. Does the viability evidence align with the latest information on the type of highways mitigation likely to be required by the site allocations?

- 14.1 Yes. The Updated Strategic Transport Assessment SRTM Do Something Report (FBC022) has identified a greater number of junctions requiring mitigation (paragraph 7.4.2, page 53) than the published Strategic Transport Assessment. Whilst the indicative costs have not been published at this time (the Updated Strategic Transport Assessment will be published alongside the Matter 11 response on 11th March), the Council has received notification from the modelling consultants that the costs are considerably reduced (approximately £100 per unit) compared to the previous Transport Assessment owing to the nature of junctions being mitigated and the type of mitigation required. As this would only marginally improve the headroom it was not considered necessary to update the viability work as this still broadly aligns with the latest highway's information
- 14.2 The most significant reason for the change in the overall transport costs, is in relation to the Delme Roundabout. This is included as a Do Something mitigation requirement in the published Strategic Transport Assessment (TOI008) at a cost of £9.3 million. However, due to the successful receipt of Transforming Cities Fund grant money, the Highway Authority is delivering a Public Transport focused scheme at this part of the network and at this junction. As a result, the junction is included in the Baseline of the updated modelling as a committed scheme. The remaining junctions in the Updated Do Something Scenario have a combined cost in the region of £1 million.

15. The supporting text refers to viability considerations which may affect the ability of schemes to provide the required level of affordable housing. To be effective, should the policy provide guidance on viability matters to provide flexibility?

¹ Figure includes Development costs (£25,000 per unit) CIL (CIL liable floorspace 30535.8 sqm*£149.73), S106 (£8,500 per unit) and policy allowance (£10,000 per unit)

- 15.1 The NPPF para 58 and the Planning Practice Guidance (PPG) sets out the role for viability. It is primarily at the Plan making stage and are clear that policy requirements should be set at a level that allows for sites to come forward without the need for further viability testing at the decision taking stage (PPG Paragraph 002 (Ref ID:10-002-20190509)). Furthermore, the PPG explicitly states that *'it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage'*. Any viability contentions at the decision taking stage should be considered as a departure from to policy given the Plan's and Council's objective to deliver affordable housing. Any viability argument will be considered as a material consideration in line with the Framework (paragraph 58). Paragraph 5.36 of the Plan provides guidance to applicants of how to put forward different affordable housing contributions on the basis of individual site circumstances when instances of viability could be an issue and the information required by developers at the decision taking stage to provide evidence of this matter. In terms of the sites allocated in the Plan the Council understand their infrastructure requirements and regularly request information from site promoters in relation to the site requirements.
- 15.2 The Council consider that the policy does not need amending to refer to viability considerations, and that this position is in line the with the PPG in that viability is considered at the plan making stage. The supporting text provides guidance in the event that viability concerns arise on particular sites as they progress to application stage.

16.Are the tenure requirements stated in the policy justified and effective? What evidence supports the levels required? Is the social rent requirement contradictory in parts i) and ii)?

- 16.1 The Council considers the tenure requirements to be justified and effective. The policy provides flexibility in the tenure of affordable housing products that can be delivered by developments and encourages the delivery of social and affordable rent. The tenure requirements reflects that those eligible for the Council's Housing Register (i.e. for Social and Affordable Rent homes) are likely to have the fewest alternative housing options available to them, and some will be classed as homeless. As a result, the proportion of rented products, particularly social rent is pushed as high as possible to reflect the need. In comparison those seeking/needing affordable home ownership products will, in the majority of cases, already be safely housed (living with parents or renting privately) but are seeking to embark on home ownership and/or reduce on their current private renting costs. A range of tenures, including the split proposed in the policy were tested in the Council's Viability Assessment and found to be viable to the level of AH proposed per development.
- 16.2 Policy HP5 achieves an appropriate balance between understanding the need (both in numerical terms and weighting to priority cases) for the different affordable tenures and what can be viably achieved from development.

17.The Policy requires that the mix of property size and type should reflect local need. Where is this assessment of current needs set out in the evidence? Paragraphs 5.40 – 5.42 of the supporting text relates to affordable housing size and mix but refer to open market homes in the first paragraph. Is this effective?

- 17.1 Criteria (iv) of Policy HP5 is intended to ensure that the mix of affordable property sizes reflects the local need at any given time. This can vary by area of the borough (for instance the greatest need for Affordable Rent/Social Rent in the Titchfield area is for 3 and 4-bedroom homes but in other areas of the borough the greatest need may be for 1-bed flats).

- 17.2 Information on the mix of affordable property sizes and types required by area is available on the Council's website as referenced in paragraph 5.32 of the Plan². The Council's Housing team regularly monitor the need by area and in the case of Affordable Rent/Social Rent provide information on the priority bands of those waiting. The data on affordable size and type is checked on a quarterly basis by the Council's Housing Team and updates take place on the website where there is a notable change to the data. As this information is regularly updated, it was felt most appropriate to signpost the reader/applicant to the website with the most up to date information, rather than provide specific information in the Plan which could quickly become out of date.
- 17.3 In relation to whether the policy requirement to reflect local need is effective, it is the Council's intention to encourage early discussion on development sites in relation to the mix of affordable property sizes. As the specific need can vary by area, and will inevitably change over time, criteria (iv) will ensure site specific discussions can take place to best address affordable housing need. This is as per the current approach applied through the Development Management process successfully, as adopted policies include wording around reflecting local need. The policy is effective as it gives the Council control in terms of the affordable size and type mix that can be provided by scheme proposals in different areas of the borough.
- 17.4 The Council acknowledges the confusion in paragraph 5.40 of the Plan and would be happy to make a minor modification to remove the following text from the Plan, "*The size and mix for open market homes on a development sit will typically reflect market demand and need*".

18.What is the justification for affordable rent provision to have rents and service change at no more than 80% of market rent or the relevant Local Housing Allowance whichever is lower? Should this be more appropriately included in the supporting text to explain the application and expectation of the policy?

- 18.1 To set Affordable Rents not exceeding Local Housing Allowance (LHA) is extremely important as part of ensuring the affordable homes are truly affordable. LHA rates are used to calculate the housing benefit (or housing support paid within Universal Credit). LHA rates are determined by the Valuation Office Agency Rent Officers and they are based on private market rents in Broad Rental Market Areas (BRMAs). Fareham Borough comes under two wider BRMAs; Southampton and Portsmouth.
- 18.2 If a rent exceeds the LHA then housing benefits will not meet the shortfall. This can increase issues of poverty and lead to rent arrears. Fareham Housing Officers suggest the 'gap' between what is paid through benefits and what could be due as rent (if charged at 80% of market) can be significant; for a 3 or 4-bed home the shortfall can be over £100 per month. For those households entitled to benefits this can mean the difference in providing for the basics in life, such as food and heating. Previous analysis by the Council's Housing department in 2018/19 showed that all nominations to 4-bedroom affordable rented homes that year were in receipt of maximum housing benefit. At that time the shortfall between LHA and 80% of market rents was typically £107 per month.
- 18.3 It is understood that part of the reason for the 'gap' in Fareham Borough could be the fact the BRMAs incorporate very different rental areas to inform the LHA (i.e. the cities of Portsmouth and Southampton where private rents can often be lower).
- 18.4 In addition, the Framework defines Affordable Rent as 'at least 20% below local market rents', as opposed to '20% below local market rents'. The LHA cap sets rents and service

² [Fareham Borough Council: Affordable Housing Need](#)

charge payments at no more than the LHA. The inclusion of the LHA cap has featured in S.106 agreements in Fareham Borough for many years and the same is applied by most Hampshire authorities to ensure affordable rents are affordable.

- 18.5 Therefore, the Council believes it is justified in requiring affordable rents (including rents and service charge payments) to be either 80% of market rent or no more than the LHA as per policy HP5.
- 18.6 The Council's intention is to include further information relating to the LHA cap requirement as part of the review of the Affordable Housing Supplementary Planning Document (SPD) referred to in paragraph 5.42 of the submitted plan.

Policy HP6 Exception Sites

19.Is Policy HP6 consistent with national planning policy as expressed in the Framework?

- 19.1 The Council acknowledges that paragraph 78 of the Framework supports opportunities for rural exception sites and that Council's should consider allowing market housing on these sites. Policy HP6 has taken guidance from paragraph 78 and the Framework definition of rural exception sites and has included it within the policy, therefore, it is considered that this policy meets the requirements of paragraph 78 of the Framework.
- 19.2 With respect to paragraph 72 of the Framework concerning entry level exception sites, it is considered that Policy HP6 Exception sites is consistent with national policy. The policy recognises that entry level homes should be provided on unallocated land alongside meeting the requirements of an up-to-date local housing needs assessment. The policy also acknowledges that this type of scheme is for affordable housing purposes and suitable for first time buyers or first time renters as stated in criteria ii. of this policy. In terms of site size as stated in criteria iii. and footnote 35 of the Framework the policy HP6 states that sites need to be limited to no more than 1 hectare in size or consist of no more than 5% of the size of the existing settlement.
- 19.3 Therefore, the Council consider that policy HP6 is consistent with national policy.

20.Is it clear to decision makers, developers and the community what is meant in part b), that a proposal should be relative in scale to the shortfall? Is the Policy effective?

- 20.1 Identifying that proposals should be of relative scale to any affordable housing land supply shortfall means that if for example such a shortfall were to be 50 dwellings for, then an application of around 50 dwellings would be relative in scale as it would meet the shortfall. Criterion b) therefore seeks to protect areas outside of the urban area from applications which are much larger than the shortfall in affordable housing supply and is effective as it gives the Council control in how it can meet its affordable housing need if a scheme proposal comes forward.

21.Would the policy have the potential to undermine the local plan policies for the protection the Strategic Gap?

- 21.1 No. The Council is aware that this misapprehension has arisen through the consultations and has addressed the point in its Reg 22 Statements of Consultation (CD005 pages 145, 146 and 400). The policy is for exceptional circumstances and any planning application that comes forward in the Strategic Gap would need to be assessed in conjunction with Strategic Policy DS2.

Policy HP7 Adaptable and Accessible Dwellings

22. What is the justification for requiring at least 15% of all new dwellings as Category 2 standard? What is the threshold based on?

- 22.1 Paragraph 5 of the PPG (Ref ID:56-005-20150327) states that LPAs should take account of evidence that demonstrates a clear need for housing with specific needs and plan to meet these needs. The PPG sets out types of data which can be considered (there is a wide range of evidence to draw from and the PPG makes reference to including the likely future need for housing for disabled people, accessibility and adaptability of existing housing stock).
- 22.2 The Council considers the Specialist Housing Background Paper (HOP003) sets out local evidence of need and justification, taking into account long-term health problems and disability data, for policy HP7. The 2011 Census indicates that there were 17,340 people living in the Borough with a long-term health problem or disability. This equates to 16% of the Borough's population and provides a figure for the requirement of the need for accessible and adaptable dwellings.
- 22.3 Many of those residents with long-term health problems are aged over 65. The 2011 census data also indicates that of the 65 plus cohort; only 8.5% live in specialist accommodation the rest remain in their own home and the Council's evidence sets out that there is a national trend for elderly and disabled residents to remain at home, therefore increasing the pressure on providing homes that are adaptable and accessible to meet their needs. The policy requirement is in line with the projected size of the 65 plus cohort at the end of the plan period, and the proportion of residents in the Borough with a LTHP or disability that wish to remain in their own home. This in turn will reduce the demand for specialist housing by allowing residents to remain in their home for longer.
- 22.4 Policy HP7 is sufficiently flexible that it sets out a requirement of at least 15% of all new dwellings to meet the M4(2) standard, linking to the 2011 Census data. The Council is aware that the results of the 2021 census should be published in 2022 and will inform the Local Plan review. However, the use of the term 'at least 15%' provides sufficient flexibility in the short term.

23. What is the justification for requiring schemes of over 100 dwellings to provide at least 2% of private housing and 5% of affordable housing as Category 3 properties?

- 23.1 The PPG and HOP003 sets out an indicator of the need for the accessibility and adaptability requirements is the number of people claiming Personal Independence Payments (PIP). Approximately 3% of the working age (16-64) and 5% of over 65's are claiming for PIP in the borough. It should be noted that not all residents in poor health or that have a disability will be eligible for PIP, and this information is not correlated to whether those claimants live in private or affordable homes, but it is considered to be a reasonable indicator in relation to setting policy targets, in the absence of more specific metrics.
- 23.2 In terms of the need for affordable accessible and adaptable dwellings the Council's Housing Register in January 2022 indicated that approximately 68 households have a disability which relates to 10% of all households on the Register. It is considered that the inclusion of Policy HP7 will make a contribution towards meeting the future needs of the elderly or those with Long Term Health Problem or Disability (LTHPD) to enable them to stay in their own home.
- 23.3 The Council recognise that there are particular viability implications for the introduction of M4(3) wheelchair accessible homes. This is informed by analysis of viable development

within the Local Plan (VIA001). The proportions reflected in Policy HP7 have been tested through the Council's Viability Assessment taken from the MHCLG Housing Standards Review Cost Impact Document. The Council considers the threshold of 100 dwellings is an appropriate point at which such requirements can be imposed, but the delivery of this policy will be monitored alongside monitoring the national picture in relation to potential changes to Building Regulations³, in order to inform the Local Plan review.

24. How have the costs associated with the requirements in Policy HP7 been taken into account as part of the Plan's preparation?

- 24.1 The cost associated with providing M4(2 and 3) to meet the policy requirements set out in the response to Q22/23 are set out in Table 5.10 VIA001 and included within viability testing of the relevant typologies. Further explanation is provided on the costs included for HP7 in the Viability Addendum Report (VIA003). The costs are taken from Table 45 and pages 38 – 44 of the MHCLG Housing Standards Review Costs Impact [FBC028]. In combination with the other recommended testing assumptions and policy approach these costs are not considered to put at risk the delivery of the plan.

25. How does the Plan account for situations where it may not be suitable or viable to provide adaptable and accessible homes? Is the policy effective?

- 25.1 The Planning Practice Guidance (PPG) sets out the role for viability is primarily at the Plan making stage and that policy requirements should be set at a level that allows for sites to come forward without the need for further viability testing at the decision taking stage (Paragraph 002 (Ref ID:10-002-20190509). Furthermore, the PPG explicitly states that 'it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage'. The Viability Assessment (VIA001) takes into consideration homes which are capable of meeting accessibility and adaptability standards. Therefore, it is considered that the proportions outlined in Policy HP7 are viable.
- 25.2 Any viability contentions at the decision taking stage should be considered as a departure from to policy given given the Plan's and Council's objection to deliver adaptable and accessible dwellings. Any viability argument will be considered as a material consideration in line with the Framework (paragraph 58). Paragraph 5.58 of the Plan provides flexibility on the basis of individual site circumstances when instances of viability or suitability such as the conversion of listed building or for small scale developments. In terms of the sites allocated in the Plan the Council understand their infrastructure requirements and regularly request information from site promoters in relation to the site requirements.
- 25.3 The Council consider that the Policy is in line the with the PPG in that viability is set at the plan making stage and is therefore effective.
- 25.4 The inclusion of adaptable and accessibility standards in the Plan is a response to the Framework but is also a new standard for planning applications in the Borough. The Council will keep the implementation of the policy under review in line with the monitoring framework and is also aware of the potential changes in the building regulations review. In accordance with paragraph 33 of the NPPF it would be the intention of the Council to review the Plan's policies at least once every 5 years. This would take account of changing circumstances in the borough, evidence of the success of the policy or changes to national planning policy or building regulations.

³ Government consultation on raising accessibility standards for new homes - [Raising accessibility standards for new homes - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/raising-accessibility-standards-for-new-homes)

Policy HP8 Older Persons and Specialist Housing Provision

26. Some provision for this type of accommodation has been made on allocated sites. Having regard to the anticipated future demand for older persons and specialist housing as outlined in the Specialist Housing Topic Paper, what is the justification for relying on a criteria-based policy rather than allocating additional sites to meet this need?

- 26.1 The Council's Specialist Background paper (HOP003) identifies a need for specialist accommodation for older persons over the plan period. The Specialist Housing Background Paper (HOP003) identified that the 85 plus group is anticipated to grow at approximately double the rates of other cohorts over 65 plus, with the highest levels of rents and low ownership levels which highlights a need to provide specialist accommodation for this cohort. It is therefore appropriate that the Council take a proactive approach to this housing need group.
- 26.2 Paragraph 13 of the PPG (Reference ID: 63-013-20190626) emphasises that it is up to the Plan making body to decide whether to allocate sites for specialist housing for older people. Therefore, the Council have been proactive in addressing the need for specialist housing for older people by allocating a range of sites for different specialist housing products at the Land south of Cams Alders (HA42), Station Road, Portchester (HA43) and Assheton Court (HA44) for 103 Sheltered units (in total net additional) and the Land south of Longfield Avenue (HA55) specifically includes an extra care facility for approximately 50 – 100 units. However, the Council recognise the demand for this type of accommodation, and that it is greater than the supply identified in the sites allocated in the Plan. Furthermore, throughout the Plan consultations Hampshire County Council have provided no specific comments in terms of the quantum of specialist housing required for older people in the Borough, or the need to allocate sites.
- 26.3 The Council adopts a 'homes first' focus that supports residents to maintain their independence and remain in their own home (or within alternative settings offering independent accommodation such as extra care housing/ retirement living schemes) for as long as possible. The Council also recognise that there is a rising age profile in the Borough as identified in table 1 of the Specialist Housing Background Paper (HOP003). Therefore, the Plan includes a criteria based policy to enable this type of development to come forward. Policy HP8 provides a suitable basis for specialist housing schemes and older persons housing to be brought forward in the borough. The Policy will also help to provide a suite of accommodation choices and enable residents in the longer term to maintain their independence. It should be noted that the Council have recently received several applications for older persons accommodation in the borough, which have been either been recently completed or granted planning permission. This includes a 75-bed care home at Florence Court (P/18/0897/FP) an 86-bed extra care home at Friary Meadows (P/14/0841/FP) and a 75-bed care home at 123 Barnes Lane (P/18/0690/FP). These sites have come forward through the criteria based policy DS42 in the adopted Local Plan.

Policy HP9 Self and Custom Build Homes

27. What is the current demand for self and custom-build housing in Fareham? How does Policy HP9 relate to the identified need?

27.1 Table 2 below shows the number of individuals joining in each base period to date. This data is taken from the annual Self and Custom Build Delta Returns. (There are no groups registered on the Fareham register, so the number represents the number of individuals.)

Table 2 - number of individuals joining in each base period to date

Base Period	No of individuals joining during base period	Date need to be met by
as at 30 Oct 2016	35	30 Oct 2019
31/10/2016-30/10/2017	62	30 Oct 2020
31/10/2017-30/10/2018	31	30 Oct 2021
31/10/2018-30/10/2019	52	30 Oct 2022
31/10/2019-30/10/2020	36	30 Oct 2023
31/10/2020-30/10/2021	40	30 Oct 2024

27.2 The need identified in base period 1 was met within the 3 years from the end of that base period, however the needs identified in base periods 2 and 3 have not been met, with 38 and 16 permissions granted respectfully.

27.3 The average number of self and custom build permissions granted per year (as at Oct 2021) is 15 which, if this rate continues, would provide a projected total of 240 permissions over the plan period. Recognising that this figure is considerably short of the demand, a criteria-based policy was devised to provide sufficient plots on larger sites to address the demand over the plan period. This type of policy has been adopted in Ashford and Wellingborough Local Plans and is an approach supported by NACCSBA. The percentage requirement was set at a level to match the demand identified in the Self and Custom Build Background Paper (HOP004).

27.4 Calculating the potential supply coming from the allocated sites in the Plan which comply with HP9 policy requirements together with proposed delivery at Welborne, would provide 460 plots. This combined with the projected windfall gave a projected self-build supply of 718 dwellings. Comparing this to the projected need of 688 plots over the plan period, based on the average number of individuals joining the register each year being 43, justifies the policy requirements for the provision of plot on larger sites.

27.5 The Council is aware however that the supply figure will be reduced due to the permission of applications made in advance of the Plan's adoption which would not need to meet the policy requirement. There may also be instances where developments may be unsuitable for self-build provision. The Council acknowledges this, and delivery will be kept under review and any such shortfalls will be considered in the next plan update.

28. What is the threshold of 40 or more dwellings based on, and what is the justification for requiring 10% of the dwelling capacity to be provided as self-build and custom build plots?

28.1 In considering an appropriate threshold, the Council reviewed the sites proposed for allocation in Local Plan and using the projected self and custom-build windfall, calculated

how the allocated sites could meet the remaining projected need in the Borough as set out in the Self and Custom Build Background Paper. Based on this, two potential options were identified which could meet the anticipated need: Option 1, 17% of homes on developments of over 100 to be delivered as self-build Option 2, 10% of homes on developments of over 40 to be delivered as self-build. Such a percentage-based policy was considered through the Viability Assessment and Sustainability Appraisal.

28.2 Recognising the numerical nature of this approach, the policy was consulted upon from the first Regulation 18 Consultation, with an amendment to the percentage requirement following further analysis of likely plot sizes. In terms of consultation responses, there have been a total of 21 responses across the local plan consultations, with developers querying the site size threshold of over 40 dwellings however as set out in the Viability Assessment, although the policy is identified as having an impact at assessment, the appraisal summaries in Appendix F demonstrate that the threshold for requiring self and custom build plots is appropriate across relevant site typologies.

29. Is the requirement for plots to be marketed for 12 months justified?

29.1 The requirement of marketing plots for 12 months follows examples set out in the Right to Build Task Force Custom and Self-Build Planning Guidance PG2: Delivering a sufficient supply of custom and self-build homes (March 2021: Version 2.0) para 59 “If there was no take up at this stage, the cascade mechanism could then allow the developer to sell the plot on the open market at the next trigger point (perhaps 12 months) or even develop the plot.”

29.2 Further evidence of a 12-month reversion period being appropriate can be seen in the following adopted plans/SPDs:

- Teignbridge SPD cited in [PAS Planning for Self and Custom-build housing](#) (June 2016)
- Warwick DC SPD (adopted July 2019)
- Harrogate Local Plan (adopted March 2020)
- South Northamptonshire Local Plan (adopted July 2020)

30. Bearing in mind the provision of custom and self-build homes on the Welborne Garden Village and the potential for windfall development, would the application of the policy result in an over provision? Has the potential delivery over the plan period been assessed against the potential need?

30.1 The Council has assessed the potential delivery against the potential need and does not anticipate that the application of the policy will result in over-provision. This is supported in the following table 3 which shows the potential self-build delivery in line with the policy requirements as well as the realistic anticipated supply as of February 2022 for each allocation. As demonstrated in the table, were the policy to be applied to each relevant site, this would result in addressing the need as set out in paragraph 27.4 above. The drop in anticipated provision is due to planning proposals proceeding ahead of the Plan’s adoption which are not required therefore to comply with the policy, and the unknown quantity of self-build that would come forward on some town centre sites (in accordance with the flexibility afforded in the final paragraph of policy HP9). As set out in response to Q27, the Council recognises this potential shortfall and will continue to monitor this in preparation for the next Local Plan review.

Table 3 - potential self-build delivery

Allocation Ref	Allocation/Site Name	Estimated Dwelling Yield	Allocation Self-build Potential	Anticipated Self-Build Provision	Reason for unknown/no provision
FTC3	Fareham Station East	120	12	Unknown	Town centre site – unknown contribution.
FTC4	Fareham Station West	94	9	Unknown	Town centre site – unknown contribution.
FTC5	Crofton Conservatories, Fareham	49	5	Unknown	Town centre site – unknown contribution.
FTC6	Magistrates Court, Fareham	45	4	0	Outline Permission granted
FTC7	97-99 West Street	9	0	0	Less than 40 dwellings
FTC8	Land rear of Red Lion Hotel	18	0	0	Less than 40 dwellings
FTC9	Portland Chambers	6	0	0	Less than 40 dwellings
HA1	Land North of Greenaway Lane, Warsash	28	0	0	Less than 40 dwellings
HA1	Medina Nurseries	5	0	0	Less than 40 dwellings
HA1	Land East of Brook Lane, Warsash	85	8	0	Outline Permission Granted
HA1	Land south of Greenaway Lane, Warsash	100	10	0	Outline Permission Granted
HA1	Land East of Brook Lane, Warsash	110	11	6	Resolution to Grant
HA1	Land adjacent to 79 Greenaway Lane, Warsash	30	0	0	Less than 40 dwellings

HA1	Land South of Greenaway Lane, Warsash	157	16	0	Resolution to Grant
HA1	Land to rear of 108-118 Brook Lane, Warsash	19	0	0	Less than 40 dwellings
HA1	Land West of Lockwood Road	80	8	8	
HA1	Land East of Brook Lane	180	18	0	Resolution to Grant
HA1	Land rear of 59 Greenaway Lane	9	0	0	Less than 40 dwellings
HA1	Land off Lockwood Road	9	0	0	Less than 40 dwellings
HA1	Land at 51 Greenaway Lane	5	0	0	Less than 40 dwellings
HA3	237 Segensworth Road, Titchfield Common (Segensworth Cluster)	20	0	0	Less than 40 dwellings
HA3	Land to the East of Southampton Road, Titchfield	95	9	0	Reserved Matters Permitted
HA3	Robann Park, Southampton Road, Titchfield Common (Segensworth Cluster)	42	4	0	Resolution to Grant
HA3	Land at Segensworth Roundabout	75 bed care home	0	0	Care Home (Built)
HA4	Land east of Downend	350	35	0	Outline permitted at appeal
HA7	Warsash Maritime Academy, Warsash	100	10	10	
HA9	Heath Road	70	7	7	

HA10	Funtley Road South, Funtley	55	5	3	Outline Permission granted
HA12	Moraunt Drive, Portchester	48	5	0	Full Permission granted
HA13	Hunts Pond Road, Titchfield Common	38	0	0	Less than 40 dwellings
HA15	Beacon Bottom West, Park Gate	30	0	0	Less than 40 dwellings
HA17	69 Botley Road, Park Gate	24	0	0	Less than 40 dwellings
HA19	399-403 Hunts Pond Road	16	0	0	Less than 40 dwellings
HA22	Wynton Way	13	0	0	Less than 40 dwellings
HA23	Stubbington Lane, Hill Head	11	0	0	Less than 40 dwellings
HA24	335-357 Gosport Road, Fareham	10	0	0	Less than 40 dwellings
HA26	Beacon Bottom East, Park Gate	9	0	0	Less than 40 dwellings
HA27	Rookery Avenue	32	0	0	Less than 40 dwellings
HA28	3-33 West Street, Portchester	16	0	0	Less than 40 dwellings
HA29	Land east of Church Road	20	0	0	Less than 40 dwellings
HA30	33 Lodge Road	10	0	0	Less than 40 dwellings
HA31	Hammond Industrial Estate	36	0	0	Less than 40 dwellings
HA32	Egmont Nursery	8	0	0	Less than 40 dwellings
HA33	Land East of Bye Road	7	7	7	

HA34	Land South west of Sovereign Crescent	38	0	0	Less than 40 dwellings
HA35	Former Scout Hut, Coldeast Way, Sarisbury Green	9	0	0	Less than 40 dwellings
HA36	Locks Heath District Centre	35	0	0	Less than 40 dwellings
HA37	Former filing station, Locks Heath	30	0	0	Less than 40 dwellings
HA38	68 Titchfield Park Road	9	0	0	Less than 40 dwellings
HA39	Land at 51 Greenaway Lane	5	0	0	Less than 40 dwellings
HA40	Northfield Park, Portchester	22	0	0	Less than 40 dwellings
HA41	22-27a Stubbington Green	9	0	0	Less than 40 dwellings
HA42	Cams Alders Sheltered Housing	60	0	0	FBC Affordable Housing
HA43	Land at Corner of Station Rd	16	0	0	Less than 40 dwellings
HA44	Assheton Court	27	0	0	Less than 40 dwellings
HA46	12 West Street, Portchester	8	0	0	Less than 40 dwellings
HA47	195-205 Segensworth Road	8	0	0	Less than 40 dwellings
HA48	76-80 Botley Road	18	0	0	Less than 40 dwellings
HA49	Menin House, Privett Lane - Fareham Housing	26	0	0	FBC affordable housing
HA50	Land north of Henry Cort Drive	55	0	0	FBC affordable housing

	- Fareham Housing				
HA51	Redoubt Court-Fareham Housing	12	0	0	FBC affordable housing
HA52	Land west of Dore Avenue - Fareham housing	12	0	0	FBC affordable housing
HA53	Land at Rookery Ave	6	0	0	Less than 40 dwellings
HA54	Land East of Crofton Cemetery	180	18	0	Full Permission allowed at appeal
HA55	Land west of Downend	550	55	55	
HA56	Land south of Longfield Ave	1250	125	125	
BL1	Fareham Town Centre Broad Location of Growth	620	62	Unknown	Town centre site – unknown contribution.
	Welborne		36	36	60% of site total in line with Welborne delivery timescales
Totals			478	257	

31.Part c) of the policy requires design parameters to be in place. Is it clear who and when these parameters would be prepared and how they would relate to the wider site?

- 31.1 The policy is clear in that it is a requirement of the plot provision that design parameters are in place, thereby it is implicit that it is the responsibility of the plot provider/developer to prepare this. How the parameters relate to the wider site would require the consideration of the Design chapter of the Plan as set out in paragraphs .1.8 and 1.9 of the Plan.
- 31.2 There is no specified timescale required by the policy to provide the plots' design parameters as self and custom build applications can be made in either outline or full planning applications. As such timescales would differ depending on the type of application submitted, and this Council regularly applies a foreshortened timeframe requirement for reserved matters when an outline application is made as a tool that can be used to improve housing delivery in the short term.

32. Is it clear to decision-makers, developers and local communities how the policy will be applied? Is it sufficiently flexible?

- 32.1 The Council considers the policy is clear how the policy will be applied with the supporting text setting out that the provision for self and custom build will be secured through an appropriate legal undertaking. The policy provides flexibility in that it allows appropriately marketed plots to revert to market housing if they are not sold within twelve months and where such a provision would be unsuitable due to the site's size and density, sites will be considered for exemption from the policy on their individual merits.

Policy HP10 Ancillary Accommodation

33. Is the policy clear and effective? Should it be clearer that the ancillary accommodation would be functionally related to the principal dwelling?

- 33.1 The Council consider that the policy is clear and effective as written, in conjunction with the supporting text. The policy aims to permit ancillary accommodation which can potentially accommodate elderly relatives, older children or staff as examples. Para 5.78 of the Plan states that ancillary accommodation can help to meet social needs whilst reducing pressure on other types of accommodation. The policy has been carried forward from the adopted plan (policy DSP46) and to date the Council has not encountered difficulties with its implementation. The adopted policy includes criteria b. rather than the accommodation being 'functionally related to the principal dwelling' as it was originally omitted from Policy HP10 as it the Council believed it was clarified in the supporting text.
- 33.2 The Council could re-instate the clause 'functionally related to the principal dwelling' if it were felt that it would be helpful and provide further clarity. The Council proposes the following addition to the policy as point a) '*It is clearly demonstrated that there will be a functional link between the occupation of the principal dwelling and the ancillary accommodation*'.
- 33.3 Paragraph 5.81 could also change to read: '***Where ancillary accommodation is proposed it will be important to demonstrate that there will be a functional link between those living there and the occupants of the principal dwelling. Ancillary accommodation can play an important role in supporting extended families to live together with a degree of separation and independence. For example ancillary accommodation is often occupied by relatives of the persons living in the principal dwelling who provide care and support for their relative's everyday needs. Another example of ancillary accommodation being functionally linked to the principal dwelling is where staff members are living in self-contained accommodation within the curtilage of , as well as staff that are functional to residents of the principal dwelling where they work. However, they will not necessarily be appropriate for accommodation that is separate to, and forms an unrelated unit of accommodation from, the principal dwelling.***

(bold text is additional and struck through text is to be removed).

Policy HP12 Development Proposals within Solent Breezes Holiday Park

34. Policy HP12 would apply to new caravans or where planning permission is sought to change conditions on existing permissions? What are the restrictions on existing caravans on the site?

34.1 The Council can confirm that Policy HP12 would apply to new caravans or where planning permission is sought to change conditions on existing permissions. As part of the original 1975 permission (FBC.7456), a specific condition was imposed on the site which restricts occupancy of the holiday accommodation to between 1st March and 7th January annually. This is to prevent the establishment of permanent residential dwellings on this site. As such the policy restriction on year-round occupation is carried forward from that 1975 permission. The answer to question 35 explains why the dates are no longer specified.

35.What is the justification for imposing a 10-month occupancy period? Could other restrictions support the holiday use and prevent occupation as a permanent residence?

35.1 This Policy has not been altered since it went through the examination of the adopted Local Plan (Policy DSP11). Paragraphs 5.102-5.104 of the Plan recognises the need to ensure that Solent Breezes is maintained as a holiday park for tourism and leisure to ensure consistency with other policy aims of controlling residential development outside of the defined urban settlement boundaries (see policies DS1 and HP1). The site is considered to be in an unsustainable location away from local services, and the permanent occupation of the site would impact on the character of the area.

35.2 In addition, the site falls within the Shoreline Management Plan Policy Area 5b03 where the policy position is no active intervention for this stretch of coastline. The Framework is clear that inappropriate development such as residential should be avoided in areas at risk of coastal change. The Council has designated Coastal Change Management Areas (CCMA) within the Local Plan to carefully manage development in this particular area, including not permitting new residential dwellings or for the conversion of existing non-residential buildings to residential use. This further justifies the need to impose a 10-month occupancy period to ensure there are no permanent residences at risk of coastal change.

35.3 At the examination of the adopted Plan, the Inspector indicated that they wished the Council to consider the wording in Policy DSP11 relating to seasonal occupation and whether it was acceptable to restrict the operator of the caravan park in the way that was set out in the submitted policy (the policy proposed the setting of exact dates in the calendar year where occupancy was to be restricted). In light of the concerns raised by the Inspector the Council reviewed the Policy and produced amended wording which removed the stipulated time of year where occupancy should be restricted in favour of stating a generic 10-month maximum occupancy, which the Inspector found acceptable in their Report on the Examination into the Fareham Local Plan Part 2: Development Sites and Policies (Paragraph 25 page 9 within FBC029). The Council continue to take a strong line on preventing occupation of holiday accommodation on a permanent residential basis and on the basis that the wording of DSP was found sound, the Council has sought to use the same wording within Policy HP12 of the submitted Plan.

36.Is the policy clear on what ‘appropriate for the time of year ‘means in practice?

36.1 The policy has been carried forward from the adopted plan and to date the Council has not encountered difficulties with its implementation. The Solent Breezes Holiday Park was constructed during the 1950's and 1960's. A legal agreement relating to the park prepared in 1966 contained a condition that restricted occupancy to March to October and weekends throughout the year, as did the permission in 1975. The intention of policy HP12 is to maintain the current occupancy position of existing properties and to provide certainty on this issue for any future development that is consented. It is considered that the situation has not

changed since the DSP plan was adopted, and the Council has not encountered difficulties with applicants interpreting the wording of the policy in the adopted Plan.