



Independent Examination of the Fareham Local Plan

Inspector's Matters, Issues and Questions for Examination

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INTRODUCTION

Prior to the forthcoming hearing sessions responses are invited from participants on the following Matters, Issues and Questions ('MIQs') for Examination. The MIQs are based on the Inspectors initial reading of the Plan, the evidence base and other relevant issues raised by representors.

Further information about the Examination hearings and format of written statements is provided in the accompanying Guidance Note, which should be read alongside the MIQs.

Matter 1- Compliance with the Act and Regulations, the Habitats Regulations and the Public Sector Equality Duty

Duty to Cooperate

1. What strategic, cross-border matters have arisen through the preparation of the Plan and what cooperation took place to resolve them?
2. Has the cooperation between neighbouring authorities been constructive and proactive?
 3. What specific actions were identified as a result of dialogue with neighbouring authorities? What were the outcomes and how did they shape the preparation of the Plan?
4. Aside from Portsmouth, have any other neighbouring authorities approached the Council with a request to accommodate unmet housing (or employment) needs?
5. What process did the Council follow in seeking to address unmet housing needs arising from Portsmouth? Has the process been constructive and proactive?
6. In collaboration with Partnership for South Hampshire, what process is the Council following to seek to address the unmet housing need in the sub region?

Statement of Community Involvement

7. Has the Plan been prepared in accordance with the Council's Statement of Community Involvement at the relevant time and met the minimum consultation requirements in the 2012 Regulations? What evidence is there that representations submitted in response to the Draft Local Plan have been taken into account as required by Regulation 18(3)?
8. Were adequate opportunities made available for participants to access and make comments on the Plan, and other relevant documents, in different locations and using different means both digital and non-digital?

Sustainability Appraisal (SA)

9. Has the Plan's formulation been based on a sound process of SA in accordance with the regulations and relevant guidance, including the testing and/or consideration of reasonable alternatives for the overall strategy for growth, site allocations and all policies in the Plan?
10. Are the likely environmental, social and economic effects of the Plan adequately and appropriately assessed by the SA? Is the SA adequate in terms of its assessment of the likely effects of the plan's policies and allocations; its consideration of reasonable alternatives; and its explanation of why the preferred strategy and policies were selected and others were rejected?

Habitats Regulations Assessment

11. Is the Plan legally compliant with respect to the Habitats Regulations¹ and Habitats Directive, as interpreted by recent case law², and any requirement for appropriate assessment? Does the Habitats Regulations Assessment (HRA), ensure compliance? Are further main modifications to the Plan necessary to ensure it would not have any likely significant impacts in the light of the HRA?
12. Have the requirements for Strategic Environmental Assessment been met, including in respect of the cumulative impacts of the plan?

Local Development Scheme

13. Has the Plan been prepared in accordance with the Council's Local Development Scheme?

Equality Impact Assessment and Public Sector Equality Duty ('PSED')

14. In what way does the plan seek to ensure that due regard is had to the three aims expressed in s149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic?
15. Is the Equality Impact Assessment of the Plan robust? Does it demonstrate whether the policies and allocations of the Plan would have any negative effects on people with protected characteristics in Fareham? Are further mitigation measures required?

¹ Conservation of Habitats and Species Regulations 2010 (as amended)

² 5 People over Wind & Sweetman v Coillte Teoranta C-323/17

Matter 2 Development Strategy

(Strategic Policies DS1-3)

1. Does the development strategy in the Fareham Local Plan reflect the vision and strategic priorities set out in the plan?
2. Is the development strategy for the location and nature of development in Fareham, justified as the most appropriate strategy for the sustainable development of the borough, when considered against the reasonable alternatives? What alternative strategies were considered by the Council in terms of the options for the spatial distribution of development and why were these rejected?

Settlement Boundaries

3. What is the justification for defining settlement boundaries?
4. Has the approach to reviewing and defining boundaries followed a robust process?
5. Will the settlement boundaries, combined with other policies and allocations, enable the Plan to meet the need for housing and employment whilst providing sufficient flexibility to adapt to change?

Strategic Policy DS1 – Development in the Countryside

6. Is the approach to development in the countryside justified, effective and consistent with national policy supporting a prosperous rural economy?
7. Is the requirement for development to be on previously developed land in criteria b) too restrictive?
8. Criteria i) – m) apply to all proposals but criteria a)-h) are mutually exclusive. Is the policy effective in this regard?
9. Criteria e) and f) link to the housing and employment development policies. Is there potential for conflict between these policies and unintended development in the countryside?
10. Is it clear to decision-makers, developers and local communities how proposals should demonstrate the requirement for a location outside of an urban area?
11. Is the requirement that proposals should not be on best and most versatile agricultural land in criteria m) consistent with the Framework?

Strategic Policy DS2 – Development in Strategic Gaps.

12. Has the Technical Review of the Strategic Gaps followed a robust process? Are the boundaries identified appropriate and justified?

Strategic Policy DS3 – Landscape

13. Is the identification of Areas of Special Landscape Quality (ASLQ) justified, effective and consistent with national policy, in particular paragraph 174 of the Framework?
14. Has the Technical Review of ASLQ followed a robust process? Are the boundaries identified appropriate and justified?
15. Is it clear to decision makers, developers, and the local community what schemes are defined as major development proposals? Is the policy and supporting text effective in explaining the landscape assessment requirements for non-major developments?
16. As the criteria in the policy are based on the Guidelines for Landscape and Visual Impact Assessment, should the supporting text in para 3.57 clarify that a Landscape and Visual Impact Assessment would be required, not simply a Landscape Assessment?
17. What is the justification for landscaping schemes to be 'in accordance' with the Council's Landscape Sensitivity Assessment? Is this a development plan document?

Matter 3 Housing Need and Supply

(Strategic Policy H1)

Housing requirement

1. What is the justification for the conclusion in paragraph 4.3, that the Plan should not plan for a higher level of housing need than the standard method Local Housing Need suggests?
2. Has the Council been asked if it can accommodate any unmet housing needs from other local authorities within the Housing Market Area (HMA)?
3. The Statement of Common Ground (SoCG) with Portsmouth suggests their unmet need is now 800 dwellings, not 669 as identified in paragraph 4.5 of the Plan. What is the current position?
4. The above SoCG also suggests a contingency of 11% should be added to the 900 dwellings. Is this included in Table 4.1 of the Plan?
5. Are specific sites identified to meet Portsmouth's need? If so, which sites and are they located within the Portsmouth HMA?
6. Given the current suggested unmet need for the sub region of around 10,750 dwellings, should the plan make a greater contribution to meeting these needs?
7. Will the level of housing growth proposed be sufficient to support the economic growth expectations of the plan and the wider sub region?
8. Is the proposal in Policy H1 to step the housing requirement justified. Does this suppress housing delivery and impact on the plans ability to meet housing needs in the early years of the plan?

Affordable housing requirement

9. What is the annual net need for affordable housing in the borough? For clarity for decision-makers, developers and local communities should the need for affordable housing be clearly set out in the Plan?
10. Has the affordable housing need been correctly established, and is it based on up-to-date information?
11. How does it compare to the housing requirement?
12. Based on the requirement for qualifying developments to provide affordable housing as set out in Policy HP5, how many affordable homes is the Plan expected to deliver?
13. How does this compare to the identified need?

14. How does this compare to past performance? How many affordable homes have been provided as a percentage of total output over the past 5-10 years?

Matter 4 Housing Policies

(Policies HP1 -10 and HP12)

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?

Policy HP2 Small Scale Development Outside the Urban Areas

2. Should the title of the policy include the word housing for effectiveness?
3. What is the justification for defining small scale as no more than 4 units?
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?

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?

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

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?
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?
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?

13. How has the viability evidence considered the higher costs associated with large scale sites, such as the need for strategic highways infrastructure?
14. Does the viability evidence align with the latest information on the type of highways mitigation likely to be required by the site allocations?
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?
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)?
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?
18. What is the justification for affordable rent provision to have rents and service charge 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?

Policy HP6 Exception Sites

19. Is Policy HP6 consistent with national planning policy as expressed in the Framework?
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?
21. Would the policy have the potential to undermine the local plan policies for the protection the Strategic Gap?

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

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?

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?
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.?
29. Is the requirement for plots to be marketed for 12 months justified?
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?
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?
32. Is it clear to decision-makers, developers and local communities how the policy will be applied? Is it sufficiently flexible?

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?

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

Matter 5 Gypsies, Travellers and Travelling Showpeople

(Policy HP11 Gypsies, Travellers and Travelling Showpeople)

1. The Gypsy and Traveller Accommodation Assessment (GTAA) dates from 2017. Does it provide a robust up to date evidence base?
2. Is the policy compliant with the Planning Policy for Traveller Sites (PPTS) and national planning policy?
3. The GTAA identifies that the planning status of 6 households could not be determined. It refers to national research that 10% of these are likely to meet the PPTS definition. New ORS research suggests that a figure of 30% should be used, unless the proportion of households who meet the definition in the borough is significantly higher or lower. What would be the implication of this for Fareham?
4. The GTAA suggests a need for 2 pitches for unknown households would be required over the plan period. How does the Plan make provision for these?

Site Allocation

Policy HA45 Rear of 77 Burr ridge Road

5. Is the site appropriate for the development proposed? Does the site meet the requirements set down in Policy HP11?
6. Are the site-specific requirements stated in the policy justified and effective? Should reference be made to the risk of flooding?

Matter 6 Housing Allocations

General

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. Do the Framework Plans fulfil a place making function?
3. Do changes to site boundaries need consequential changes to the policies map e.g., HA1
4. Is there a need for specific masterplans and design codes?
5. Is it clear to decision makers, developers and the local community what is meant by 'indicative yield'?

All Allocations

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?

(In answering the above question please be clear about the site(s) you are referring to using the Policy number eg. Policy HA1 North and South of Greenway Drive).

The following are additional site-specific questions which should also be answered if relevant.

HA1 North and South of Greenaway Lane

7. How has the indicative yield been determined?
8. This allocation consists of a number of smaller sites which are the subject of separate planning applications. How will implementation be managed, how is it envisaged that the site will be phased and how would a high-quality comprehensive development be achieved?
9. How has the limited capacity of the local sewage infrastructure been considered? Should the occupation of the site be phased?
10. What impact will the development have on the settlement identity of Warsash and Locks Heath?
11. What are the infrastructure needs of the proposal and how will they be provided?

HA3 Southampton Road

12. Does the Framework Plan take account of the approved planning applications on the site? If not, what are the differences?

HA4 Downend Road East

13. Are any amendments required to the site-specific requirements or Framework Plan now that planning permission has been granted on appeal?
14. How has the limited capacity of the local sewage infrastructure been considered? Should the occupation of the site be phased?

HA7 Warsash Maritime Academy

15. How has the indicative yield been determined?

HA17 69 Botley Road

16. How has the limited capacity of the local sewage infrastructure been considered? Should the occupation of the site be phased?

HA23 Stubbington Lane

17. What are the implications of the 50m known archaeological significance buffer for the development of the site? Should this be referred to in the site-specific requirements?

HA27 Rookery Avenue

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?
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)?

HA36 Locks Heath District Centre

20. How will adequate provision of car parking for the shopping centre be achieved?

HA37 Former Locks Heath Filling Station

21. How will adequate provision of car parking for the shopping centre be achieved?
22. How has the indicative yield and the maximum building heights of 3 storeys been determined?

HA38 68 Titchfield Park Road

23. Having regard to the existing TPO'd trees on the site, how has the indicative yield been determined?

HA42 Land South of Cams Alders

24. What is the justification for this allocation located on the Fort Fareham Grassland SINC bearing in mind reasonable alternatives?
25. How has the site boundary been determined?

HA44 Assheton Court

26. The site is partly located within Flood Zone 2 and Flood Zone 3. Is it an appropriate location for a sheltered housing development?
27. How has the limited capacity of the local sewage infrastructure been considered?

HA49 Menin House, Privett Road

28. What is the Fareham Housing Greener Policy? Is it a development plan document?
29. How has the limited capacity of the local sewage infrastructure been considered?

HA50 Land North of Henry Cort Drive

30. What is the Fareham Housing Greener Policy? Is it a development plan document?
31. How has the limited capacity of the local sewage infrastructure been considered?
32. What impact would the development have on parking in the local area?
33. Is the proposed density appropriate given the sites context in a Strategic Gap?

HA51 Redoubt Court, Fort Fareham Road

34. What evidence is there to support the loss of public open space?
35. What is the Fareham Housing Greener Policy? Is it a development plan document?
36. Should the height of development be restricted to 2 storeys to safeguard Fort Fareham?

HA52 Land west of Dore Avenue, Portchester

- 37. What evidence is there to support the loss of public open space?
- 38. What is the Fareham Housing Greener Policy? Is it a development plan document?

HA54 Land east of Crofton Cemetery and west of Peake Lane

- 39. Is the development of this site in a Strategic Gap justified? What are the implications in terms of visual amenity and the local character?
- 40. On what basis has the indicative yield of 180 dwellings been determined?
- 41. 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 HA55). If that impact is a negative one, would suitable mitigation measures address the issues?
- 42. Should the site-specific requirements include cycle and walking connections from the site to local shops, the adjoining development (site ref HA55), and Fareham and Stubbington village?

HA55 Land south of Longfield Avenue

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

HA56 Land west of Downend Road

- 48. What evidence is there to demonstrate the impact of the development on the local highway network. If that impact is a negative one, would suitable mitigation measures address the issues?
- 49. How has the indicative yield been calculated?

50. Why is it necessary for delivery to be phased to follow the development at Downend Road East? How would this be achieved? Is the policy effective and justified in this regard?
51. Are the infrastructure requirements justified? What is the implication for site viability?
52. Should public transport accessibility be addressed in the site-specific requirements?

BL1 Broad Location for Housing Growth

53. On what basis has the indicative yield of 620 homes been calculated?
54. Is the Policy justified? What consideration has been given to delivery and viability at this stage?
55. In order to be effective, should Policy BL1 refer to conserving and enhancing heritage assets in the Town Centre?

Matter 7 Housing Land Supply

1. Is the reliance on Welborne Garden Village to deliver half of the housing requirement for Fareham justified as the most appropriate way of achieving sustainable development, the supply of new homes and the growth of the borough? If not, what are the alternatives?
2. Does the plan provide sufficient contingency should this site be delayed? Is the 11% additional supply set out in para 4.12 adequate?
3. The Framework in para 69a) requires that land to accommodate at least 10% of the housing requirement on sites of 1 hectare or less should be allocated unless there are strong reasons why this cannot be achieved. Paragraph 4.13 of the Plan demonstrates that for Fareham this figure is 9.4%. What is the justification for this target not being achieved?
4. What compelling evidence is there in accordance with paragraph 71 of the Framework that windfall sites should be part of the anticipated supply? Are the windfall projections in Table 2 of the Housing Windfall Background Topic Paper. ie. 51 dwellings on both small and large sites over the plan period justified?
5. Does the Council apply a lapse rate for sites with planning permission or with resolutions to grant subject to a s106 agreement which may be delayed or do not come forward?
6. What assumptions have been made to inform the trajectory for the delivery of housing sites in terms of lead in times for grant of full planning permission, outline and reserved matters, and conditions discharge; site opening up and preparation; dwelling build out rates; and number of sales outlets? Are they appropriate and justified?
7. What evidence is there to support the anticipated delivery rate of Welborne Garden Village? Does this adequately reflect the time it will take to bring development forward and the necessary infrastructure requirements for the site?
8. Overall does the Plan allocate sufficient land to ensure the housing requirement of the borough will be met over the plan period? Is the average delivery of 720 homes per annum in 2028-29 and 2036-37 achievable considering past delivery in the borough?

Five-year housing land supply

9. Would the Council be able to demonstrate a 5-year supply of deliverable housing sites on adoption of the Plan and a rolling 5-year supply throughout the plan period?
10. Is there a need for and are there any additional sites which could contribute to the first 5 years' supply post adoption should delivery of any of the allocated sites stall in the first 5 years?

11.If I were to conclude that a 5-year supply of specific, deliverable housing sites would not exist on adoption, what would be the most appropriate way forward for the Plan?

Matter 8 Employment Need and Supply

(Policies E1-E7)

Employment land need and supply

1. What is the justification for the scale of employment land allocated in the Plan?
2. What are the implications of the surplus of employment land? If taken up will there be sufficient housing to support their development? Will there be an appropriate balance between workers and homes? Will the surplus depress land values to a point where development is not viable?
3. Paragraph 6.8 of the plan states that Policy E1 identifies a requirement for office and industrial uses. This is not the case. What is the justification behind this?
4. Policy E1 identifies sites for employment use but does not indicate what type of employment uses would be appropriate on each site. Is this approach justified? How does this ensure that the specific employment needs of the borough are met? Are the range of sites allocated in the plan appropriate for any type of employment use? How does this relate to existing planning permissions for specific employment uses?
5. The Stantec Report (EE004) identifies a demand for strategic warehouses and recommends the provision of 5 new sites in the sub region, an additional need of around 50ha. Does the plan seek to address this? If not, why?

Employment Policies

Policy E5 – Existing Employment Areas

6. Part b) of the policy requires a development to facilitate the creation of additional jobs. However, extensions may not create new jobs but support existing ones or result in modernisation. What is the justification for this policy requirement?
7. What is the justification for requiring a 12-month marketing period?

Policy E6 Boatyards

8. Is it clear to decision makers, developers and the local community what is meant by development 'having a detrimental impact on the regime of the River Hamble'. Is the policy effective?

Policy E7 Solent Airport

9. Bearing in mind paragraph 6.40 of the plan which outlines the aspirations for the site, is the policy effective?

Employment Allocations

Site selection

10. Has the site selection methodology followed a robust process?
11. The Business Needs Sites Assessment rates sites A-E according to their suitability. How has this informed the site selection? Why have some sites rated as A been rejected?

Site Allocations

Policies E2, E3, E4, E4a, E4b, E4c, E4d

12. Are the sites allocated for employment uses soundly based: are the stated capacities achievable; are the site-specific requirements justified and effective; is there evidence that there are no insurmountable constraints to the development coming forward?

Matter 9 Retail, Town Centre Policies and Community Facilities

(Policies R1-R4)

1. The retail floorspace projections in Table 7.2 in the Plan differs from Table 11.1 in the Retail and Commercial Leisure Study Update 2020 (RCF002). Why is that?
2. The Plan does not provide for any new comparisons floorspace; however, the Retail and Commercial Leisure Study 2017 (RCF001) paragraph 6.12 suggests that there is scope for improvement in Fareham Town Centre. Is this approach justified?

Policy R1 Retail Hierarchy

3. How have the town centre, primary shopping area, district and local centre boundaries been determined? Are they appropriately defined?
4. The policy requires proposals to contribute to the identified retail floorspace need in the borough. How would proposals for comparison goods be considered? Is the policy effective?
5. Is it clear which centres are being referred to in the penultimate paragraph of the policy?

Policy R2 Out of Town Proposals for Town Centre Uses

6. What is the threshold for impact assessments in Policy R2 based on, and how has it been defined? Has the identification of a local threshold of 500 square metres followed the considerations outlined in the PPG³.

Policy R3 Local Shops

7. Is it clear to a decision maker, developers and the local community what is expected in part b) of the policy? What is a reasonable period and reasonable attempt? Should the policy also include reference to properties for sale not just for lease?

Policy R4 Community and Leisure Facilities

8. Are the requirements of the policy justified and effective?
9. In terms of the loss of facilities, is it clear what is meant by improved facilities being 'sufficient' or better in terms of quality, function and accessibility?

³ Paragraph: 015 Reference ID: 2b-015-20190722

Matter 10 Natural Environment

(Policies NE1–NE11)

Policy NE1- Protection of Nature Conservation, Biodiversity and the Local Ecological Network

1. Is the policy consistent with the Framework? Is the Policy clear and would it be effective?

Policy NE2 Biodiversity Net Gain

2. Are the requirements of the policy sufficiently clear in relation to
 - i) the ability for developments to buy 'credits' where net gain on site is not achievable.
 - ii) That compensation can include new habitat or restoring/enhancing existing habitats.
3. How has viability been addressed?
4. What consideration has there been of environmental off setting on a local and/or sub regional basis?

Policy NE3 Recreational Disturbance on the Solent SPA

5. Is the Policy clear in relation to how it would be implemented, and would it be effective?

Policy NE4 Water Quality Effects on the SPAs, SACs and Ramsar sites

6. Is the policy clear and would it be effective?
7. Is it clear to decision makers, developers and the local community which developments are subject to this policy and how mitigation could be achieved?
8. What progress is being made to secure strategic options for mitigation?
9. How has viability been considered?

Policy NE5 Solent Wader and Brent Goose Sites

10. Is the policy clear and would it be effective?
11. Do any of the sites allocated for development in the plan, or parts of sites, fall within sites used by Solent Waders and Brent Geese?
12. Does the Policy sufficiently reflect the recommendations of the Solent Waders and Brent Geese (SWBG) Strategy?
13. What is the justification for including the sites on the policies map when they may be updated and reviewed during the plan period? Should it be clearer that reference should be made to the SWBG Strategy?
14. Paragraph 9.55 states there are no Candidate sites in the borough, but the policy refers to them as being shown on the policies map. Is an amendment required for clarity and effectiveness?

15. Should part b) of the policy refer to the management of sites and should it include guidance on the expected size and proximity of replacement sites?

Policy NE6 Trees, Woodland and Hedgerows

16. Is the Policy clear and would it be effective? In particular

- i) Is it clear what is meant by 'unnecessary' and 'unavoidable' loss?
- ii) Should part b) of the policy include reference to the number, species and size of replacement tree/s in order to be effective?

Policy NE7 New Moorings

17. Is the Policy clear and would it be effective?

Policy NE8 Air Quality

18. Are the requirements of the policy clearly articulated and would they be effective? Is it clear what is expected in terms of good practice and principles of design in part b) of the policy?

19. Is it clear to decision makers, developers and the local community where areas of poor local air quality are located?

20. What is the justification for land within the Welborne Plan being excluded for the requirement to provide EV charging facilities?

21. What is the justification requiring fast rather than rapid charge points? Have the viability implications been considered?

22. What is the justification for the policy requiring major development to contribute to the delivery of green infrastructure? Does this duplicate Policy NE9?

23. Have any Clear Air Zones been designated in the borough? If not, what is the justification for their inclusion in the policy?

Policy NE9 Green Infrastructure (GI)

24. Is the policy clear and would it be effective?

25. The policy states that development should provide GI 'where appropriate'. How is this defined? Is it clear in what circumstances GI would not be appropriate?

Policy NE10 Protection and Provision of Open Space.

26. Is this Policy consistent with paragraph 99 of the Framework and is it effective?

27. Should the policy title make reference to recreation as well as open space for clarity?

28. Is the Policy clear to decision makers, developers and the community what would be expected in new residential development?

Policy NE11 Local Green Space

29. Has the identification of areas of Local Green Space followed a robust process and following the principles of paragraph 102 of the Framework?
30. Is the Policy consistent with paragraph 103 of the Framework and is it effective?

Matter 11 Transport and Infrastructure

(Policies TIN1-TIN4)

Transport -Evidence base

1. In light of the amended housing requirements in the Revised Publication Version of the Plan, the resultant change to the likely traffic growth in the borough and the impact on the operation of the strategic highway network, how has the Council:
 - a. Identified the transport demands arising from the policies, allocations and growth aspirations of the Plan;
 - b. Assessed the impacts of policies, allocations and growth aspirations on the performance of the transport network (including the Strategic Road Network);
 - c. Identified any outcomes or mitigation as necessary;
 - d. Assessed the adequacy of any identified outcomes or mitigation; and
 - e. Identified any phasing and/or funding requirements necessary to ensure that the identified infrastructure measures are viable and deliverable?
2. Is it clear to decision-makers, developers and local communities what the necessary strategic highway improvements are as a result of the growth identified in the Plan, who will deliver the necessary improvements and when? Are they deliverable in the plan period?

Transport Policies

Policy TIN1 Sustainable Transport

3. Is the policy consistent with the Framework and is it effective?

Policy TIN2 Highway Safety and Road Network

4. Is the policy consistent with the Framework and is it effective?
5. Is it clear what is meant by 'active travel'?

Policy TIN3 Safeguarded Routes

6. Is the policy consistent with the Framework and is it effective?

Infrastructure Delivery

7. Does the Infrastructure Delivery Plan (IDP) provide a robust evidence base to support the infrastructure needs of the plan? The IDP is based on a housing need lower than that proposed in the submitted plan. What are the implications? Does the IDP need to be reviewed?
8. Have the additional housing sites allocated in the Revised Publication Version of the Fareham Local Plan, ie. FTC7-9, HA46-56 and BL1, been assessed in terms of their individual infrastructure needs and their cumulative impact? If not, how does the plan ensure that their

infrastructure needs are met and that impacts of development are appropriately mitigated?

9. In broad terms would the plan be effective in ensuring the provision of infrastructure to meet future development needs. Are there any areas of constraint which could impact on the delivery of the growth proposed in the plan? If so, how will these be addressed?

Infrastructure Policy

Policy TIN4 Infrastructure Delivery

10. Are the requirements of the policy clear and effective? Is it clear what other mitigation includes?
11. Should the Plan provide greater clarity in terms of the types of infrastructure the policy relates to?
12. Is it clear how the policy will be implemented?

Matter 12 – Climate Change/Design/Historic Environment

(Policies CC1-CC4, D1-D5 and HE1-HE6)

Policy CC1- Climate Change

1. Are the requirements of the policy clearly articulated and would it be effective? How would this policy be applied in practice? Would it be clear to a developer what is required? Does it overlap with other policies of the plan?

Policy CC2 Managing Flood Risk and Sustainable Drainage Systems.

2. Do any of the sites allocated for development in the Plan fall within Flood Zones 2 or 3 (or have significant areas falling within Flood Zones 2 or 3)? If so, are the allocations and policies consistent with paragraph 161 of the Framework which states that Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change?
3. Is the policy clear in explaining which developments will be required to incorporate Suds? How would this be assessed? Will this be appropriate in all cases and in all locations? How does it accord with paragraph 169 of the Framework?
4. Are the criteria i to iv of the policy consistent with paragraph 169 of the Framework? Should reference be made to the provision of multi-functional benefits where possible?

Policy CC3 Coastal Change Management Area's

5. Is the policy consistent with the Framework and effective?
6. Noting the objectives of the Coastal Change Management Areas, in considering the acceptability of a development proposal, should reference to safeguarding infrastructure and protecting and enhancing biodiversity be included in the policy criteria?

Policy CC4 Renewable and Low Carbon Energy

7. Is the policy justified, consistent with the Framework and effective?
8. What is the justification for the policy not including wind turbines?
9. The Framework in paragraph 155 sets out what plans should do to help increase the use and supply of renewable and low carbon energy and heat. How does the plan address paragraph 155 c) , 'identifying opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co locating potential heat customers and suppliers'?

Policy D1 High Quality Design and Place Making

10. Is the Policy consistent with the Framework and effective?

Policy D2 Ensuring Good Environmental Conditions

11. Is the Policy consistent with the Framework and effective?

12. Is it clear what is meant by 'good environmental conditions' and 'environmental impacts'? Should these terms be better articulated in the policy for effectiveness?

Policy D3 Coordination of Development and Piecemeal Proposals.

13. Is it clear how development proposals seeking to evade infrastructure will be identified? How will the maximisation of the use of a site be assessed? Is the policy effective?

Policy D4 Water Quality and Resources

14. Is the standard of 110 litres/person/day justified on available, up-to-date evidence? Have the costs associated with this requirement been taken into account as part of the Council's assessment of viability?

Policy D5 Internal Space Standards.

15. Is this policy supported by robust evidence? How have need and viability been assessed?

16. Is the policy effective. What is the justification for the policy approach to subdivision and conversions? Is this appropriate in all cases eg heritage assets?

Policy HE1 Historic Environment and Heritage Assets

17. Is the policy effective? Is it clear how the Council will take appropriate and positive steps?

Policy HE2 Conservation Areas

18. Is the policy consistent with the Framework?

19. Is it clear which criteria in Policy HE3 would be considered in relation to the loss of a building or structure?

Policy HE3 Listed Buildings and Structures and /or their Settings

20. Is the policy consistent with the Framework?

21. Are the policy requirements clear, justified and would they be effective?

Policy HE4 Archaeology

22. Is the Policy consistent with the Framework and effective?

Policy HE5 Locally listed buildings and Non designated assets.

23. Is the Policy consistent with the Framework and effective?

Policy HE6 Heritage at Risk

24. Is the Policy consistent with the Framework and effective?

Matter 13 Implementation and Monitoring

1. Does the plan include an appropriate framework for monitoring the effectiveness of the local plan?
2. Are the monitoring indicators appropriate, how will they be assessed, should they be more precise?