

Examination of the Fareham Local Plan 2037

Hearing Statement: Matter 6 Housing Allocations

Hallam Land Management Limited

This Hearing Statement has been prepared on behalf of Hallam Land Management Limited (“Hallam”) and is in response to the Inspector’s Questions relating to the Matter 6 Housing Allocations (Questions 1 – 6 in the first instance and Questions 43 – 47 that concern HA55 Land South of Longfield Avenue specifically). Hallam control the overwhelming majority of this proposed allocation and have prepared a Statement of Common Ground (FBC041a and FBC041b) with the LPA and Ms Susan Williams in respect of this Site. Hallam submitted representations to various stages of the Local Plan’s preparation; in this instance its representations to the Revised Regulation 19 Plan (the “Plan”), where the Council introduce HA55, are relevant.

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?

1. The Plan does not set out the purpose of the [Strategic Land Use] Framework Plans, but we understand them to represent a spatial interpretation of the development criteria in the associated Policy. They are titled “indicative” which implies they serve as a sign or indication of how the Council see the developments concerned being implemented.
2. In the case of HA55 its Framework Plan was drawn up by the Council but with discussions with the site promoters. It illustrates (a) the disposition of built development and green infrastructure across the allocated site; and (b) the illustrative locations for the local centre, primary school and means of access.
3. As set out in paragraph 3.31-3.39 of our representations, in the case of HA55, criterion (a) of the Policy requires the quantity, layout and nature of housing and other land uses to be in accordance with the Framework Plan; there is no qualification such as generally or substantially, thus requiring strict adherence. The weight of the Development Plan is therefore being afforded to this Framework Plan, which in effect predetermines the Masterplan that is to be prepared for the Site.
4. Put another way, were a proposal to come forward that was not in accordance with the Framework Plan, notwithstanding its indicative nature, there would be a conflict with Policy HA55. As worded presently, this lacks flexibility.
5. It is instructive to note that in other instances, such as HA54 and HA56, the requirement is for development to be broadly consistent with the associated Framework Plans; in those instances, there is a much greater degree of flexibility.

6. Since the Plan was published, the LPA and the site promoters have undertaken further work to consider the HA55 Framework Plan and related development strategies for the Site. FBC041a/b explains that work which has culminated in a Masterplan which the parties consider to be the basis for future development proposals. The disposition of land uses across the site are broadly comparable with the Framework Plan but reflect the more detailed work that has been undertaken; this exhibits why the current Framework Plan should not attract the weight of the Development Plan.
7. We understand that the Council now wish to replace the Framework Plan with this Masterplan alongside Policy HA55 and incorporate the Supporting Masterplan Principles as an Appendix to the Plan. We welcome this proposed modification.

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

8. In the case of HA55, the Framework Plan's place making function is limited to how it distributes land uses across the Site.
9. By the present time, and as described in FBC041a/b, further work has been undertaken in respect of the Vision for the development and development strategies, which together contribute far more to place-making.

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

10. So far as we are aware, the only Site which requires a specific "masterplan and design code" is HA55. We note however references at paragraph 11.33 and 11.46 to the Council developing additional site or area-wide masterplans, design codes or guidance.
11. As explained in answer to previous questions, the Council and the site promoters have progressed further work to consider the HA55 Framework Plan and related development strategies for the Site. FBC041a explain that work which has culminated in a Masterplan to discharge that part of criteria (a). We understand the Council are sufficiently satisfied with this work such that it should be incorporated into the Plan as the basis of the development proposals and consequently it supersedes the need to any subsequent masterplan exercise.
12. Similar, FBC041b is considered by the Council to represent "Supporting Masterplan Principles" which sets out high level "rules" for how the development should be delivered. This would be enshrined in an outline planning permission. A more detailed Design Code for individual phases/character areas can be secured by planning condition pursuant to the outline planning permission. This reflects the approach adopted at Welbourne.

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

13. The definition of “indicative” is *acting as a sign of; suggesting*. We interpret “indicative yield” as the broad amount of new housing that will be provided i.e., an approximation, not a minimum or a maximum.
14. That said, paragraph 4.18 of the Plan states: “*The allocations include an indicative yield which seeks to ensure the effective use of land by identifying the minimum housing delivery for each site*”.
15. In these terms there is a discrepancy between a common understanding of the word indicative and the Council’s intention that the site capacity are minimums to be exceeded, wherever possible.

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?

Policy HA55 Land South of Longfield Avenue

Soundness

16. The principle of the proposed allocation South of Longfield Avenue is soundly based for the following reasons:
 - a) development at this Site would be consistent with the Plan’s Development Strategy
 - b) its locational merits – adjacent to the Borough’s main town and close to a range of services and facilities and employment locations - contributes to a sustainable pattern of development;
 - c) the form and nature of the development can contribute to the Local Plan’s foundational principle of Good Growth;
 - d) development can be accommodated in this location whilst maintain separation between Fareham and Stubbington and protecting their separate identifies;
 - e) the character of this part of the countryside will change in any event with the construction of the Stubbington Bypass;
 - f) the Sustainability Appraisal indicates the proposed development will deliver a number of positive social and economic benefits.
 - g) where there are negative effects, these have been judged to be minor and various mitigation measures have been identified in the Policy’s wording;
 - h) The Habitats Regulation Assessment concludes that this allocation is appropriate subject to the mitigation measures referred to;

- i) a positive effect can be had on nutrient levels that enable a nutrient neutral development whilst facilitating other development and water quality improvements;
 - j) new habitats can be created as part of the development that compensate for the loss of low-use classification breeding bird habitat;
 - k) new green infrastructure can be provided as part of the development to mitigate the potential effects of recreational disturbance on European designated sites;
 - l) it can provide a range and choice of housing to reflect the identified need for predominantly family housing and specialist elderly persons accommodation at a density that reflects the character of the surrounding area and does not cause unacceptable landscape or visual effects;
 - m) SCG006¹ refers to HA55 in the context of Solent Wading Birds and Brent Geese as discussed above; Natural England do not object to this proposed allocation; and
 - n) SCG007² indicates that “the overall transport impacts of the proposed allocations are likely to be capable of mitigation and the Plan is still considered to be deliverable and sound overall from a transport perspective, albeit with the potential need for some additional localised mitigation measures that will be derived through site specific transport assessments.”
17. Other SCGs are either silent on HA55 or supplement the points made in paragraph 13 above: SCG009³ does not refer to HA55 as a site which is at risk of flooding nor does it raise comments in relation to in other respects; SCG010⁴ does not include HA55 amongst the sites where waste water treatment is a particular consideration.

Site Specific Requirements

18. At paragraphs 3.30 to 3.63 of our representations to the Plan we comment on the individual criteria in Policy HA55.
19. In the main, we support the thrust of those various criteria, and, where relevant, their practical effect is now illustrated in FBC041b.
20. We have however raised certain comments:
- i. There are instances where criteria overlap, criteria (c) and (h), and (d) and (f);
 - ii. In other instances, we have identified where the criteria are not clear or specific as to the intended outcome, for example in criterion (b) the requirement for the built form, its location and arrangement to maximise the open nature of the existing landscape between the settlements of Fareham and Stubbington is open to different interpretations; and,
 - iii. lastly, where a degree of flexibility should be introduced into the policy at criterion (j).

¹ Statement of Common Ground with Natural England

² Statement of Common Ground with Hampshire County Council as the Local Highway Authority

³ Statement of Common Ground with the Environment Agency

⁴ Statement of Common Ground with Southern Water

21. Accordingly, we proposed an alternative wording to Policy HA55 at paragraph 3.69 which, in our view, would make Policy HA55 effective in a development management context.
22. We have also proposed that a site-specific percentage for self and custom build houses is introduced into Policy HA55 that would take precedence over Policy HP9's blanket approach of 10% of all sites of 40 or more to be provided as plots for sale to address local self or custom build. The practical effect Policy HP9 is that 125 self and custom build houses would be located in one small area of the Borough which is not consistent with the evidence of demand and locational preference. This is discussed in greater detail in our response to Matter 4 Housing Policies.

Viability

23. The Council's evidence in respect of viability is set out in VIA001, VIA002 and VIA003.
24. VIA001 includes a typology-based approach which is consistent with advice in the NPPG. Table 4.1 lists the residential typologies which includes R14 – a large greenfield site of 1000 dwellings. This is comparable with the scale of HA55 and we note that VIA002 states that the typologies set out in Table 4.2 of VA2019 (sic) are sufficiently broad to reflect the new sites as well as the previously identified supply.
25. Section 6.4 of VIA001 provides the outcomes for the Large Site Typology and indicates that those typologies are viable with the various assumptions that have been used.
26. We note that Section 6.6 indicates that certain of older persons housing typologies (sheltered, extra care) are able to support affordable housing or CIL and the care home typology would not be viable.

Delivery

27. Hallam submitted an outline planning application for development south of Longfield Avenue in June 2020. The circumstances associated with that application are explained in FBC041a. Hallam and the Council intend that this application is amended to reflect the work undertaken jointly and on the basis that the Masterplan and Supporting Masterplan Principles represent how the development should be brought forward. Subject to progress with the Local Plan Examination, the parties agree that the Hallam application can be determined in late 2022.
28. FBC001 sets out a housing trajectory for its various components of housing supply. For HA55 it identifies that the first houses will be completed in 2025/26 and that the delivery rate would comprise of the following profile:
 - 50 homes in the first 5 year period 2021/22 – 2025/26
 - 500 homes in the second 5 year period 2026/27 – 2030/31
 - 700 homes in the third 6 year period 2031/32 – 2036/37
29. Hallam consider this to be both a realistic and achievable timescale allowing for the lead in times between the grant of planning permission and development commencing. Moreover, Hallam consider the delivery profile to be a reasonable assumption, noting

differences might arise in individual years but it is realistic to anticipate the development being complete in the plan period.

30. Importantly, the development and delivery of new housing is not contingent upon any strategic off-site infrastructure, such as major highway improvements, or nutrient neutrality mitigation.

HA55 Land south of Longfield Avenue

Question 43. Is the development of this site in a Strategic Gap justified? What are the implications in terms of visual amenity and the local character?

31. The proposed allocation south of Longfield Avenue accords with the Plan's spatial strategy which is intended to focus development at the main urban area to achieve a sustainable pattern of development. This is entirely consistent with the land use principle in the NPPF that seeks to encourage new development to be directed to locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes. Moreover, mixed-use schemes such as that proposed provide a multitude of benefits.
32. Development in this location can take advantage of accessibility to the town centre and other important destinations (the railway station, Daedalus, Fareham Academy, Fareham College).
33. A residential led mixed use development in this location can also provide facilities and services that complement those that exist already in the area whilst providing new and different recreation space, environmental enhancement, and community facilities.
34. To achieve these advantages and benefits, it is necessary to locate new development within the Strategic Gap.
35. The Strategic Gap is not an immutable designation. Indeed, successive version of Development Plans in Hampshire have found it necessary to amend such designations in order to identify future development land.
36. As set out in our response to Matter 2, the LPA has undertaken a Technical Review of Areas of Special Landscape Quality and Strategic Gaps. That study identified that the land south of Longfield Avenue and west of HMS Collingwood could accommodate new development without a significant adverse effect on the objectives of the Strategic Gap designation.
37. Moreover, the Masterplan organises the proposed development so that it maintains separation between Fareham and Stubbington. This will protect the separate identifies of the two settlements.
38. It is inevitable that there will be a change in the character and appearance of the land that is to be developed; new housing and associated uses will replace open countryside. The mature wooded boundaries will largely be retained and this will limit the visual effects of the proposed development and any adverse impacts will be extremely localised.

39. There will continue to be undeveloped land between the new urban edge southern edge of Fareham and the northern extents of Stubbington such that the settlements do not coalesce. New development north of Tanners Lane cannot conceivably change the character and identify of Stubbington as inter and intra-visibility is imperceptible.
40. West of Peak Lane, the character of the current agricultural fields will be modified only to the extent that the green infrastructure provided as habitat creation and accessible greenspace will replace arable farmland; importantly this land will remain free from built development.
41. Accordingly, the changes to visual amenity and local character are not of a magnitude that can reasonably be said to outweigh the benefits of the development the Plan intends.

Question 44. On what basis has the indicative yield of 1250 dwellings been determined?

42. We understand the indicative yield was calculated by the LPA by applying a broad density assumptions to the development area shown on the Illustrative Framework Plan.
43. Through the additional work that has been undertaken, it has been necessary to consider in more detail such matters as housing mix, character areas, urban form, and average densities which has led to the Masterplan and Supporting Masterplan Principles in FBC041b. On the basis of the Masterplan, the land use budget is set out in *Appendix 1*.
44. The ability of the area of land to accommodate this scale of development is also evidenced by the fact that the outline planning application is seeking permission for a similar scale of development – albeit with a different arrangement of development.

Question 45. What evidence is there to demonstrate the impact of the development on the local highway network either alone or in combination with other allocations (specifically HA54). If that impact is a negative one, would suitable mitigation measures address the issues?

45. The highway modelling undertaken in conjunction with the Local Plan is discussed in paragraph 16(n) above.
46. SCG007 explains that the Strategic Transport Assessment (TOI008) modelled a development scenario consisting of 12,169 dwellings across the Borough; a greater level of housing than in both the Publication Local Plan December 2020 (8,389 dwellings) and the Revised Publication Plan July 2021 consultation (10,594 dwellings). Whilst the distribution of growth in the published Plan's development scenarios does not exactly align to the modelled STA scenario, in both cases the scale of growth is less than was modelled. The Strategic Development Area south of Fareham has been a common element of the Strategic Transport modelling.

47. FBC016 was prepared to take account of that different distribution and includes 1250 new homes in the vicinity of the HA55 – although these are distributed east and west of Peak Lane this is not considered to give rise to any discernible difference in trip distribution on the local highway network. In close proximity to the Site, increases in flows are experienced along Longfield Avenue and Bishopsfield Road (para 6.2.4 refers) with increased driver delays at Longfield Avenue / Newgate Lane (para 6.2.12). Figure 6-5 identifies the Longfield Avenue / Newgate Lane junction with a RFC of greater than 80% in 2036 baseline and do minimum scenarios.
48. Table 6.3 of FBC016 identifies various junction where 'significant' or 'severe' impacts are identified; this includes Longfield Avenue / Newgate Lane (ID20) where a 'significant' rather than 'severe' impact is recorded. In FBC017, which specifically considers junctions where mitigation needs to be tested at this stage, the impacts at ID20 are considered to be below the threshold for further investigation.
49. The logical conclusion of this is that the Highway Authority consider that the junction improvements in this location can be satisfactorily addressed at the development management stage and are not critical to determining the soundness of the proposed allocation.
50. As identified in FBC041a, a Transport Assessment will consider the local level effects of traffic from HA55. This will allow consideration of the effect of internalisation within this mixed-use development and the benefits of active travel and public transport measures as set out in the Policy, before considering whether local highway improvements are necessary. It is evident from the strategic modelling however that none of the junction improvements that might be necessary can be considered to be of a strategic scale.
51. Site HA54 was recently granted planning permission. As part of its planning obligation it included highway mitigation measures and financial contributions towards sustainable travel.

Question 46. In order for the policy to be effective should the site-specific requirements included consideration of the potential impacts from HMS Collingwood on the amenity of future occupants? Conversely what are the implications of residential development on HMS Collingwood, and should the policy requirements address these?

52. Presently, there is no reference to a site-specific requirement in respect of potential impacts from HMS Collingwood. In its response to the Plan, Hallam suggested that a criterion be added to strengthen boundary planting adjacent to HMS Collingwood, with the aim of achieving greater visual and acoustic separation between the two uses.
53. The Defence Infrastructure Organisation's representation to the Local Plan does not object to the proposed allocation but rather they identify matters relating to (a) noise and light, (b) security and (c) traffic that require detailed consideration as the scheme evolves so as to avoid potential impacts on the operation of HMS Collingwood. These points were made in the context of Hallam's outline planning application and the Plan's Illustrative Framework Plan.

54. Since that time, the masterplan has evolved and of particular note is that the proximity of proposed residential dwellings to the boundary of HMS Collingwood is different to either the planning application or the Plan's Framework Plan with a greater degree of separation. Indeed, on this more recent plan, none of proposed housing adjoins the operational part of HMS Collingwood. This provides a satisfactory and sufficient basis to determine these detailed measures in the development management context.

Question 47. How and when would the proposed Masterplan and Design Code be prepared? Who will prepare it, how will all stakeholders be involved? How would this relate to the Indicative Framework Plan?

55. The concept of a Masterplan and Design Code was conceived by the Council as a means of moving from the Illustrative Framework Plan to an arrangement and form of development that reflected the Policy requirements in a sufficiently detailed manner as to provide the basis for future development proposals to be determined through the development management process.
56. In the event, that work has now been undertaken in the intervening period and is set out in the FBC041a/b; this provides a site-wide masterplan and a strategic level design code that reflects the principles of the Policy. We understand the Council consider this to form the basis of development proposals and that they intend that the Masterplan replaces the Illustrative Framework Plan.
57. This collaborative working has ensured that the scheme is properly informed by a range of considerations such as those listed in paragraph 3.35 of our representation. Hallam intend to amend its outline planning application to accord with the Masterplan in FBC041a and incorporate the Supporting Masterplanning Principles in FBC042b into a revision to its Design and Access Statement, thus affording them a status in the planning permission.
58. FBC041a indicates that a Design Code will be required by the Council to inform detailed design at the reserved matters stage.
59. It is instructive that FBC012 indicates establishes a cascade approach for development at Welbourne, based upon an "structuring plan" approved with the outline permission with more detailed, site wide design code and neighbourhood area design codes being required between the grant of outline planning application and the submission of reserved matters (see, for example, Conditions 9 – 11). Given that HA55 is broadly equivalent to one of Welbourne's Neighbourhoods, the relative difference in scale suggests a simpler approach would be appropriate in this instance.

Owen Jones MRTPI PIEMA
LRM Planning Limited
February 2022

Appendix 1: Land Use Budget associated with Masterplan in FBC041a

Allocation Site Area	92.10 Ha
Site Area for Hallam Land and Williams Seale (excluding Baird land south of Tanners Lane)	83.80 Ha
Site Area Hallam	76.23 Ha
Site Area Williams / Seale	6.02 Ha
Site Area FBC/HCC (Highways)	1.53 Ha
Total Developable Area	32.50 Ha
Net Residential Area (Housing)	23.17 Ha
Net Residential Area (Apartments)	1.33 Ha
Local Centre (including apartments)	1.50 Ha
Sports Hub	4.30 Ha
Primary School	2.20 Ha
Greenspace (east of Peak Lane and north of Tanners Lane)	27.72 Ha
Greenspace (west of Peak Lane)	22.80 Ha
Average Housing Density	43 dph
Average Apartment Density	90 dph
Housing Yield	995 units
Apartment Yield	255 units
Total Yield	1250