

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

Date: Wednesday, 22 February 2023

Venue: Collingwood Room - Civic Offices

PRESENT:

Councillor M R Daniells (Chairman)

Councillor Ms S Pankhurst (Vice-Chairman)

Councillors: Mrs T L Ellis, P Nother, N J Walker and Mrs P Hayre (deputising for Mrs J Needham)

**Also
Present:**



1. APOLOGIES FOR ABSENCE

Apologies of absence were received from Councillors Mrs J Needham and Mrs F Burgess.

2. MINUTES

RESOLVED that the Minutes of the Planning and Development Scrutiny Panel meeting held on the 27 July 2022 be confirmed and signed as a correct record.

3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcement: –

Regrettably, I am to inform Members that Gayle Wootton, Head of Planning Strategy and Economic Development is leaving Fareham Borough Council to embark on a new role elsewhere. Therefore, this will be Gayle's last meeting of the Planning and Development Scrutiny Panel. I would like to thank Gayle on behalf of the Panel for all of her help and support over the years, and wish her the best of luck in your new role.

4. DECLARATIONS OF INTEREST AND DISCLOSURES OF ADVICE OR DIRECTIONS

There were no declarations of interest made at this meeting.

5. DEPUTATIONS

No deputations were received at the meeting.

6. COMMUNITY INFRASTRUCTURE LEVY REVIEW - CONSULTATION

The Panel received a report by the Head of Planning Strategy and Economic Development on the Community Infrastructure Levy (CIL) Review, which is to be considered by the Executive on the 06 March 2023 to approve the consultation on proposed new CIL charges.

The Principal Planner (Strategy) Pete Drake presented the report to the Panel and began by providing an overview of CIL, outlining the purpose of the charges, and what the funds are used for across the Borough. Pete also explained what the charges are currently and the reason for the review. Members asked a number of questions for clarity to provide greater understanding of the charge which is levied to new development.

Members queried the cumulative impact of the raised levy, alongside a number of other charges and fees levied on new development, on the potential for an increase in house prices in the Borough. Officers reassured Members that the consultants have carried out in depth viability studies to ensure the fees are affordable and that the charges are in line with neighbouring authorities. It was recognised that there are many factors affecting the

eventual cost of the house, not least the price paid for the land, which is a commercial consideration and not a matter for the planning authority.

The next step, once approved by the Executive on the 06 March 2023, is for the Council to run a consultation in the Spring. The results of which will determine if any amendments are required before the schedule is sent to an independent examination.

RESOLVED that the Planning and Development Scrutiny Panel: -

- a) note the contents of the Executive report at appendix 1; and
- b) ask the Executive to consider their comments above relating to appendix 1 at the 06 March 2023 Executive meeting.

7. PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENTS (SPD) REVIEW

The Panel received a report by the Head of Planning Strategy and Economic Development on a Review of the Planning Obligations Supplementary Planning Document (SPD). Consultation on the revised document is required before the Council adopts it, with Executive approval to be sought at their meeting on the 06 March 2023.

The Principal Planner (Strategy) Pete Drake presented the report to the Panel providing the background as to why the review of the Planning Obligations (SPD) had been carried out, explaining that this is linked to the Local Plan process. The Local Plan outlines how the borough's housing and employment targets will be met and sets out the scale and type of infrastructure required to support the planned growth.

Members discussed at length the potential challenges faced by the proposal to increase the maintenance contributions for a period of 50 years. Concerns were raised that an increasing number of developers may opt for management companies instead of transferring land to the Council, meaning that the Council would have no control over these assets (such as open space, play areas and playing pitches) which could potentially bring about problems for residents who use those areas. Officers explained the difficulties in striking a balance to ensure public open spaces are maintained to a standard to which residents of the Borough are accustomed, and adopting land from developers which comes at a cost. It is hoped that the increase in the charges applied to land being transferred to the Council would alleviate the potential financial liability being at a detriment to the Council in the long term, but will also remain a viable option for developers.

Members of the panel also queried the figures on in table 1 of the Executive report at Appendix 1. Officers advised the amounts increased as multiples as the years increased. For example, the 40 year fees were double the 20 year fees. It was pointed out that the figures in the table were not correct and Officers agreed to check and amend these before publication of the Executive report.

RESOLVED that the Planning and Development Scrutiny Panel: -

- a) note the contents of the Executive report at appendix 1; and
- b) ask the Executive to consider their comments above relating to appendix 1 at the 06 March 2023 Executive meeting.

8. PLANNING STRATEGY UPDATE

The Panel received a presentation from the Head of Planning Strategy and Economic Development on prevailing planning strategy matters. A copy of the presentation is appended to these minutes.

The presentation included: -

- an update on the Local Plan examination, which it is hoped will be completed very soon with the inspector's final report expected shortly;
- an overview on the Governments Levelling Up and Regeneration Bill - consultation which opened on 22 December 2023. The presentation provided an overview of the key proposals for planning reform and outlined the Council's response to the consultation;
- information on recent consultations by both Southern and Portsmouth Water outlining their Draft Water Resource Management Plans; and
- details on the Council successfully securing funds from a recent bidding round from Bird Aware, to implement two mitigation measures in the Borough. One at Seafield Park, Hill Head and the second at Warsash Common.

Members asked if the changes outlined in the Levelling Up and Regeneration Bill, if implemented by Government, will impact the Council's emerging Local Plan. Officers confirmed that any changes won't take effect until the Spring, by which time it is hoped that the Council's Local Plan will have been adopted. It was also explained that not all the proposals will be implemented immediately, as proposals linked to a wider review of national planning policy is scheduled for later in this year, and proposals which will come through the Levelling Up and Regeneration Bill in 2024.

RESOLVED that Members note the contents of the presentation.

9. EXECUTIVE BUSINESS

(1) Fareham Quay and Alton Grove to Cadour Drive Flood and Coastal Erosion Risk Management Studies - Award of Contract

No comments were received.

(2) Salterns recreation ground, Fareham - interim sea defence works

No comments were received.

(3) Fareham Local Plan 2037 Main Modifications

No comments were received.

(4) The Levelling Up and Regeneration Bill - Planning Policy Consultation

No comments were received.

10. PLANNING AND DEVELOPMENT SCRUTINY PANEL PRIORITIES

The Chairman asked Members of the Panel to consider the Scrutiny Priorities for the Planning and Development Scrutiny Panel.

The Director of Planning and Regeneration advised Members that as this was the last meeting of this municipal year officers did not have any outstanding items for the Panel to consider, but he went on to explain that a great deal of what has been discussed at today's meeting would likely be considered in more detail by the Panel in 2023/24 as the items are considered through the Council's decision making process.

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

(The meeting started at 6.00 pm
and ended at 8.43 pm).

P&D Scrutiny Panel – 22nd February

Planning Strategy Update

Content

1. Local Plan Update
2. Levelling Up and Regeneration Bill Consultation
3. Water companies consultations on Water Resource Management Plans
4. Bird Aware – successful bids

Local Plan Update

Main Modifications Consultation

- We received just 38 responses to the main modifications consultation (11 from residents, 27 from organisations).
- The responses were mixed including several 'no comment' responses including from National Highways and the Environment Agency.
- Support for the modifications from Natural England, the Woodland Trust and the Fareham Society.
- A small number of developers and house builders responded and in almost equal measure, they supported the modifications to allocation policies on their sites, with one or two trying to introduce further changes at this late stage.
- A number commented that our housing need was higher and we should be making additional allocations or a firmer commitment to reviewing the plan early in light of the wider unmet need issue.
- Some detailed comments were submitted on sites that already have planning permission through the lapse of time.

Main Modifications Consultation

- Comments were collated and the responses sent to the Inspector before Christmas, along with our summary and commentary on the responses.
- The Inspector has confirmed receipt of the responses to the consultation.
- It is very much hoped that the examination process will conclude shortly, and will complete when the Council receives the Inspector's report.
- Assuming the Inspector finds the plan to be sound with modifications, it is proposed that Council will receive a report on the Inspector's findings, and will consider whether to adopt the Plan.

Levelling Up and Regeneration Bill Consultation

Background

- The Government opened a consultation on planning reform on 22nd December 2022.
- It is a wide-ranging consultation. It includes proposals for immediate implementation in a revised National Planning Policy Framework (NPPF) and proposals linked to a wider review of national planning policy scheduled for later in 2023, and proposals which will come through the Levelling Up and Regeneration Bill in 2024.
- The consultation closes on 2 March 2023 and the Government have suggested that they will respond to the consultation in the spring.

Current planning strategy context

Five year housing land supply (5YHLS) position

- Has been challenging since 2017
- Improved recently
- Latest position (January 2023) 5.49 years
- Therefore 'tilted balance' does not apply via this route

However, latest Housing Delivery Test result was 62%

Therefore, need to add 20% to the 5YHLS calculations and apply the tilted balance to our applications.

Impact on Local Plan

- None of the proposed changes are anticipated to impact the conclusion of the examination process of the emerging Local Plan for Fareham.
- There is clarity that these changes will not take effect until Spring 2023.
- The Government will need time to review the responses before pressing ahead with the changes and so this is likely to be April or May given that the consultation closes in early March.
- It is anticipated that the Inspector's report on the Local Plan will be received in advance of this, which will conclude the examination.
- The Council will be responding to the consultation (deadline 2nd March)

Proposed changes –Spring 2023

Proposal	Response
‘Alternate method’ for calculating housing need – little detail in consultation. Two scenarios suggested – high proportion of older people or students	Support but believe Fareham has justification for an alternate method – south coast, two National Parks, accessibility/traffic issues, many protected sites and environmental mitigation to be found. Housing need needs reform
The application of local constraints and character in attempting to meet that need	Support but want more detail or local decision making
Removal of 5% and 20% ‘buffers’ to 5YHLS	Support
No need to produce 5YHLS statement if plan less than five years old	Support
Greater reference to beauty and the importance of food production	Support

Housing delivery test

$$\frac{\text{Number of homes built in the borough over the past three financial years}}{\text{Annual housing requirement for the past three years}} \times 100$$

Currently	Proposed changes
If less than 95%, write an action plan	If less than 95%, write an action plan
If less than 85%, add 20% to the five year housing land supply calculation (for the next five years)	
If less than 75%, apply the tilted balance in favour of granting permission for new homes.	If less than 75%, apply the tilted balance in favour of granting permission for new homes UNLESS....
	The number of homes permitted is at least 15% greater than the housing requirement

Response – Support but many queries

- Over what timespan?
- What counts as a permission (full, outline etc)?
- What about permissions for large sites that take years to come forward.
- 15% additional permissions too high.

Proposed changes –Wider review

Proposal	Response
National Development Management Policies to be consulted upon	Agrees in principle with scope and principles, but they need to be clearly written to be unambiguous.
Further protection for irreplaceable habitats, such as ancient woodland	Support
Work with Defra on ways to avoid degradation of sites before planning applications are submitted	Support
Replacing the Duty to Co-operate with an 'alignment' policy	Want more detail, but support the removal of the need for authorities adjacent to urban areas to pick up 'overspill' of city's unmet need

Proposed changes – New system

Proposal	Response
The calculation of housing need could be reviewed depending on 2021 census data to be released in 2024.	Situation needs reform and to allow more local input
Streamlining Local Plans – 30 months to produce	Supports but wants more detail on what constitutes the start. Pleased to see removal of sanctions and penalties for missing deadlines, which were referenced in earlier consultations.
Increasing the accountability of developers and data regarding their performance on housing delivery	Support but needs careful thought, for example how many years, and what is acceptable improvement in behaviour.

Other Consultations

Portsmouth Water Draft Water Resources Management Plan

Southern Water Draft Water Resources Management Plan

Portsmouth Water Draft WRMP

- Sets out how they intend to secure reliable healthy drinking water supplies for the next 50 years.
- Plan takes account of improving the environment, population and housing growth, climate change and drought resilience.
- Focused on making better use of existing water, and strategies include:
 - Constructing and filling Havant Thicket Reservoir by 2029
 - Installing smart meters in most home by 2035
 - Supporting customers in reducing water usage to 119 litres per day
 - Introducing government-mandated water efficiency labelling to appliances
 - Reducing non-household water use
 - Halving Portsmouth Water leaks by 2050
 - Upgrading a water supply 'booster' station in West Sussex by 2030
 - Increasing resilience to reduce likelihood of emergency drought restrictions
 - Reducing the amount of water they supply to Southern Water's customers
 - Looking at receiving supplies from Southern Water after 2049.

Council Response

- The Council considers that deadline to halve leakage by 2050 is not ambitious enough and should be brought forward. [24million litres of water are lost per day]
- Support plans to help homeowners and businesses to save water including installing meters at homes.
- That basing water bills on the amount of water a household uses is fairer approach than using rateable value.
- Support the use of smart meters, making customers aware of how much water they are using encourages saving, and enabling more leaks to be found.

Southern Water Draft WRMP

- Supporting customers in reducing water usage to 109 litres per day by use of water meters, public campaigns, provide water efficiency measures, introduce innovative tariffs
- Halving leaks across all catchments by 2050
- Water recycling at Budds Farm, Storage at Havant Thicket Reservoir and transfer to water treatment Plan in Otterbourne to receive up to 90 mil litres of water to be achieved by 2025-2035
- Creation of a series of new pipe networks to transfer water across catchment and to receive water from neighbouring suppliers.
- Between 2035-2050 begin receiving up to 120 million litres a day from a new reservoir in Thames Water's area
- Catchment Schemes to reduce nitrates and pesticides

Council Response

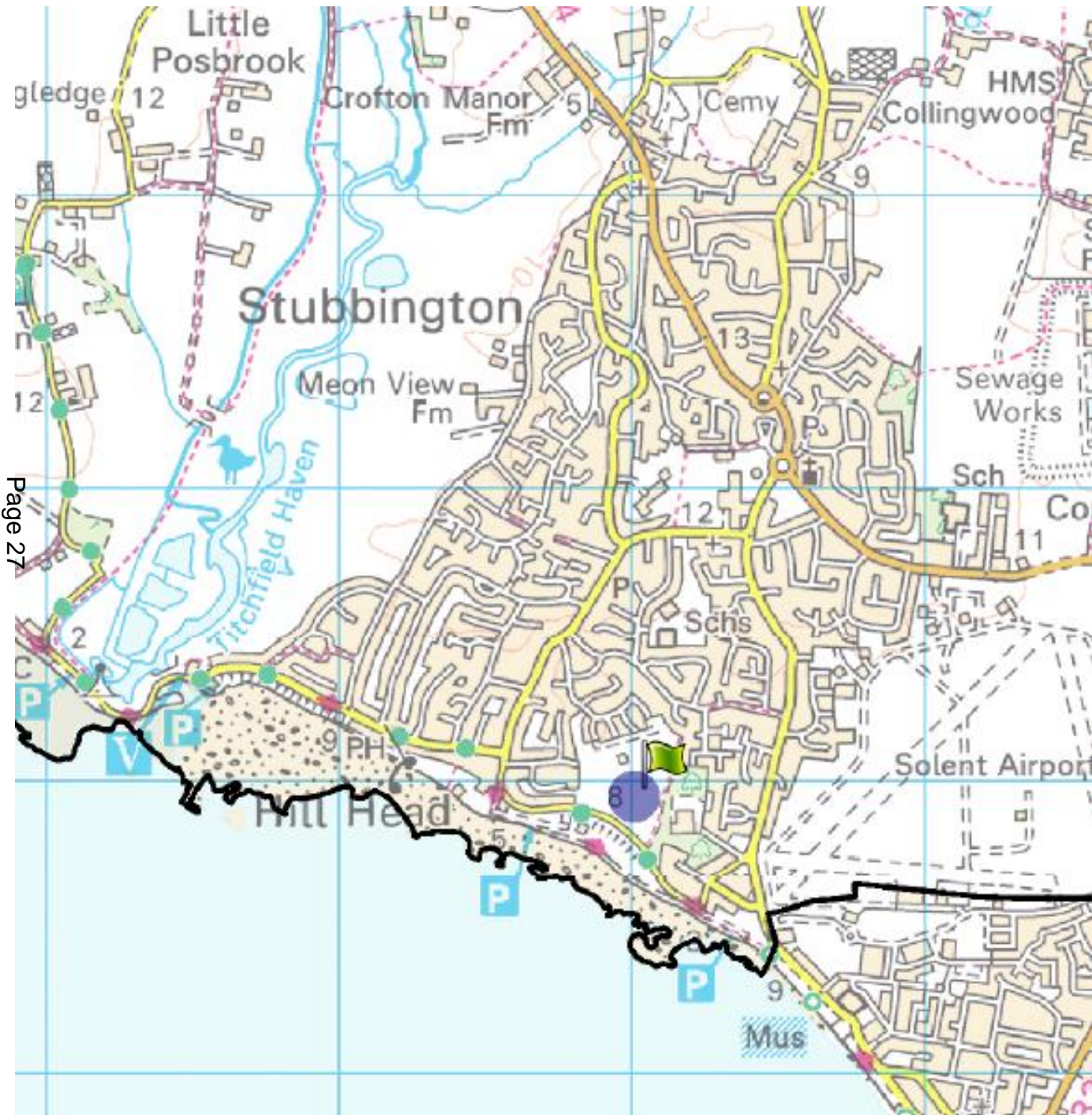
- Welcomes the proposal to pursue ‘high environmental improvement and climate change’.
- Encourages Southern Water to continue working with LPAs in the region to understand the future demands for development.
- The Council considers that deadline to halve leakage by 2050 is not ambitious enough and should be brought forward. [92million litres of water are lost per day]
- Reiterates that the best approach to reduce the risk of drought scenarios is to address the leakage issue.
- Questions the role of water recycling in securing water supplies for the future – sorting out the leaks would be more effective.
- Suggests that existing developments attain 110 litres/person/day level of water consumption sooner than 2040 to be in line with new development.
- Supports the principle of new pipelines that will transfer water into the region however, the routes these new pipelines take will need to be carefully considered and selected to ensure minimal disruption.
- Questions the principle of desalination to provide extra water – expensive and complicated.
- Supports the ambition to proactively use catchment and nature-based solutions where possible to help improve the quality of the water sources, recognising the wider environmental benefits it will bring.

- Bird Aware Fareham projects

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.
- 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.
- 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 via a project bidding round

Seafield Park, Hill Head



Existing paths difficult to use in poor weather, users cut across playing fields and Salterns Road to access Monks Hill.

A well-maintained path around the whole site would reduce the need to do this, and therefore benefit birds using the adjacent sites

Seafield Park, Hill Head



Creation of new 500m wheelchair accessible pathway to form 1km circular route at Hill Head, alongside the creation of two wildflower meadows.

Total cost £46,000 for 2023/24
Implemented by FBC Countryside team

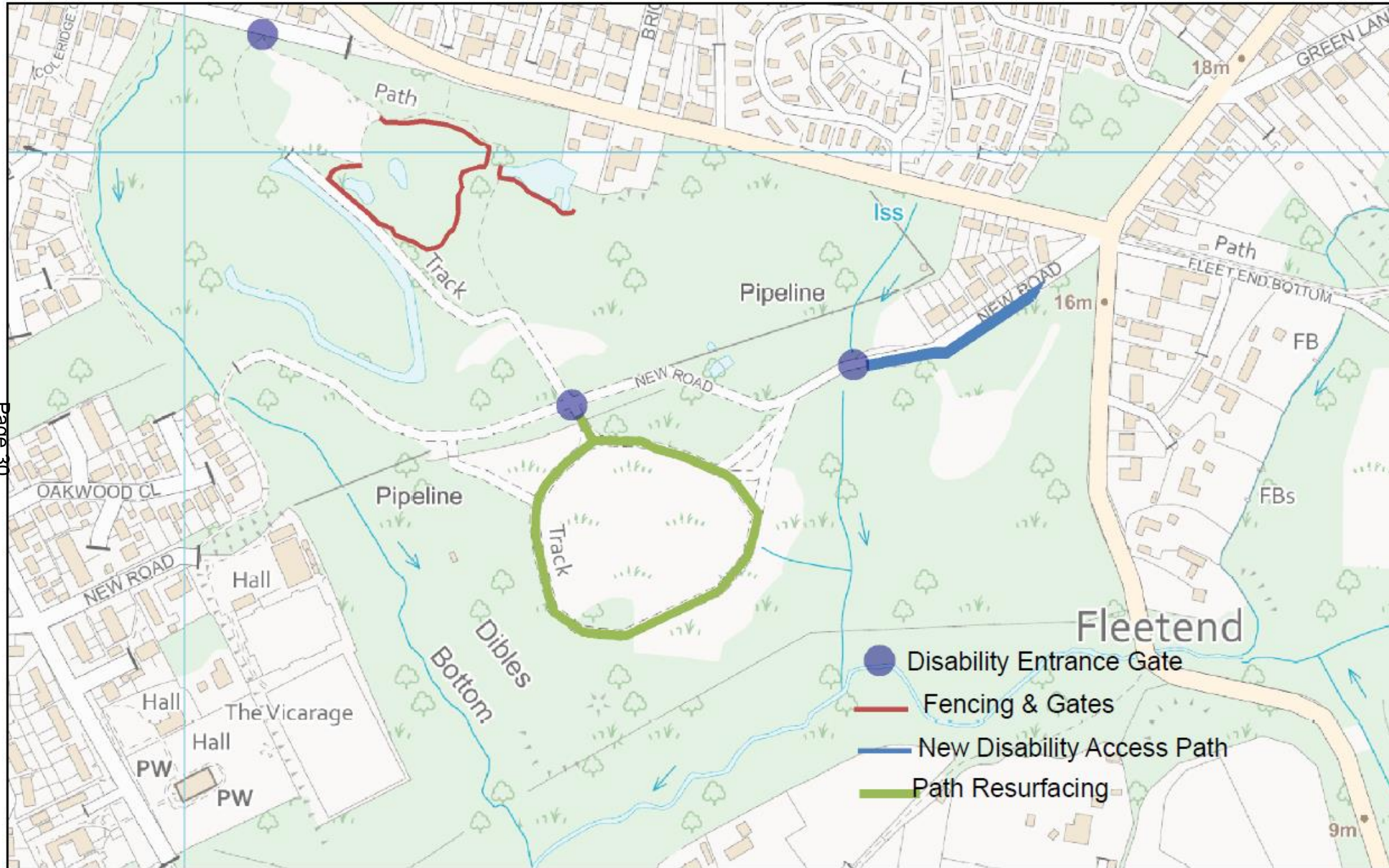
Warsash Common LNR



Very popular area with walkers and dog walkers

Footpath network exists but there is an opportunity to make 2.5km wheelchair and mobility scooter friendly path.

Warsash Common LNR



1km path resurfacing

Tarmac the car park and provide at least 2 disabled bays

Total cost £42,130 for 2023/24

Implemented by FBC Countryside team