M6.4.02

Examination of the Submitted Fareham Borough Local Plan

STATEMENT FOR:

MATTER 6 – HOUSING ALLOCATIONS

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On behalf of:

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WBP Ref: 7671

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Executive Summary

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

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

FHL's objections may be summarised as follows:

- *The Plan is* **not positively prepared** *in so far as the proposed strategy for growth will fail to deliver the identified housing need for a minimum of 10,197 dwellings during the period 2021 to 2038.*

- *The Plan is* **not justified** *having regard to the approach envisaged to maintain a rolling five year supply of housing land and/or in relation to the approach to the allocation of sites for housing, such that it cannot be said to provide the most appropriate strategy when considered against the reasonable alternatives.*

- *The Plan is* **not effective** *and will fail to provide a five year supply of deliverable housing land on adoption and nor will it deliver the requisite amount of housing during the plan period; when assessed against the objectively assessed housing need.*

- *The Plan is* **not consistent with national policy** *having regard to the need to ensure housing site allocations will maintain an adequate supply of deliverable housing land.*

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

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

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

CONTEXT AND BACKGROUND

1.1. This Statement has been prepared by Woolf Bond Planning LLP on behalf of Foreman Homes Ltd ("FHL"), and addresses several questions posed for Matter 6 of the Hearing Sessions as set out in the Inspector's Matters and Issues.

1.2. In setting out our response, we continue to rely upon the content of the detailed representations submitted on behalf of FHL in response to the Regulation 19 consultation on the revised Plan in July 2021 (as well as those representations submitted in late 2020).

1.3. Our answers to the questions should be read in the context of our position that insufficient deliverable and developable land has been identified in the submission Local Plan in order to maintain a rolling 5 year supply of housing land as obligated by paragraph 74 of the NPPF. The Plan would not be sound without an amendment to include additional site allocations within revised settlement boundaries[2].

1.5. This Statement details further responses to a number of the specific questions raised by the Inspector's in their examination of the Local Plan.

[2] To include omission sites controlled by FHL (see the site schedule at Appendix 15)

MATTER 6: HOUSING ALLOCATIONS

Questions 1 to 7, 18 and 19

General

Question 1. What status do the Framework Plans have? How have the plans been drawn up? What is the justification for schemes 'according with' the Framework Plan? Is this too inflexible? Should they 'have regard' to them instead?

2.1. The Framework Plans should be regarded as illustrative material and there should be no obligation to accord with their guidance, as, consistent with Section 17(5) of the Planning & Compulsory Purchase Act 2004 (as amended), "If to any extent a policy set out in a local development document conflicts with any other statement or information in the document the conflict must be resolved in favour of the policy".

2.2. This establishes the primacy of the policy in the Plan and therefore the text should not obligate accordance with the Framework plan, especially as the text of the respective allocation policies allow other equally acceptable solutions.

2.3. The text of those allocation policies which refer to the Framework Plan should change "in accordance with" to "have regard to" as outlined in the Inspector's question.

Question 2. Do the Framework Plans fulfil a place making function?

2.4. No.

2.5. As indicated in the response to question 1, there are a range of acceptable solutions for each site which reflect the objectives of the respective allocation policy. The development management process should ensure internal roads are constructed to site boundaries in order to avoid a ransom situation.

Question 3. Do changes to site boundaries need consequential changes to the policies map e.g., HA1

2.6. Yes.

Question 4. Is there a need for specific masterplans and design codes?

2.7. No.

Question 5. Is it clear to decision makers, developers and the local community what is meant by 'indicative yield'?

2.8. Yes.

All Allocations

Question 6. Are the sites allocated for housing in Policies FTC3-9, HA1-HA56 and BL1 soundly based; are the site-specific requirements set out in the relevant policies justified and effective and is there evidence that the development of the allocations is viable and deliverable in the timescales indicated in the Council's trajectory?

2.9. Whilst we support the allocation of the sites, especially in policies HA1 and HA27, there is a need for the identification of further land to meet the Borough's housing need (including contributing towards unmet needs in neighbouring authorities) together with maintaining the minimum 5 year supply of housing land.

HA1 North and South of Greenaway Lane

Question 7. How has the indicative yield been determined?

2.10. The yield has been determined through a lengthy masterplanning approach, that included meetings and correspondence between interested developer parties.

2.11. FHL has a controlling interest in a large part of land to the north of Greenaway Lane and east of Brook Lane forming important parts of the HA1 allocation. Land under their control is subject to the current planning applications.

2.12. The outline planning application for 180 dwellings on land east of Brook Lane (P/17/0845/OA) is subject to a resolution to grant planning permission, whilst land north of Greenway Lane is subject to a current outline planning application for 6 x self-build (P/20/0730/OA). The third site, comprising land west of Lockswood Road is subject to a current outline planning application for up to 62 dwellings (P/18/05990/OA).

2.13. All three land parcels controlled by FHL are deliverable, with appropriate yields informed by a considered approach to scheme design.

HA27 Rookery Avenue

Question 18. What consideration has been given to the acceptability of employment uses on the site in close proximity to residential uses? How will residential amenity be maintained?

2.14. As set out in Policy Ref HA27, the site is allocated for 32 dwellings and 1,800sqm employment floorspace.

2.15. FHL have submitted a detailed planning application proposing development of the site for 32 dwellings (LPA Ref: P/19/0870/FP). Details are shown on Proposed Site Plan 19.014.02Y. The layout includes the viability to secure office accommodation through a future application. As such, the current scheme does not prejudice the ability to deliver an office building (Class E(g)(i)) at a future date.

2.16. Sufficient space has been retained to achieve an office building along with associated parking, in a part of the site that would not conflict with the proposed residential uses.

2.17. In addition, the Council's Senior Environmental Health Technical Officer ("EHO") has confirmed the acceptability of the amenity for the residential dwellings, commenting (upon the revised Noise Survey) in a response dated 16 Feb 2022 as follows:

> *"I have had a look at the revised report and am happy with the proposal for a 2m high noise attenuating barrier around the garden areas and constructed of brick or close boarded fencing with a minimum mass of 10kg/m2 as specified in the noise report, as well as a similar 5m barrier to the Southern boundary. The higher specification glazing to some facades, specified in the report and the additional ventilation measures should be included in the development. Through-wall acoustic ventilation units are preferable to acoustic trickle vents. Where the former are installed, these should be ducted so that the air intake is on the quieter side of the buildings."*

2.18. The EHO's comments have been submitted in the context of the HA27 allocation which seeks a mix of employment and residential uses.

Question 19. What is the justification for part f) of the policy not making reference to maintaining a 50-metre protective buffer with Gull Coppice Site of Importance for Nature Conservation (SINC)?

2.19. Reference to a 50m buffer in the key/legend to the allocation is to an area of known archaeological significance. This is located at Bereton Close, some distance to the north of the site. As such, this reference does not apply or relate to the SINC.

2.20. The SINC is located to the east of the site and the Proposed Site Plan submitted with the planning application secures a 15m buffer.

2.21. Natural England's consultation response upon the application (dated 28 Jan 2022) confirms no objection to the scheme, subject to securing the necessary/proposed mitigation. As such, part (f) could be amended to refer to a 15m buffer, but this is not considered to be necessary.

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