

FAREHAM BOROUGH COUNCIL
27 MAR 2015
PLANNING AND TRANSPORTATION

Ref:
(official use only)

FAREHAM BOROUGH COUNCIL

Local Plan Part 2: The Development Sites & Policies Plan Modifications Consultation

Please return to Fareham Borough Council by 5pm on Monday 30 March 2015

This form has three parts:

Part A – Personal Details.

Part B – Comment section for Main Modifications.

Part C – Comment section for Minor Modifications.

Part A: Personal Details

Title

Name

Address

Email Address

Telephone No.

Organisation represented*

* Only agents need complete organisation box.

Part B – Comment section for Main Modifications

You will need reference to the following document to make a comment:

- Schedule of Main Modifications proposed to the Development Sites & Policies Plan

Representations should relate only to the Main Modifications and should not seek to repeat previous representations or request further changes to the published plan. Representations on Main Modifications need to focus on the grounds of soundness and legal compliance as set out in National Planning Policy Framework – namely that it is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

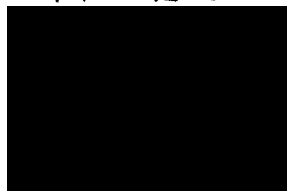
Which Main Modification(s) do your comments relate to?

DMM1	<input type="checkbox"/>	DMM13	<input type="checkbox"/>	DMM25	<input checked="" type="checkbox"/>
DMM2	<input type="checkbox"/>	DMM14	<input type="checkbox"/>	DMM26	<input type="checkbox"/>
DMM3	<input type="checkbox"/>	DMM15	<input type="checkbox"/>	DMM27	<input type="checkbox"/>
DMM4	<input type="checkbox"/>	DMM16	<input type="checkbox"/>	DMM28	<input type="checkbox"/>
DMM5	<input type="checkbox"/>	DMM17	<input type="checkbox"/>	DMM29	<input type="checkbox"/>
DMM6	<input type="checkbox"/>	DMM18	<input type="checkbox"/>	DMM30	<input type="checkbox"/>
DMM7	<input type="checkbox"/>	DMM19	<input type="checkbox"/>	DMM31	<input type="checkbox"/>
DMM8	<input type="checkbox"/>	DMM20	<input type="checkbox"/>	DMM32	<input type="checkbox"/>
DMM9	<input type="checkbox"/>	DMM21	<input type="checkbox"/>	DMM33	<input type="checkbox"/>
DMM10	<input type="checkbox"/>	DMM22	<input type="checkbox"/>	DMM34	<input type="checkbox"/>
DMM11	<input type="checkbox"/>	DMM23	<input type="checkbox"/>		
DMM12	<input type="checkbox"/>	DMM24	<input type="checkbox"/>		

Please provide comments on why you consider the Council's proposed Main Modification(s) to the Development Sites & Policies Plan (as you have specified above) to not be legally compliant or unsound.

PLEASE SEE ATTACHED SUBMISSION DATED 26 MARCH 2015.

PLEASE ACKNOWLEDGE RECEIPT BY EMAIL OR LETTER POST



**Fareham Borough Council –
Development Sites and Policies Plan Proposed Modifications -
Land at A27 and Station Road Junction – Response to DMM 25**

Submission by Mrs J E Cornish

1. Introduction

1.1 This submission addresses concerns regarding the proposal to allocate within the Local Plan land for older persons' accommodation at the junction of Station Road and the A27, Portchester. The land comprises a large open grassed area in the ownership of Fareham BC and an adjacent industrial workshop occupied by Merjen Engineering. This is shown on the New Development Site Brief, described as Housing Site 20, prepared by Fareham BC.

1.2 The Council owned grass land has been an open green space, much appreciated by the local community, for more than 40 years since the realignment of the A27 trunk road by-passing what is now the Portchester Precinct.

2. Background

2.1 The initial draft Plan prepared by Fareham BC in 2012 proposed 5 residential units on this site and gave clear reasons why this modest form of development was suggested, including vehicular access, proximity to a Flood Zone, and the line of a large diameter water main easement that runs through the southern side of the council owned land. Following a period of public consultation in October/November 2012 the Council decided to remove this proposed allocation from the Plan. It is understood one of the reasons for this decision was due to concerns over viability. The site was not part of the Plan then submitted in June 2014 to the Inspector for Public Examination, thereby leaving the amenity open space undeveloped. That is what residents would have expected; the council owned area remaining as an open space.

2.2 The initial representation DREP511 submitted on behalf of Merjen Engineering during the representations period in March 2014 proposed that its small land holding together with the adjoining council owned green space be allocated for 15 aged persons' dwellings (2 x one bed; 12 x two bed; and 1 x three bed) units.

2.3 However, the representation (DREP511) from Merjen (submitted in the run up to the Public Examination) proposed a residential development for 17 units (comprising 14 x two bed and 3 x one bed units) and car parking. This further submission made no reference to older persons' accommodation being provided.

3. Publicity Regarding Main Modifications

3.1 The site was not shown for any form of development in the plan submitted to the Inspector for the Public Examination. Whilst it would have been open to residents of the nearby community to submit representations at that stage (during

part February/March/part April 2014), none did so probably in the belief (as I did) that it had been decided the council owned land would remain an open grassed amenity area. The late inclusion of this site for possible development has denied those that wish an opportunity to have spoken at the Examination when the proposal from Merjen was discussed.

3.2 The opportunity for public consultation on the future use of the land has therefore been limited.

3.3 Fareham BC is proposing some 34 main modifications to the Local Plan. It is unclear the exact level of publicity being given to these changes in order to enable the community to respond meaningfully during the 6 week consultation period. For example, where it is proposed as in the present case, to include land for potential development, site notices should have been displayed so that those in the immediate area could understand what may occur in their immediate locality. Additionally use could have been made of the Fareham Today council magazine which was circulated to every household in the borough at the beginning of March 2015.

4. The Site

4.1 The site comprises a large open grassed area in the ownership of Fareham BC and an adjacent industrial workshop in private ownership and occupied by Merjen Engineering.

4.2 In 2005 a proposal to build on the combined site a two storey residential block of 16, two bedroom flats and car parking was refused planning permission (reference P/04/1562/OA). The principal grounds of refusal were over development of the site; inadequate off street parking and provision for service vehicles; un-neighbourly effect upon adjoining house due to narrow access, and no contribution towards open space.

4.3 A further application from Merjen Engineering for 20 flats on the combined site in 2008 was withdrawn.

4.4 The council's open space land is bordered by the rear of bungalows in The Leaway. To the immediate north of Merjen Engineering's premises fronting the west side of Station Road is a detached 2 storey house. Similar 2 storey housing and a bungalow fronts the east side of Station Road.

5. Provision for Older Persons' Accommodation

5.1 There does not appear to be clarity within the Plan as to what form of development is being sought for 'older persons', either generally or specifically on this site. For example, is the requirement that is said to have been identified, for self-contained units for sale, lease or rent, or is it sheltered accommodation with an on-site warden? Bearing in mind the various types of accommodation that could be suitable for 'older persons' the type and quality of accommodation proposed for the site should be reflected accurately in any viability study.

5.2 In the Development Sites and Polices document at paragraph 5.194 it is stated that the majority of older people own their own property. It also quotes the Wanless Review 'Securing Good Care for Older People', that a significant proportion of this group aspire to remain in their current home with care being provided by either a family member or trained professional.

5.3 This section of the Development Sites and Polices document goes onto say that Fareham BC recognises the importance of planning for those who wish to move to specialist types of older persons' accommodation (sometimes referred to generically as care homes or nursing homes).

5.4 Paragraphs 5.195 – 5.199 of the Development Sites and Polices document provides an explanation of sheltered accommodation (in which each unit has its own front door and can be part of a large complex with communal facilities such as a lounge, laundry and guest room); and Retirement Communities (described as large scale extra care housing).

5.5 In Hampshire County Council's 'Housing Provision for Older People in Hampshire', dated 2009, it is stated that 87% of people aged 65 and over live in mainstream housing, whilst 13% of older people live in specialist accommodation; this can be divided into specialist housing such as sheltered housing and care homes. The document goes on to explain the type of care and facilities being provided in each different type of accommodation, whether it be a care home (usually people living in single rooms with on-site care services); sheltered housing (each unit has its own front door with access to the assistance of a warden and the advantages of social activities and companionship); extra care housing (self-contained homes with design features and support services to enable self-care and independent living); or retirement communities (large scale purpose built developments).

5.6 In Document DCD-12 submitted to the Local Plan Examination, Fareham BC states in paragraph 8.1.4 *'that the Council is of the view that there is no need to assign additional sites for older persons housing as the need is more than likely to be met through deliverable sites within the first 5-years of the remaining Plan period. Any additional requirement will be met through market housing and other policies within the Plan'*.

5.7 Paragraph 8.1.4 is then followed by a list of sites which Fareham BC considers are deliverable, with the phasing of those sites having been determined 'through recent engagement with site promoters and landowners'. Within document DCD-12 there is no reference to the A27/Station Road site having been considered suitable for elderly persons' accommodation.

5.8 Document DCD-25, dated December 2014, states in paragraph 8.3 that *'the Council can demonstrate regular delivery of older persons accommodation since 2006, without specific allocations having previously been identified. A total of 234 C2 units were completed in the period 2006 to 2014'*.

5.9 The Merjen representation proposed general housing units but now suggests the site could be developed for older persons' accommodation, with no indication as to what form this could take. This is particularly important given the various definitions of older persons housing provision, and the level and degree of support that could be required as part of a development. For example, communal lounge, laundry and guest room.

5.10 It is unclear what evidence has been submitted to date to show that development of this nature would be achievable during the Plan period. Neither is there evidence to support the contention that if and when built the accommodation in whatever form it takes would be in demand from older persons to occupy.

5.11 Postern Close, on the opposite corner of the major junction of the A27 and Castle Street, is a development of 1 and 2 bed leasehold flats specifically for older persons over 60 years of age. It always appears to have units being offered for sale. At the beginning of March 2015 a 1 bed flat had remained available for sale since September 2014 at an asking price of £130k.

5.12 Postern Close has some 59 houses and flats arranged over 2 floors. There is a resident house manager who can be contacted in case of emergency.

6. Constraints on Developing the Site

6.1 The open space council owned land contains a large diameter underground water main and associated equipment. Portsmouth Water Company has advised Fareham BC that it would normally look for a 10 metre easement (5 metres either side) of a 20 inch cast iron pipe.

6.2 The site is described as being within Flood Zone 3. It is understood the Environment Agency would require the site to be raised by half a metre to facilitate development.

6.3 It is also noted that in December 2014 the Secretary of State for Communities and Local Government made a statement in the House of Commons regarding future government policy on the expectation that sustainable drainage systems be provided in developments of 10 dwellings or more, unless demonstrated to be inappropriate. Given the proximity of this site to the flood zone and the Environment Agency's view mentioned above, there must surely be an expectation that a suitable scheme be designed for this site in the event of a development proposal coming forward.

6.4 That part of the site occupied by Merjen Engineering may require remediation, given its long history of industrial use.

7. Highway and Traffic Considerations

7.1 The land is adjacent to a major road junction and there is a large amount of traffic travelling in both directions on Station Road and using the A27/Station Road junction. Station Road is also a major bus route. The close proximity of

Portchester Railway station means there is always a degree of pedestrian traffic to and from the station. Access to and from the west bound platform is via steep steps, presenting particular difficulties for those with a walking disability.

7.2 Vehicular access to the site can only be achieved from Station Road, very close to the junction with the A27. Vehicles turning into and out of a redeveloped site could cause a traffic hazard.

7.3 Inclusion of this site into the Local Plan is not justifiable because it is contrary to Policy DSP42 (p92) which states that new housing for older persons should provide a safe and suitable access and that parking for residents must be provided.

7.4 Hampshire Constabulary publish on its web site¹ details of recorded traffic accidents, and this shows the following details for the period March 2012 to June 2014 –

- On the north side of the roundabout at the immediate Station Road/A27 junction 4 accidents, these being in November 2012 (slight); April 2013 (serious); January 2014 (slight); and June 2014 (slight).
- In Station Road south of the railway bridge 3 accidents, these being on 28 January 2013 (slight); 16 February 2014 (serious); and 7 June 2014 (serious).
- In Hill Road, north of the railway bridge, 8 accidents, these being in March 2012, May 2012, June 2012, June 2013, July 2013, January 2014, April 2014 (serious), and May 2014 (serious).

7.5 These figures demonstrate the significant level of usage of Station Road. At Portchester Railway Station, where Station Road joins Hill Road, the carriageway narrows beneath the railway bridge and provides tidal flow of vehicles controlled (since 2005) by traffic lights. At peak times during the day north bound vehicles seeking to enter Station Road often have to queue at the roundabout and the A27. This is illustrated on the attached photograph (Appendix A).

7.6 The Hampshire Constabulary web site is yet to be updated for the period from July 2014 to date. However, it should be noted that in addition to the accidents recorded above, a further accident occurred on the morning of Thursday 25 February 2015, which involved a vehicle colliding with the safety railings. A photograph is attached (Appendix B). Also attached at Appendix C is a photograph of other damage to railings and the central traffic island at the mouth of Station Road which has occurred following previous traffic accidents.

8. The Site Brief Prepared by Fareham Borough Council

8.1 A development of 'around 15 units' in part comprising 3 storeys suggested in the Council planning brief, would be an over development and over powering on this site, given its limited area and close proximity to nearby residential development and bungalows in The Leaway. It could also allow for more than 15 units to be built.

¹ www.tvphampshiretraffweb.co.uk

8.2 If a decision is taken to include this site in the Local Plan for older persons' accommodation, then to ensure attractiveness of the units either for sale or rent, car parking on the basis of not less than one space for each unit, plus visitor parking, must be provided. In addition there is a need to consider carefully in planning terms the layout and design of the site to ensure that development does not have a detrimental impact on the surrounding area. This includes ensuring adequate vehicular access to the site, not only for residents' vehicles, but also for delivery and service vehicles including refuse collection lorries, with sufficient manoeuvring space to allow vehicles to enter and leave the site in forward gear.

8.3 If adequate on-site provision is not made, then it will lead to vehicles seeking parking space in The Leaway. This is a narrow residential road already subjected to becoming a commuter's car park because of its close proximity to Portchester Railway Station.

8.4 If a decision is taken to include this site in the Local Plan for older persons' accommodation then –

- The development should not exceed 2 storeys in height;
- provision should be made for at least 1 car space per unit, plus visitor parking. In addition there is a need to provide for delivery and refuse vehicles to access to the site, with sufficient manoeuvring space to allow vehicles to enter and leave the site in forward gear.
- The site should not be developed for any other purpose, otherwise any justification for including the site in the Local Plan for older persons' accommodation could be over ridden.

9. Viability of Development for Older Persons' Accommodation

9.1 In paragraph 8.5 of Document DCD-25 it is stated that a viability assessment has been undertaken by Jenkins Duval (document DHO 16) and that this demonstrates older persons' accommodation is viable at the A27/Station Road location. It is unclear from the Jenkins Duval report on what basis this assessment was made, and what specific form of older persons' accommodation was envisaged or could be achieved on the site. Whilst the appraisal contains a one page financial summary it would have been helpful for this to have been accompanied by the input sheets in order to understand clearly the factors and values that had been used to produce this model.

9.2 Although the Jenkins Duval viability study may suggest that 15 units of what it describes as 'retirement apartments' is achievable, has full account been taken of the site's previous planning history?

9.3 A previous planning application (reference P/04/1562/OA) in 2005 to build on the site a 2 storey block of 16 two bedroom flats was refused planning permission, as mentioned in paragraph 4.2 above.

9.4 The basis of the valuations given by Jenkins Duval need careful consideration and re-examination.

9.5 For example, the Jenkins Duval document refers to the initial valuation of the entire site as 'brownfield'.

9.6 The National Planning Policy Framework ²defines previously developed land or brownfield land as – *'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time'*.

9.7 Given that the council owned land has never been developed and originally formed part of allotments, it is incorrect to describe the entire combined site as 'brownfield'. It is accepted however that the part of the site currently occupied by Merjen's industrial building would be classed as brownfield when considering redevelopment.

9.8 The financial appraisal prepared by Jenkins Duval appears not to have included -

- provision for demolition;
- site preparation;
- raising the level of the site to meet the Environment Agency's requirements;
- provision of access road and sewers;
- provision of services and nor any other necessary infrastructure costs.

9.9 The Jenkins Duval appraisal has also used a community infrastructure levy (CIL) of £105 per square metre, which it says is in accordance with Fareham's charging schedule. However, it should be noted that in June 2014 Fareham BC proposed an increase in this amount to £120 per sq metre, as part of a new charging schedule. Following public consultation and in response to representations it received Fareham BC (in DCD-04) has said CIL is subject to statutory indexation and *'that the existing residential CIL rate, allowing for this indexation, will be in excess of £120 per sq metre from 1 January 2015'*. This increase in the CIL will therefore affect the financial appraisal.

9.10 As mentioned in Section 5 above, at the beginning of March 2015 a 1 bed flat at Postern Close had remained available for sale since September 2014 at an asking price of £130k. At the time of finalising this submission the property was still being advertised for sale, although marked as 'sold subject to contract'.

² http://www.designingbuildings.co.uk/wiki/Brownfield_land#Definition

9.11 In the period January 2014 to December 2014 there were 12 sales of properties that had become vacant in Postern Close. The information recorded on the Zoopla web site indicates the following –

1 bed property sales - £115k; £125k; £111k; 118k; £105k; £120K. The average selling price during this period for a one bedroom property was therefore £116k.

2 bed property sales - £150k; £160k; £135k; £140k; £132k; £142k. The average selling price during this period for a two bedroom property was therefore £143k.

9.12 In examining closely the Jenkins Duval document (December 2014) (DHO-16) consideration should also be given to the Knight Frank viability assessment of site allocations (August 2013) (DHO-10) and its conclusions. In respect of this site Knight Frank concluded (pages 111 and 112) that 15 residential units was unviable.

9.13 The viability assessment undertaken by Knight Frank (DHO-10) based its appraisal upon the capital value of one bedroom flats being £110,000 and two bedroom flats being £140,000. This was clearly in line with market trends at the time of preparation of the report (August 2013).

9.14 It is difficult to understand why the Jenkins Duval document (DHO-16 page 5) which refers to having looked at sales evidence for the area and taken advice from local estate agents should conclude that a 1 bed flat would command £145k, and a two bed flat would have a value of £175k. **Each of these figures now exceed the reality of average sales prices by some £30k. They also exceed by a similar sum the sales figures used in the Knight Frank viability assessment.**

9.15 The Jenkins Duval financial appraisal indicates a deficit residual land valuation at 11 December 2014 of -£6, and at completion of development in June 2017 a deficit of -£8. However, the conclusion in the Jenkins Duval report suggests there would be a residual land value of £162,000 compared with an existing use value of £125,000. With such a slender margin coupled with those factors that have (or have not) been taken into account in preparing the financial appraisal it is difficult to accept that a developer would come forward to undertake this type of scheme.

9.16 Bearing in mind current sale prices of accommodation specifically for older persons, as demonstrated above, and that appraisals should use current market figures, costs and values (in accordance with National Planning Practice Guidance), **a reappraisal of the financial information should be undertaken before a final decision is taken about this future land allocation.**

10. Deliverability during the Plan Period only for Older Persons' Accommodation

10.1 There is no evidence to suggest that a development for older persons could be delivered during the Plan period. Whilst it is commendable to seek to identify potential sites for this form of development, it is unclear what level of demand exists for specialist accommodation that could be built on this land, given the physical

constraints of the site. The Council has allowed this site to be brought forward by a private land owner (whose submission to the Public Examination was for 17 residential units) following several unsuccessful attempts to build on the combined site.

10.2 The suggested wording in DSP 42 says 'In circumstances etc.....alternative uses may be considered'. This would in my view allow the opportunity for another form of development on the site. Fareham Borough Council is the major land owner and could well be swayed into permitting some other form of residential development if it continued to be shown that older persons' accommodation (for whatever reason) was unlikely to be forthcoming. If the site is intended to be used for specialist older persons' accommodation then it must be reserved as such and not allowed to be swallowed up to support a general housing need.

11. Conclusion and Summary

11.1 I would ask, given the considerable degree of uncertainty demonstrated in this submission regarding viability and deliverability, that the proposed allocation of the site at Station Road/A27, Portchester for older persons' accommodation be withdrawn and that the respective paragraphs of the Local Plan be amended accordingly and that the open space land be designated as such in the Local Plan.

11.2 The suggested identification now of this site by the Council for what the Inspector considers should be accommodation for older persons appears to be little more than an opportunity to have the land included to possibly allow it for some other form of future development.

11.3 If, however, the Inspector considers it still appropriate to recommend this site for inclusion as a site for older persons' accommodation, then I would ask that the following amendments be made to the Plan text to ensure that it is used as such, and that designation of the site for older persons' accommodation is not subsequently used as a pretext to allow the site to be used for an alternative housing scheme –

- Delete from the Addition to the start of Policy DSP42 the words 'unless it can be demonstrated that older person's accommodation is unviable'.
- Delete within Policy DSP42 the words 'In circumstances where it can be demonstrated that older persons' accommodation is not viable on a certain site, alternative uses may be considered'.
- In the site brief it should be made clear –
 - That the development should not exceed 2 storeys in height.
 - That on-site car parking be provided on the basis of no less than one space for each unit plus visitor parking together with space for service vehicles, and sufficient manoeuvring space to allow vehicles to enter and leave the site in forward gear.

Appendices –

A - Photograph showing traffic in Station Road, Portchester

B – Photograph showing A27/Station Road – Damaged railings resulting from an accident on the morning of 26 February 2015.

C - Photograph showing Station Road/A27 Junction - Damaged railings and central traffic island (now repaired) following previous road accidents

26 March 2015

Station Road, Portchester – 26 February 2015 – 16.22hrs

A



A27/Station Road, Portchester – Damaged railings resulting from accident on the morning of 26 February 2015



Station Road/A27 Junction, Portchester – 26 February 2015 – 16.10hr
Showing railings damaged and central island (now repaired) following previous road accidents

