

FAREHAM

BOROUGH COUNCIL

2017/18
Decision No.
1953

Record of Decision by Executive

Monday, 9 October 2017

Portfolio	Health and Public Protection
Subject:	Update on National and Local Air Quality Action Plans
Report of:	Director of Planning & Regulation
Strategy/Policy:	Air Quality Assessment Strategy
Corporate Objectives:	A Safe and Healthy Place to Live and Work; Protect and Enhance the Environment

Purpose:

The purpose of this report is to inform Members of the implications of the revised National Air Quality Plan (UK Plan for tackling roadside nitrogen dioxide concentrations) recently published by the Department for the Environment Food & Rural Affairs (DEFRA). Additionally, this report proposes to make two Air Quality Management Area (AQMA) amendment orders, as a result of the annual mean objective for nitrogen dioxide (NO₂) not being achieved at additional properties outside both the existing AQMAs, in accordance with our local air quality responsibilities.

The UK Government is required under the Environment Act 1995 to produce a National Air Quality Plan. The Plan sets out the United Kingdom's air quality objectives and recognises that action at national, regional and local levels may be needed, depending on the scale and nature of the air quality problem. The United Kingdom's revised National Air Quality Plan was recently published by DEFRA. This Plan identifies 29 local authorities with persistent pollution exceedances (based on computer air pollution monitoring) that are required to undertake local action to achieve statutory NO₂ compliance within the shortest possible time.

Fareham Borough Council is highlighted as one of the Authorities that must produce a targeted local plan. The area of road identified is from the M27 Motorway Junction 11 down to the A27 Market Quay 'through-about' and along the A27 to the Station roundabout. To that end, DEFRA issued a Compliance Directive on Fareham Borough Council, along with the other identified Authorities.

This Direction requires the Authority to undertake and submit a Feasibility Study (Initial Plan) to identify the option which will deliver compliance with legal limits by 31 March 2018 at the latest. The Authority must also submit a Final Plan by 31 December 2018 which must identify the preferred option to deliver compliance.

The Government is funding this work.

A further report detailing the initial Plan for approval will be considered by the Executive on 5 March 2018, with a further report detailing the Final Plan being reported to the Executive in time for the December 2018 deadline.

In addition, local authorities have statutory duties for Local Air Quality Management (LAQM) under the Environment Act 1995. They are required to carry out regular reviews and assessments of air quality in their areas, against the national air quality objectives. Where it is found that these objectives are unlikely to be met, local authorities must designate AQMAs and prepare and implement Air Quality Action Plans (AQAP) to tackle the air pollution. An AQMA was declared for an area of the Gosport Road Fareham in 2006 (see Appendix A) and for Portland Street Fareham in 2007 (see Appendix B). Both were declared for exceedances of the annual mean objective for NO₂ due to traffic emissions. The 2016 air quality Annual Status Report (ASR) for the Council has been approved by DEFRA and concludes that the Council needs to extend both existing AQMAs for NO₂ due to traffic emissions in the area of Gosport Road, Fareham and Portland Street, Fareham.

Over the next year as the targeted plan to meet the Compliance Directive is developed, it will be integrated with the Authority's existing local Air Quality Action Plan.

Options Considered:

As recommendation.

Decision:

RESOLVED that the Executive agrees:

- (a) to note the implications for Fareham of the recently published National Air Quality Action Plan;
- (b) the member led steering group on air quality be re-established together with a technical Officer group; and
- (c) the following Air Quality Management Areas; Gosport Road Fareham and Portland Street Fareham be extended as detailed in Appendices C and D to the report and that they are declared operational on 1 November 2017 with the signing of the AQMA amendment orders attached as Appendices E and F to the report.

Reason:

The recently published National Air Quality action plan identifies Fareham as having to take specific action in respect of this plan, the member led steering group will need to be re-established together with a technical Officer group to help to ensure the requirements of the Compliance Directive are met.

The results in the Annual Status Report for 2016 for both existing AQMAs, indicate that the annual mean NO₂ concentrations at various houses close to the road will exceed the annual objective. Defra has approved the results of the assessment and the Environment Act 1995 now requires the Council to extend the two existing AQMAs.

Confirmed as a true record: Councillor SDT Woodward (Executive Leader)

Monday, 9 October 2017

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2017/18
Decision No.
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Record of Decision by Executive

Monday, 9 October 2017

Portfolio	Planning and Development
Subject:	Review of Welborne Delivery Strategy
Report of:	Director of Planning & Regulation
Strategy/Policy:	Fareham Borough Local Plan
Corporate Objectives:	A Balanced Housing Market

Purpose:

The purpose of this report is to update the Executive on recent land assembly changes at Welborne and agree the termination of the Council's procurement process to appoint a Delivery Partner.

The report also notifies the Executive of a future report(s) setting out an updated Delivery Strategy and governance arrangements for Welborne Garden Village.

Following the approval of the Welborne Delivery Strategy in February 2016, the Council progressed work to secure the comprehensive development of Welborne.

The Delivery Strategy included taking appropriate actions to work towards achieving comprehensive land assembly at Welborne, where possible on a voluntary basis, in pursuit of getting the new community delivered.

In June 2017, at an early stage of its procurement process, the Council shortlisted four potential Delivery Partners for Welborne Garden Village.

However, in July 2017, Buckland Development Ltd (via a new entity Welborne Land Ltd) contracted to acquire the Dean Farm Estate. Completion of that land transfer took place on 22nd September 2017 resulting in the Buckland organisation now owning over 90% of the land at the Welborne site.

This voluntary land assembly, secured in line with the Council's Delivery Strategy, and the assurances provided by Buckland Development Ltd to the Council in relation to it, give the Council confidence that the objectives of the Welborne Garden Village project will be delivered.

It also recognised that Buckland Development Ltd submitted an outline planning application for Welborne in March 2017 that aims to meet the aspirations set out in the Welborne Plan.

Consequently, the need for the Council to appoint a Delivery Partner, in combination with using its compulsory purchase powers to assemble the site (if necessary), and deliver

Welborne has fallen away.

It is therefore now appropriate for the Council to fully review and update its Delivery Strategy in moving forward to the implementation phase of Welborne Garden Village. This report seeks confirmation that in such circumstances the current procurement process to appoint a Delivery Partner should be terminated.

The Council may have a future lead role in securing any necessary minority land holdings, including any areas of land in unclear or unknown ownership, through Compulsory Purchase in order to secure the accelerated delivery of Welborne Garden Village. Compulsory purchase will only be used where voluntary land assembly options prove unsuccessful.

Executive approval is also sought for officers to develop an updated Delivery Strategy and updated governance proposals for consideration and approval at a future Executive meeting(s).

In implementing the Delivery Strategy, the Council's activities have positively resulted in the award of Garden Village status for Welborne from the Government; secured capacity funding of over £228,000 with a further application for £555,000 submitted in August 2017; and a bid to the Homes and Communities Agency for £10M of Housing Infrastructure Marginal Viability Funding.

Options Considered:

As recommendation.

Decision:

RESOLVED that the Executive:-

- (a) delegates authority to the Director of Planning and Regulation to terminate the procurement process OJEU Reference: 2017/S 058-107255;
- (b) delegates authority to the Director of Planning and Regulation to notify the four shortlisted delivery partner bidders that the procurement process has been terminated;
- (c) notes that the Executive agreed an 'in-principle' CPO resolution of the whole of the Welborne site in February 2016 and to re-confirm this resolution insofar as it relates to minority landholdings required to enable the comprehensive development of the scheme to be progressed and delivered by Buckland Development Ltd; and
- (d) notes that the Director of Planning and Regulation will develop an updated Delivery Strategy and updated governance proposals for consideration and approval at a future Executive meeting(s).

Reason:

To terminate the current delivery partner procurement process, as the likelihood of a successful outcome and/or any appointed delivery partner being able to fulfil its development objectives will have significantly diminished, given that voluntary land assembly has now been achieved by Buckland Development (through closely associated companies under the control of the same individuals) in respect of over 90% of the land at Welborne. Further, given the assurances provided to the Council by Buckland Development Ltd, the Council considers that it will be able to work alongside Buckland Development Ltd to deliver Welborne Garden Village in accordance with the Welborne Plan.

Confirmed as a true record: Councillor SDT Woodward (Executive Leader)

Monday, 9 October 2017

FAREHAM

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2017/18
Decision No.
1955

Record of Decision by Executive

Monday, 9 October 2017

Portfolio	Planning and Development
Subject:	Draft Local Plan
Report of:	Director of Planning & Regulation
Strategy/Policy:	Fareham Borough Local Plan
Corporate Objectives:	A Balanced Housing Market; A Safe and Healthy Place to Live and Work; Dynamic, Prudent and Progressive Council; Leisure for Health and Fun; Maintain and Extend Prosperity; Protect and Enhance the Environment; Strong and Inclusive Communities

Purpose:

To seek endorsement and approval of the Draft Local Plan, entitled 'Fareham Draft Local Plan 2036', and the accompanying Draft Policies Map, for public consultation for a 6-week period.

The Fareham Draft Local Plan 2036 is a plan which Local Planning Authorities such as Fareham Borough Council are charged with producing. They set out opportunities for development and clear policies on what will or will not be permitted. This report sets out the background to the production of this Draft Local Plan, the first stage in the plan-making process. This report explains that it is recommended that this Draft Local Plan is published and consulted upon, thus providing a 6-week opportunity for comments from the local community and interested parties. This will help inform the next stage of the Local Plan preparation, producing the publication version of the Local Plan.

Options Considered:

HA10 - Funtley Road South, Funtley

HA18 - Funtley Road North, Funtley

A deputation on these items was received from Mr Dean Anscombe on behalf of Funtley Village Society.

At the invitation of the Deputy Executive Leader, Councillors Mrs L E Clubley and Mrs P M Bryant addressed the meeting on these sites.

HA5 - Romsey Avenue, Portchester

A deputation on this item was received from Mrs Jo Peace

HA4 – Downend Road East, Portchester

HA6 – Cranleigh Road, Portchester

HA12 – Moraunt Drive, Portchester

At the invitation of the Executive Leader, Councillors N J Walker, R H Price, JP and S Cunningham addressed the meeting on the Portchester sites.

HA1 - North and South of Greenaway Lane, Warsash

A deputation on this item was received from Mr David Prince

HA7 – Warsash Maritime Academy, Warsash

At the invitation of the Executive Leader, Councillor M J Ford, JP addressed the meeting on the Warsash sites.

HA8 – Pinks Hill, Wallington

HA16 – Military Road, Wallington

HA20 – North Wallington and Standard Way, Wallington

At the invitation of the Executive Leader, Councillor Mrs K K Trott addressed the meeting on these sites.

FTC2 – Market Quay, Fareham Town Centre

FTC8 – Lysses Car Park, Fareham Town Centre

At the invitation of the Executive Leader, Councillor Mrs K K Trott addressed the meeting on these sites.

As recommendations.

Decision:

RESOLVED that the Executive agrees:

(a) that the Draft Local Plan, as set out in Appendix A to the report, comprises the following component parts:

1. Chapters: Foreword, Information and Contacts, Introduction, Vision and Strategic Priorities, Development Strategy, Strategic Policies, Housing, Employment, Retail, Community Facilities and Open Space, Natural Environment, Design and Infrastructure
2. Chapter: Development Allocations:
Including Policy DA1 and the following Development Allocations:

Retained Local Plan Part 2 Housing Allocations

Previously Developed Land (Brownfield) sites in 'Rest of Borough'

Site Reference	Address	Dwellings
HA14	Genesis Centre, Locks Heath	35
HA22	Wynton Way, Fareham	13
HA24	335–337 Gosport Road, Fareham	8
Sub-Total		56

Retained Local Plan Part 2 Housing Allocations

Greenfield sites in 'Rest of Borough'

Site Reference	Address	Dwellings
HA9	Heath Road, Locks Heath	71
HA11	Raley Road, Locks Heath	49

HA19	399–409 Hunts Pond Road, Titchfield Common	22 (10)*
HA23	Stubbington Lane, Hill Head	12
HA25	Sea Lane, Hill Head	8
Sub-Total		152

** Sub-total excludes quantum of dwellings with planning consent – as shown by figure in brackets*

Fareham Town Centre
(Previously Developed Land / Brownfield)

Site Reference	Address	Dwellings
FTC1	Civic Area, Fareham Town Centre	100
FTC2	Market Quay, Fareham Town Centre	100
FTC3	Fareham Station East	120
FTC4	Fareham Station West	94
FTC5	Crofton Conservatories, West Street, Fareham Town Centre	49
FTC6	Magistrates Court, Trinity Street, Fareham Town Centre	45
FTC7	Former UTP Site, Western Way, Fareham Town Centre	34
FTC8	Lysses Car Park, Fareham Town Centre	24
FTC9	Wykeham House School, East Street, Fareham Town Centre	15 (15)*
FTC10	Delme Court, West Street, Fareham Town Centre	11
Sub-Total		577

** Sub-total excludes quantum of dwellings with planning consent – as shown by figure in brackets*

New Previously Developed Land (Brownfield) Housing Allocations in 'Rest of Borough'

Site Reference	Address	Dwellings
HA7	Warsash Maritime Academy, Warsash	100
HA21	Hampshire Rose, Highlands Road, Fareham	18
Sub-Total		118

New Greenfield Housing Allocations

Site Reference	Address	Dwellings
HA1	North and South of Greenaway Lane, Warsash	700
HA2	Newgate Lane South, Peel Common	475
HA3	Southampton Road, Titchfield Common	400
HA4	Downend Road East, Portchester	350
HA5	Romsey Avenue, Portchester	225
HA6	Cranleigh Road, Portchester	120 (120)*
HA8	Pinks Hill, Wallington	80
HA10	Funtley Road South, Funtley	55
HA12	Moraunt Drive, Portchester	49
HA13	Hunts Pond Road, Titchfield Common	38
HA15	Beacon Bottom West, Park Gate	30
HA16	Military Road, Wallington	26
HA17	69 Botley Road, Park Gate	24
HA18	Funtley Road North, Funtley	23
HA20	North Wallington and Standard Way, Wallington	21
HA26	Beacon Bottom East, Park Gate	5
Sub-Total		2,501

** Sub-total excludes quantum of dwellings with planning consent – as shown by figure in brackets*

Local Plan Part 2 Retained Employment Allocations

Site Reference	Address	Floorspace
E3	Solent 2, Whiteley	23,500 sq.m (253,000 sq.ft)
E4	Midpoint 27, Segensworth South	4,700 sq.m (50,600 sq.ft)

New Employment Allocations

Site Reference	Address	Floorspace
E1	Faraday Business Park, Daedalus	40,000 sq.m (430,600 sq.ft)
E2	Swordfish Business Park, Daedalus	8,000 sq.m (86,000 sq.ft)
E5	Standard Way, Wallington	2,000 sq.m (21,500 sq.ft)

3. Glossary and Appendices;

- (b) that the Draft Local Plan, as set out in Appendix A, and the Draft Policies Map, as set out in Appendix B, be published for a 6 week period of public consultation;
- (c) that the supporting documents appended to this report (Appendices C-E) be published for a 6-week period of public consultation, along with other supporting evidence documents;
- (d) that the Draft Local Plan will become a material consideration in the determination of planning applications, but that the weight attributed reflects the stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the National Planning Policy Framework; and
- (e) that the Director of Planning and Regulation be authorised to make any necessary minor amendments to the Draft Local Plan and supporting documents appended to this report, prior to publication, provided these do not change their overall direction, shape or emphasis and following consultation with the Executive Member for Planning and Development.

Reason:

To undertake publication and consultation as required under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Confirmed as a true record: Councillor SDT Woodward (Executive Leader)

Monday, 9 October 2017

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Decision No.
1956

Record of Decision by Executive

Monday, 9 October 2017

Portfolio	Planning and Development
Subject:	5 Year Housing Land Supply Position
Report of:	Director of Planning & Regulation
Strategy/Policy:	Fareham Borough Local Plan
Corporate Objectives:	A Balanced Housing Market; A Safe and Healthy Place to Live and Work; Dynamic, Prudent and Progressive Council; Leisure for Health and Fun; Maintain and Extend Prosperity; Protect and Enhance the Environment; Strong and Inclusive Communities

Purpose:

To provide an overview of the recent Cranleigh Road, Portchester planning appeal decision and the implications on the Council's 5 Year Housing Land Supply (5YHLS) position.

To provide an overview of the next steps following the 5YHLS position.

The Cranleigh Road, Portchester Planning Appeal Decision and 5YHLS

On 14 August 2017, the Planning Inspectorate allowed an appeal for the development of up to 120 dwellings on land at Cranleigh Road in Portchester (Appeal reference APP/A1720/W/16/3156344). In his decision on the appeal the Inspector concluded that the housing land supply position should be based against the Objectively Assessed Housing Need (OAHN) for Fareham. He then considered the projected housing supply position of the Council and the Appellants' against OAHN, and determined that the Council has *marginally over 2 years* housing supply.

The Council's case that the housing supply should be assessed against the existing Local Plan target had been based on the previous Ministerial letter on Strategic Housing Market Assessments and National Planning Guidance. However, the Inspector did not agree with this approach.

The Council therefore has to reluctantly accept that presently it cannot demonstrate a 5YHLS position. This means that policies in the Adopted Local Plan relating to housing supply cannot be considered up-to-date. The 'planning balance' has shifted whereby greater weight should be applied to the delivery of homes in order to address housing need.

It will be in the Council's interest to proactively address the 5YHLS position as quickly as possible, in order to regain control against what may in some instances be considered

unfavourable development, and in order to boost housing supply.

Local Plan

The Executive will note that the Council has now produced a Draft (Regulation) 18 Local Plan which seeks to address OAHN up until 2036, and proposes a range of new housing allocations, which will also help address the immediate 5YHLS position.

Next Steps

As a consequence of the above, it is considered imperative that a report is presented to the Planning Committee as soon as practicably possible which outlines how proposals for residential development should be considered (by that Committee) in the context of the Cranleigh Road Portchester Appeal Decision (ie lack of 5YHLS), the National Planning Policy Framework (NPPF), relevant case law and policies considered up-to-date in the Local Plan Part 2 (Development Sites and Policies).

Furthermore, this Council's 5YHLS will be a material consideration in the determination of planning applications for new residential development outside of the defined settlement boundaries. Officers will need to monitor the 5YHLS position on a regular basis and ensure that decision makers, in particular the Planning Committee, are regularly apprised of the Council's current 5YHLS position.

Options Considered:

As recommendation.

Decision:

RESOLVED that:-

- (a) the Executive notes the Cranleigh Road Portchester Appeal Decision and the 5 Year Housing Land Supply position;
- (b) officers present a report to the Planning Committee as soon as practicably possible which outlines how proposals for residential development should be considered in the context of the Cranleigh Road Portchester Appeal Decision (i.e. lack of 5 Year Housing Land Supply), the NPPF, relevant case law and policies considered up-to-date in the Local Plan Part 2 (Development Sites and Policies); and
- (c) officers present a report to the Planning Committee on the Council's 5 Year Housing Land Supply position on a regular basis.

Reason:

To advise the Executive of the implications of the Cranleigh Road, Portchester planning appeal decision and the next steps. For clarity, this is not interim planning policy.

Confirmed as a true record: Councillor SDT Woodward (Executive Leader)

Monday, 9 October 2017

FAREHAM

BOROUGH COUNCIL

2017/18
Decision No.
1957

Record of Decision by Executive

Monday, 9 October 2017

Portfolio	Policy & Resources
Subject:	Business Rate Discretionary Rate Relief
Report of:	Director of Finance & Resources
Strategy/Policy:	
Corporate Objectives:	Dynamic, Prudent and Progressive Council

Purpose:

To consider changes to the Council's Business Rate Discretionary Relief Policy to provide assistance to businesses.

In the March 2017 budget, the Government announced the following measures to assist businesses following the revaluation of all Non-Domestic Properties from 1 April 2017:

- An additional £300m would be made available to Councils to support businesses that had suffered the largest increases in their Business Rate Bills. Fareham will receive £311,000 of this funding over a 4-year period
- A discount of £1,000 would be made available to public houses with Rateable Values up to £100,000.
- Additional funding will be made available to limit the increase in Business Rates following the loss of Small Business Rate Relief due to the revaluation.

This Council already has an established policy for granting Discretionary Rate Relief, but the changes requested by Government, will fall outside the policy. This report seeks to vary the local policy in order to incorporate the proposed changes.

The Government will fully reimburse local authorities for the local share of the discretionary relief granted.

Options Considered:

As recommendation.

Decision:

RESOLVED that the Executive agrees:

- (a) to vary the Charitable Relief Policy to allow relief to be granted in the specific circumstances detailed in the report from 01 April 2017;
- (b) to consult with the Hampshire County Council and major preceptors in relation to the provisions of the scheme; and
- (c) to delegate the award of the discretionary relief, as detailed in the report, to The Local Taxation Manager

Reason:

To offer financial assistance to businesses following the revaluation of commercial premises.

Confirmed as a true record: Councillor SDT Woodward (Executive Leader)

Monday, 9 October 2017

