

## Home Builders Federation

### Matter 3

## FAREHAM LOCAL PLAN EXAMINATION

### Matter 3 – Housing Need and Supply

#### Housing requirement

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?

The statement in paragraph 4.3 would appear to relate to affordable housing delivery and the fact that the Council do not consider it necessary to adjust the housing needs figures for the Borough as these needs will be met in full based on the Council current policy and expected levels of delivery. However, the Council have not established how many affordable homes it expects to deliver through this local plan. If the Council cannot meet the need for affordable housing the Council must, as set out in paragraph 2a-024 of PPG, consider whether the total amount of housing delivered through this local plan should be increased to help deliver the required number of affordable homes.

It is also necessary for the Council to consider paragraph 2a-010 of PPG. Whilst this paragraph sets out three examples as to when housing needs may exceed those arrived at using the standard method it is important to note that it is made clear that this not an exhaustive list. Two key issues that FBC must consider in relation to these needs being higher than that arrived at using the standard method are unmet needs from a neighbouring area and whether economic growth expectations are supported by the level of housing established using the standard method.

Has the Council been asked if it can accommodate any unmet housing needs from other local authorities within the Housing Market Area (HMA)?

This is for the Council to answer. However, given the ongoing co-operation as part of the Partnership for South Hampshire it should not require for a specific request from an authority with regard to unmet needs before another authority in the same partnership considers their ability to help. The wider shortfall in delivery across the partnership has been evident for a number of years and should have been considered as part of the preparation of this local plan. Therefore, whilst we support the decision to increase supply in response to the unmet needs of Portsmouth the Council should also have considered its ability to address unmet needs from across the PfSH area. There was clearly a shortfall between needs and supply across the area and this should be sufficient for further sites to be allocated where possible.



*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?*

The latest consultation on the Portsmouth Local Plan indicated that they expect to be able to deliver 16,933 homes between 2020 and 2038 a shortfall of 708 dwellings against their housing requirement for that period of 17,701 dwellings.

*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?*

Whilst the HBF agree that a contingency is necessary ensure needs are met in full this should be considered through the supply of land rather than within the housing requirement.

*Are specific sites identified to meet Portsmouth's need? If so, which sites and are they located within the Portsmouth HMA?*

This is for the Council to answer.

*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?*

Yes. As outlined above the Council were aware of the level of unmet needs across the PfSH area as they were preparing this local plan and should have considered and tested the ability of FBC to support a higher housing requirement. Whilst we recognise, as the Council note in paragraph 4.4 of the Local Plan, that due to different authorities being at different plan making stages, it was not possible to identify the precise level of unmet needs, this should not have been a barrier to the Council doing more to ensure that the needs of the PfSH area would be met. Given the scale of the unmet needs across the sub region and the constrained land supply in the neighbouring Borough of Portsmouth and Gosport it should have been self-evident to the Council that it needed to consider and test the potential to deliver a higher housing requirement than that that set out in policy H1.

*Will the level of housing growth proposed be sufficient to support the economic growth expectations of the plan and the wider sub region?*

There does not appear to be any evidence presented as to whether the housing requirement is sufficient to meet the jobs growth expectations of the Borough. Such an assessment is essential to ensure that there is sufficient housing growth to support the economic expectations over the plan period. If there are insufficient homes to meet the expected level of jobs growth in the area it will be necessary for the Council to consider whether the requirement should be increased.

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?

PPG establishes that were appropriate stepped housing requirement can be used but that this should not unnecessarily delay meeting identified development needs. However, in arriving at this position, the Council should have considered strategies or additional allocations that would allow for the delivery of housing at a consistent rate across the whole plan period.

### **Affordable housing requirement**

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?

It would be helpful to set out what need is in order to monitor delivery affectively and, if there is a shortfall in delivery, ensure that this is a factor in decisions making.

Has the affordable housing need been correctly established, and is it based on up-to-date information?

The approach taken with regard to the assessment of affordable housing needs does not appear to be consistent with the approach set out in PPG. Paragraph 2a-021 sets out that projections of affordable housing need will need to reflect new household formation and the proportion of new forming households unable to buy or rent as well as an estimate of the existing households falling into need. However, in their response to the Initial Questions the Council set out that the assessment is based on those currently in need of an affordable home based on current waiting lists with needs from newly forming households captured by an allowance of 500 homes to take account of newly forming households who will be in need of an affordable home. However, we could find no evidence as to how the Council have arrived at this 500-home allowance to take account of future growth and whether this is justified.

How does it compare to the housing requirement?

Based on the requirement in the local plan the level of affordable housing need is roughly 37% of the housing requirement.

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?

For Council.

How does this compare to the identified need?

For Council.

Mark Behrendt MRTPI  
Planning Manager – Local Plans SE and E



## Home Builders Federation

### Matter 4

## FAREHAM LOCAL PLAN EXAMINATION

### Matter 4 – Housing Policies

#### Policy HP2 Small Scale Development Outside the Urban Areas

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

It would seem to be an appropriate modification to provide the necessary clarity as to the intention of the policy.

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

With regard to defining small sites we would recommend that the Council uses either sites of fewer than 10 houses or sites of less than one hectare. Both these are used in the NPPF and would ensure consistency between the local plan and the NPPF.

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?

No comment.

#### Policy HP4 Five Year Housing Land Supply

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?

No comment.

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?

Where Councils cannot show that they have a five-year land supply, especially following the adoption of a local plan, this would suggest that there is insufficient land in the urban area with which to meet housing needs. As such it will be necessary for

sites outside of the urban area to come forward in order to ensure that needs are met in full.

*Does the policy provide sufficient protection to Strategic Gaps?*

The application of the presumption in favour of sustainable development, regardless of policy HP4, requires development be permitted where it accords with an up-to-date local plan without delay. This does not remove the requirement for the Council to consider relevant policies in the local plan such as strategic gaps and this policy does not seek to remove those protections. However, it does provide the necessary clarity with regard to how sites in these areas can come forward in order to bolster supply without harming the integrity of the strategic gap.

*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?*

There is no need to refer to sites being deliverable in the short term. The NPPF is clear in its definition as to a deliverable site and as such the words short term should be deleted from the policy.

### **Policy HP5 Provision of Affordable Housing**

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?

For Council.

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?

As we note in our representations the viability assessment did not consider the full range of policy costs being placed on development. The Council have addressed these points in the addendum outlining that the additional costs on development from these requirements would be covered by the contingency of £10,000 which formed part of the assessment undertaken in 2019. However, it is notable that this contingency would be reduced to just £345 from these extra costs and as such there is a risk that any further increases in the cost of development are more likely to impact on viability. As such the flexibility mentioned in the supporting text should be set out in policy to make it clear to both developers and decision makers the need for the policy to be applied flexible.

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?

No comment.

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

No comment.

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

No comment

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?

Yes. Whilst we welcome the fact that the Council will consider the impact of its affordable housing policy on the viability of development this must be set out in policy to provide the necessary clarity to be decision makers and applications. Such an approach would ensure that the policy is consistent with paragraph 58 of the NPPF and ensure that there is sufficient flexibility in the policy.

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)?

No comment

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?

No comment

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?

No comment

### **Policy HP9 Self and Custom Build Homes**

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

Whilst PPG indicates that other evidence may be required when considering the demand for self-build homes the principal source of information will be the self and custom build register. Table 2 in the Council background paper on this issue (HOP004) indicates that there are 42 individuals meeting the local connection test who are looking to self-build in Fareham. This level has fluctuated slightly but on average the list has seen 41 household looking for self-build housing in each base period. However, what is not clear from the Council's evidence is whether the individuals on the list have changed or whether many on the list have just been rolled forward from year to year. Clearly if the majority of those on the list have just been rolled forward each base year there would appear to be limited demand for self-build homes in Fareham and the requirement in this policy for 10% of homes on sites of more than 40 units will mean that supply is significantly greater than demand.

It is also important to note the Council evidence indicates that sufficient self-build applications were granted permission to meet the needs identified in base period 1 and that as of the 30<sup>th</sup> of October 2019 a further 24 self-build applications were granted permission. This would suggest that the demand for self-build homes can be broadly addressed through windfall development and that the requirement set out in HP9 is unjustified.

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.?

A 40-unit threshold is relatively low for such a policy which in general tend to be applied to much larger sites in other areas. One key concern with having such a low threshold is that it is impossible to separate the self-build plots from the rest of the site which creates difficulties with regard to health and safety on a site with self-builders working alongside the main contractors delivering the rest of the development. There are also concerns that the self-build sites will take much longer to complete or could be left undeveloped to the detriment on the other residents. Finally, there is a risk that a small site could be largely built out before any unsold plots would return to the developer given the requirement to market for 12 months and then obtain the amendments to the planning application. To return to the site to complete those units creates additional cost to the developer, leaves undeveloped plots on such sites, and could potentially delay the completion and of units on unsold plots and their eventual occupancy.

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

Given the low threshold for those sites required to deliver self-build plots we would suggest that the marketing period is too long. If there is the demand for such plots, then a marketing period of 6 months should be more than sufficient.

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?



As set out above there is clearly potential for this policy to substantially exceed demand for self-build and custom house building lots in Fareham.

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?

No comment

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

No comment.

Mark Behrendt MRTPI  
Planning Manager – Local Plans SE and E



## Home Builders Federation

### Matter 7

#### FAREHAM LOCAL PLAN EXAMINATION

##### Matter 7 – Housing land supply

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?

The HBF supports the allocation of large sites and recognises the vital contribution they make in addressing housing needs across the country. However, we are concerned that many local plans which allocate such sites fail to provide sufficient homes in the early years of the plan to support a more balanced supply across the plan period and provide the necessary contingency to take account of the risk of delays to larger schemes. The allocation of further sites that would deliver in the early part of the plan period would have enabled a more consistent supply across the plan period and provided the necessary buffer to ensure that any potential delays or slower delay on larger sites does not require the plan to be regularly updated.

Does the plan provide sufficient contingency should this site be delayed? Is the 11% additional supply set out in para 4.12 adequate?

The HBF welcomes the 11% contingency in overall supply but given the fact that over 50% of the requirement will be from just three large sites we are concerned that the contingency is insufficient. Whilst we accept that the Council is required to review its plan every five years, we would suggest that in order to be effective and deliverable over its plan period the supply of developable sites should be increased from the start rather than seek to address problems as they arise over the plan period.

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?

The Government have recognised the importance of having small sites allocated in local plans in order to support smaller and medium sized house builders who face disproportionate costs and higher risks in bring forward sites. The Government's drive to support smaller developers recognises the contribution they make in ensuring that more homes can be delivered more quickly as well as ensuring a diversity of homes in

an area to meet consumer demands. We therefore recommend that as a minimum the Council ensures that 10% of its requirement comes forward on sites of 1 ha or less.

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?

No comment.

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?

It is inevitable that some sites with planning permission will not come forward within the first five years of the plan and as such the Council should apply a lapse rate on this aspect of their housing supply.

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?

For Council.

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?

It is important that the Council ensures that it estimates with regard to the delivery of this strategic site are cautious and do not seek to set an overly optimistic delivery trajectory. As we set out in our representations the Lichfield report Start to Finish indicates that on average schemes of over 2,000 units will take 2.3 years between the plan being approved and the first home being built. Whilst some schemes may come forward more quickly equally other will take longer for a variety of reasons. As such relatively short time periods between the granting of planning permission and the first homes being delivered must be treated with caution and thoroughly evidenced. The consequences of any delayed delivery should also be examined by the Council. For example, if Welbourne Village were to start delivering in 2025/26 rather than 2023/24, this could mean the Council having a marginal five-year land supply from 2025/26 if the surplus in previous years is proportioned across the remaining plan period (see appendix A). However, if the surplus is not treated in this manner and ignored, as was the case in appeal on Land South of Oakridge, Highnam, (APP/G1630/W/17/3184272), then there would be a shortfall in the five-year land supply from 2024/25. The hope is that this site will deliver as expected but it would be prudent, given the reliance on this site to meet housing needs, to allocate further land for housing development to ensure the five-year land supply is maintained.

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?

As set out in our representations the HBF would consider a 20% contingency is the necessary to provide the certainty that needs would be met over the plan period.

### **Five-year housing land supply**

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?

See above.

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?

On the basis of the Council's housing trajectory, we would agree that there is a five-year housing land supply on adoption. However, should the garden village site not come forward as expected we are concerned that the Council will not have a five year housing land supply for the majority of the plan period.

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?

If there was not considered to be a five-year land supply on adoption, we would suggest that further small sites would need to be allocated that would deliver homes in the first five years of the plan.

Mark Behrendt MRTPI  
Planning Manager – Local Plans SE and E

## Appendix A: Five-year land supply based on Welbourne Village commencing delivery in 2025/26

	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	36/37
Requirement	300	300	300	545	545	545	545	720	720	720	720	720	720	720	720	720
Cumulative	300	600	900	1,445	1,990	2,535	3,080	3,800	4,520	5,240	5,960	6,680	7,400	8,120	8,840	9,560
Delivery	244	501	763	556	399	789	695	577	584	591	801	752	752	652	666	672
Cumulative	244	745	1,508	2,064	2,463	3,252	3,947	4,524	5,108	5,699	6,500	7,252	8,004	8,656	9,322	9,994
Surplus/ deficit	-56	145	608	619	473	717	867	724	588	459	540	572	604	536	482	434
Five-year requirement	1,990	2,235	2,480	2,900	3,075	3,250	3,425	3,600	3,600	3,600	3,600	3,600				
Add deficit/ surplus	1,990	2,254	2,428	2,666	2,817	3,035	3,067	3,118	3,148	3,180	3,218	3,060				
Buffer	398	113	121	133	141	152	153	156	157	159	161	153				
Total req	2,388	2,366	2,550	2,799	2,958	3,187	3,220	3,274	3,305	3,339	3,378	3,213				
Five-year supply	2,463	3,008	3,202	3,016	3,044	3,236	3,248	3,305	3,480	3,548	3,623	3,494				
Surplus/ deficit	75	642	652	217	86	49	28	31	175	209	245	281				
5YHLS	5.16	6.36	6.28	5.39	5.15	5.08	5.04	5.05	5.26	5.31	5.36	5.44				



## FAREHAM LOCAL PLAN EXAMINATION

### Matter 10 – Natural Environment

#### Policy NE2 Biodiversity Net Gain

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) ii) That compensation can include new habitat or restoring/enhancing existing habitats?

The necessary guidance from Government on how the 10% Biodiversity Net Gain (BNG) will be delivered is still to be published. This will provide the necessary clarity on both measuring the level of next gain to be delivered and how these can be addressed both on and offsite. For this reason, we would suggest that the Council recognise the two-year transitional period between the Environment Act achieving royal ascent and the mandatory 10% BNG coming into force. This will ensure that the necessary guidance is in place to support both developers and LPAs in meeting this latest requirement. However, whilst guidance is not yet in place it is clear that the offsite mitigation and offsetting through the purchase of credits will play an important role in ensuring BNG is delivered and should be recognised within the policy.

How has viability been addressed?

The Council set out in the addendum to the Viability Assessment (VIA003) that an allowance of £500 per unit has been included to take account of the costs of delivering net gain and that with regard to Greenfield sites was below the estimates set out in the Government's impact assessment. However, what is not clear from the addendum is whether any consideration has been given to the loss of developable area that may result from the implementation of BNG on site. This will depend significantly on the nature of the site being developed and the number of biodiversity credits that need to be delivered to ensure the 10% minimum is achieved. In such circumstances it is possible that to maintain the developable area but deliver net gains offsite or through offsetting, however this will be the more expensive option that would need to be considered in the viability assessment.

What consideration has there been of environmental off setting on a local and/or sub regional basis?

For council



## **Policy NE8 Air Quality**

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?

With regard to the requirements for Electric Vehicle Charging Points we would recommend that the Council delete the requirement in this policy and defer to the standard that are to be set out in Building Regulations later this year. Such an approach would avoid any conflict between the local policy and the national standard.

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

No comment

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

No comment

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

See above.

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

No comment

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

No comment

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**Home Builders Federation**

**Matter 12**

## **FAREHAM LOCAL PLAN EXAMINATION**

### **Matter 12 – Climate Change/Design/Historic Environment**

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

Matter 12 – Climate Change/Design/Historic Environment  
(Policies CC1-CC4, D1-D5 and HE1-HE6)

#### **Policy D5 Internal Space Standards.**

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

The Council mention in paragraph 11.59 of the Local Plan that their evidence indicates that most new dwellings are consistent with the nationally described space standards with the exceptions being those where smallest bedroom fails to meet space standards. In addition, they identify that some single bedrooms meet the space standard but are then identified as being a double bedroom. Firstly, we could not find the evidence mentioned in the local plan and without it the Council cannot adopt the space standards. Secondly, the evidence would suggest that there is not a particular problem with space standards in Fareham. As set out in our representations the HBF supports the delivery of high-quality housing but considers that high quality smaller homes can meet a particular need and that space standards should therefore only be used where it is clearly evidenced that homes are consistently coming forward well below these standards.

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