

FAREHAM

BOROUGH COUNCIL

Minutes of the Planning and Development Scrutiny Panel (to be confirmed at the next meeting)

Date: Tuesday, 1 February 2022

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor M R Daniells (Chairman)

Councillor (Vice-Chairman)

Councillors: T Davies, J S Forrest, L Keeble, N J Walker and Mrs T L Ellis
(deputising for P J Davies)

Also Present: S D Martin



1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P Davies and N Gregory.

2. MINUTES

With reference to item 6 on the agenda of the previous minutes, members enquired whether there has been any response to the letters that the Council has sent to Central Government relating to the advice provided by Natural England in respect of recreational disturbance on the New Forest. The Director of Planning and Regeneration confirmed that a response has recently been received and would be made available to all members of the Panel.

It was noted that on page 6 of the agenda pack, the final sentence of item 6 should read 'The pragmatic solution that has been *developed*', not '*development*'.

Subject to the amendment above, it was RESOLVED that the Minutes of the Planning and Development Scrutiny Panel meeting held on the 25 November 2021 be signed and confirmed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements made by the Chairman.

4. DECLARATIONS OF INTEREST AND DISCLOSURES OF ADVICE OR DIRECTIONS

There were no declarations received from Members of the Panel.

5. DEPUTATIONS

There were no deputations received at this meeting.

6. PLANNING STRATEGY UPDATE - PRESENTATION

At the invitation of the Chairman, Councillor S D Martin, Executive Member for Planning and Development, addressed the Panel on this item.

The Panel received a presentation from the Head of Planning Strategy and Economic Development on prevailing planning strategy matters, including the Local Plan examination, the latest Authority Monitoring report and Infrastructure Funding Statement 2020/21. A copy of the presentation is attached to these minutes as Appendix A.

There was a discussion about the number of environmental mitigation schemes affecting development in the Borough and concerns were expressed by some Panel Members about the impact of multiple schemes on the viability of development and house prices. The Director of Planning and Regeneration provided reassurance about the degree to which viability concerns are assessed at a plan making stage and can be taken into account in the setting

of policy, for example affordable housing levels. Councillor Martin addressed the Panel, at the invitation of the Chairman, and offered Panel Members the view that the need to find environmental mitigation solutions was both a product of the value of Fareham's natural environment on a national scale, but also can result in the protection of more land for nature in perpetuity.

During the discussion on the Housing Delivery Test and the suggestion that empty properties should be included in its calculation, it was agreed that the Head of Planning Strategy and Economic Development would investigate to see if it was possible to determine the number of empty properties across the Borough.

RESOLVED that the Planning and Development Scrutiny Panel notes the contents of the presentation.

7. EXECUTIVE BUSINESS

(1) Fareham Borough Solent Waders and Brent Geese Mitigation Solution

There were no questions or comments for clarification in respect of this item.

(2) Implications of Natural England advice on New Forest Recreational Disturbance

With reference to the suggestion within the report of further survey evidence about the impact from residents of Fareham recreating in the New Forest, members enquired whether there had been any progress. The Head of Planning Strategy and Economic Development confirmed that this was being taken forward.

(3) Council Owned Trees - Ash Dieback Disease

In response to discussion regarding whether the programme of tree work and felling from Ash Dieback will include provision for planting replacement trees, the Director of Planning and Regeneration confirmed appropriate opportunities for replanting will be undertaken as part of the programme of work, with the costs met from existing budgets.

8. PLANNING AND DEVELOPMENT SCRUTINY PANEL PRIORITIES

Members of the Panel were invited to consider the Scrutiny Priorities for the Planning and Development Scrutiny Panel.

In discussing the Scrutiny Priorities, it was confirmed that an item will be brought to the first meeting of the Panel in the new municipal year which will provide members with an update on Coastal Management work, including advice on prevailing sea level rise projections as previously requested by Councillor Walker.

In response to a request that an update be provided in respect of the Hampshire County Council funding bid to Central Government to help improve

transport facilities, it was agreed that if an opportunity arises, an invitation will be issued to the County Council to attend and advise the Panel accordingly.

RESOLVED that the Panel considered the Scrutiny Priorities for the Planning and Development Scrutiny Panel.

(The meeting started at 6.00 pm
and ended at 7.50 pm).

Planning and Development Scrutiny Panel

Planning Strategy Update 1st February 2022

Local Plan Examination

Authority Monitoring Report

Infrastructure Funding Statement

Bird Aware

Housing Delivery Test

Local Plan Examination

- Dates now set for the hearings
 - w/c 7th March
 - w/c 14th March
 - Break week
 - w/c 28th March
 - w/c 4th April (reserve)
- Sitting days are Tuesday, Wednesday, Thursday with Friday and Monday as reserve days
 - starting on 8th March 10am
- Planned as virtual, unless Covid guidance changes
- Guidance and proposed programme on the website under 'Examination News'
- Only those requesting a change to the Local Plan will be invited to speak at the hearings, but all can observe, via YouTube if virtual.

Local Plan: Matters and Issues

- Matters and Issues questions (MIQ) raised by Inspector
- To be expected as part of the process
- Written statements due by 18th February or 11th March depending on topic
- Programme Officer has written to all respondents to advise them of their opportunity to respond to the questions and to book a 'seat' at the hearing

Local Plan Examination
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Authority Monitoring Report

- AMRs are published annually by Local Planning Authorities
- They provide information and data on a number of aspects of planning from the previous year such as;
 - the effectiveness of adopted planning policies,
 - details of residential completions and commercial development.
- The AMR reports on the past financial year, from April to March, in this instance from April 2020 to March 2021
- The AMR is a statutory requirement – government regulation states that Local Planning Authorities must publish information at least annually.
- The report enables us to track our progress over the previous year.
- It provides transparency, enabling interested parties to review the Council's performance.

Key facts for 2020/21

505 new homes permitted (nitrates backlog)

117 homes delivered

29 affordable homes delivered, but over 1000 to come from sites with planning permission

24 additional registrants on the self and custom build register (October 2019-October 2020)

38 self and custom build homes permitted

No Neighbourhood plan activity, Warsash Forum disbanded

Key facts for 2020/21 continued

- 3,287sqm employment floorspace gain at Daedalus
- But 4,188sqm loss through permitted development to residential
- 44,460sqm permitted but not yet built (Welborne and Daedalus)
- 400sqm of new retail completed at New Park Garage, Station road Park Gate
- No planning permissions granted contrary to flood advice from Environment Agency – all objections overcome
- 69.77% of nationally protected SSSIs still in favourable or recovering condition in the Borough – no change
- Two Heritage at Risk sites – no change

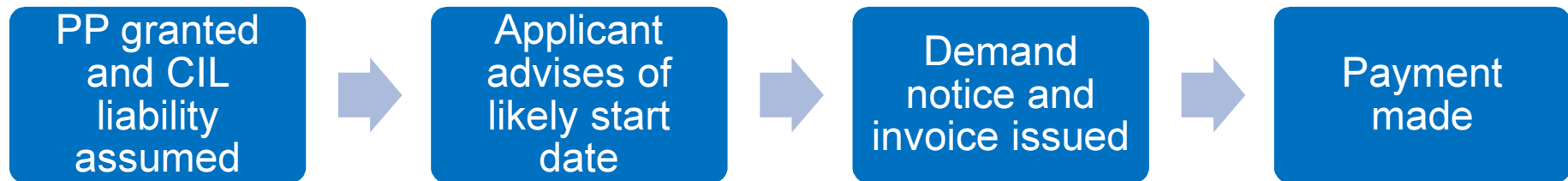
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Infrastructure Funding Statement (IFS)

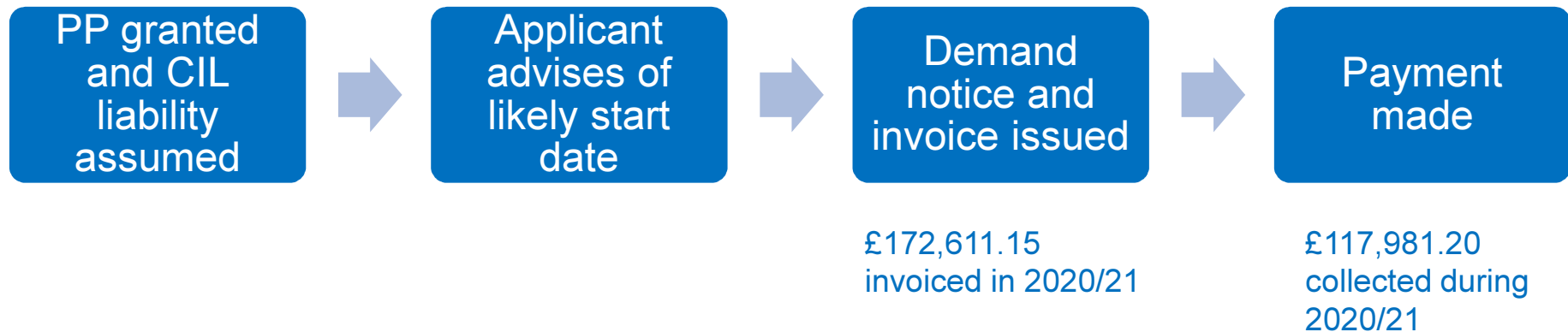
- An IFS must be published every year by all authorities that charge Community Infrastructure Levy (CIL) or receive money from Section 106 agreements.
- The information within relates to the new activity in the year as well as all unspent money from previous years.
- The IFS must include all payments from 1st April of the preceding year to 31st March of the current year, and be published by 31st December each year.
- This year's report is for 1st April 2020 to 31st March 2021.
- There are three components to the mandatory IFS:
 - a) The infrastructure projects or types the authority intends to be funded at least in part by CIL.
 - b) A CIL report.
 - c) A section 106 report.

https://www.fareham.gov.uk/PDF/planning/local_plan/FBC_Infrastructure_Funding_Statement_202021.pdf

Community Infrastructure Levy Process



Community Infrastructure Levy Process



Community Infrastructure Levy 20/21

- Between 2013 and April 2020, we have collected £9,745,163 in CIL.
- In 2020/21, we spent £258,658.64, of which:
 - New Fareham Arts Venture = £248,014.95
 - Holly Hill Cemetery Extension = £10,643.69
- At the end of 2020/21, the total amount of CIL funding retained is £5,544,760.
- This is currently earmarked for Fareham Live, as agreed at 30th September 2021 Executive.
- Future CIL receipts will be needed to meet the £12,675,000 total project cost (an additional £6.875m) will require the Council to commit future CIL receipts of £6.875m to the project.

Section 106 (s106) Contributions 20/21

- During 2020/21, there were six s106 agreements signed with contributions totalling £3,928,662 to be paid (£2,266,219 to FBC - excluding highways and education paid to HCC).
- The total amount of money received in 20/21 was £83,694.
- 132 affordable housing units were also secured in signed agreements.
- A total of £184,995 of s106 money was spent during 20/21
 - Daedalus gate guardian - £7,400
 - Daedalus Common Play Area - £100,000
 - Daedalus Common Play Area - £2,714
 - CCTV (Broadlaw Walk) - £8,000
 - Portchester Town Centre improvements - £13,191
 - Public Open Spaces Temporary Posts - £53,000
 - Legal costs for land transferred to Council at Bell Davies Road Stubbington - £650
- The total amount of money retained at the end of the reported year is £5,974,211 - including c.£1.9m for leisure projects and c.£2.3m for open space maintenance.

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Bird Aware Solent: Background

- The Solent is home to internationally important numbers of overwintering birds with three Special Protection Areas (SPAs) being designated in the Solent to protect them.
- New housing around the Solent is likely to lead to more people visiting the coast for leisure, with the potential to cause more disturbance to the birds.
- Research between 2009-2011 showed that additional disturbance will affect the birds' survival unless mitigation measures were put in place.
- Bird Aware Solent is a tool used to lessen potential impacts from increased local housing development. The planned mitigation measures are set out in the Solent Recreation Mitigation Strategy.
- The initiative is run by the Solent Recreation Mitigation Partnership made up of 19 organisations (including Fareham) and is funded by contributions from all new residential dwellings within 5.6km of the SPAs.
- Different from the Brent Geese and Solent Wader strategy discussed at last meeting.

Bird Aware Solent: Implementation

- Council Officers have engaged and influenced the creation of the Mitigation Strategy.
- The Strategy was endorsed by the PUSH (as was) on 5th December 2017 and at an FBC Executive meeting on the 5th March 2018, the Strategy and associated charging regime has been implemented in Fareham Borough since 01 April 2018.
- Developer contributions are paid to local planning authorities, through legal agreements.
- Contributions are pooled by each authority and transferred quarterly to the Partnership which then implement the mitigation measures.
- £42,313 collected from Fareham developments in 2020/21
- The Partnership sets a budget for each year which is agreed by PfSH Joint Committee.
- The value of the contributions received by the Partnership each year and details of all expenditure, are set out in an annual statement of accounts.

Bird Aware Solent: Implementation

Mitigation within the Strategy is comprised of the following:

- A team of rangers
- Communications, marketing and education initiatives
- Initiatives to facilitate and encourage responsible dog walking
- Developing and promoting a series of Codes of conduct
- Site-specific visitor management- signs, fencing, interpretation panels etc- and bird refuge projects.
- New/enhanced strategic greenspaces - SANG creation.
- A delivery officer (called 'Partnership Manager')
- Monitoring to help adjust the mitigation measures as necessary.

Bird Aware Solent: Governance

- The Partnership's management structure comprises a small Project Board of senior officers and a Steering Group which includes an officer from each of the nineteen partner organisations.
- Since endorsement, the Partnership meets bi-annually to provide monitoring feedback/updates and to discuss any issues arising with implementing the strategy etc. An Officer from the Council attends these meetings.
- The overall governance, political steer and oversight of the Partnership is provided by PfSH in consultation with representatives of the three local planning authorities which are not members of PfSH.
- The day to day running of the Partnership is shared across different members of the Partnership and is changed periodically. At present Portsmouth City Council provide legal support to the Partnership and hosts the Partnership Manager position, Hampshire County Council manage and host the ranger staff and Fareham Borough Council administer the accounts.

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Housing delivery test: Reminder

Looks backward

3 previous financial years

Started in 2018, looked at number of houses built between April 2015-March 2018

Judged against housing requirement in Local Plan if less than 5 years old, or standard methodology.

Three tests in one

- 95% - HDT Action Plan
- 85% - add 20% buffer to 5 year housing land supply
- 75% - 'failure' - automatic tilted balance, presumption in favour

HDT years

HDT years	Years included in the calculation							
HDT 2020	17/18	18/19	19/20					
HDT 2021		18/19	19/20	20/21				
HDT 2022			19/20	20/21	21/22			
HDT 2023				20/21	21/22	22/23		
HDT 2024					21/22	22/23	23/24	
HDT 2025						22/23	23/24	24/25

Recap of previous HDT results

	2018	2019	2020
Requirement	741	941	866
Delivery	1,021	937	692
%	137%	99%	79%
HDT result	Passed	Passed	20% buffer and HDT Action Plan

In 2020, the Council failed to meet 85% of the HDT which meant that a 20% buffer would be applied to the housing requirement for 2021 and we would be required to produce an Action Plan setting out the measures which the Council would take to increase and accelerate delivery of housing in the Borough. The HDT Action Plan was adopted in June 2021.

HDT 2021 results

*

	2018/19	2019/20	2020/2021	Total	%
Requirement	347	428*	342**	1,117	
No of homes delivered	290	285	117	692	62%

*One month reduction in requirement due to Covid-19 national lockdown. 467 becomes 428

**Four month reduction in requirement due to Covid-19 pandemic impacts. 513 becomes 342

Implications

Where the HDT result falls below 75%, the presumption in favour of sustainable development must be applied, known as the “tilted balance”.

The authority should grant planning permission unless one of two scenarios apply:

- the application of policies in NPPF that protect areas or assets of particular importance (for example, protected sites, Green Belt, Local Green Space, AONB or National Park, designated heritage assets or areas at risk of flooding or coastal change) provides a clear reason for refusing the development proposed,
- or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF taken as a whole.

Implications

- As the Council cannot currently demonstrate a five-year housing land supply, the presumption in favour of sustainable development already applies.
- The publication of the HDT results do not change how the Council should make its planning decisions.
- As the HDT results were also below the 85% and 95% test mark, the Council should continue to apply a 20% buffer to the five-year housing land supply calculations and have an HDT Action Plan (as was published in June 2021).
- The next HDT results are expected this time next year.

Neighbouring Authorities

The following table shows how the Borough has fared in comparison to neighbouring authorities:

Area Name	Housing Delivery Test: 2021 measurement	Housing Delivery Test: 2021 consequence
Eastleigh	178%	None
Fareham	62%	Presumption
Gosport	100%	None
Havant	74%	Presumption
Isle of Wight	58%	Presumption
New Forest	141%	None
Portsmouth	54%	Presumption
Southampton	138%	None
Test Valley	184%	None
Winchester	139%	None

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