

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

**Date:** Wednesday, 1 November 2023

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

**Councillor** M R Daniells (Chairman)

**Councillor** N J Walker (Vice-Chairman)

**Councillors:** Ms S Pankhurst, Mrs T L Ellis, Mrs J Needham and P Nother

**Also  
Present:**



**1. APOLOGIES FOR ABSENCE**

No apologies of absence were received from the Panel.

**2. MINUTES**

RESOLVED that the Minutes of the Planning and Development Scrutiny Panel meeting held on the 19 July 2023 be confirmed and signed as a correct record.

**3. CHAIRMAN'S ANNOUNCEMENTS**

No announcements were made by the Chairman.

**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 this meeting.

**6. AUTHORITY MONITORING REPORT**

The Panel received a report from the Director of Planning and Development on the Council's Authority Monitoring Report (AMR) 2022/23. Officers explained that this is the first AMR which reflects the newly adopted Local Plan.

Members asked several questions for clarification on various topics within the AMR. The information regarding flood zones was of particular interest to the Panel with concern raised about the permissions granted within flood zones. Officers reassured Members that no houses are built on flood zones, but developments sites may include flood zones which would be designated as open spaces or park land etc. Officers also clarified that the Environment Agency (EA) are responsible for defining the flood zones and they are also consulted on all developments within the Borough. Permissions would not be granted against EA advice. The Director of Planning and Regeneration suggested that, with the Panels agreement, officers look to increase the level of detail within the AMR to clarify the rationale behind permissions being granted within flood zones.

RESOLVED that the Panel note the contents of the Authority Monitoring Report at Appendix A.

**7. PLANNING STRATEGY UPDATE**

The Panel received a presentation from the Director of Planning and Development providing a Planning Strategy Update. The presentation included an update on the Supplementary Planning Documents and Environmental Mitigation Projects. A copy of the presentation is appended to these Minutes.

The Interim Planning Strategy Lead provided information on the expected content within the Regeneration and Levelling Up Act 2023. The final version of the act is yet to be published but officers were able to provide Members with an overview of what is likely to change and how this may impact the Planning system. A key area of focus for both Members of the Panel and officers was the potential changes to the Local Plan process. With a great deal of detail still to be finalised it remains unclear how this will impact the Council.

RESOLVED that the Panel note the contents of the presentation.

**8. EXECUTIVE BUSINESS**

Members of the Panel were asked to note the Executive decision made since the last meeting of the Panel in July, which falls under the remit of the Planning and Development Portfolio.

**(1) Self and Custom Build Housing Supplementary Planning document for adoption**

No comments were received.

**9. PLANNING AND DEVELOPMENT SCRUTINY PANEL PRIORITIES**

The Panel considered the priorities for the Planning and Development Scrutiny Panel.

The Director of Planning and Development addressed the Panel to advise that an item providing an update on the Welborne Delivery would be brought to the next meeting of the Panel.

RESOLVED that the Panel considered the Scrutiny Priorities.

(The meeting started at 6.02 pm  
and ended at 7.10 pm).

..... Chairman

..... Date



# Planning and Development Scrutiny Panel

## Authority Monitoring Report

# Authority Monitoring Report (AMR)

- 1 November Scrutiny Panel
- This AMR is for the year 22/23 and is the first AMR to be done which reports partially on the new Local Plan.
- The Local Plans base date is 2021 and therefore housing and employment numbers are assessed against the new Local Plan.
- However, a large number of the more detailed policies only gained full weight when the Plan was adopted and so will be reported on in the next AMR

# Authority Monitoring Report (AMR)

At the end of the period 2022/23 there were:

- 351 dwellings **permitted**
- 144 dwellings **completed**
- 399 dwellings **under construction**
- *Local Plan Trajectory:*
  - *210 dwellings per annum 2021/22 and 2022/23 (completed 357 out of 420)*
  - *653 dwellings per annum between 2023/24 and 2036/37.*
- Permissions have been good (2019/20 aside)

Year	Net new homes permitted
2016-2017	302
2017-2018	306
2018-2019	219
2019-2020	45
2020-2021	523
2021-2022	7,559
2022-2023	351

# Authority Monitoring Report (AMR)

- Labour and materials has had an impact on housing delivery.
- Progress on a number of sites with 399 dwellings under construction at end of period.
- Last published 5YHLS position (January 2023) = 5.49 years
- No further information on HDT (last result for 2021). But anticipated outcome would still be below 75% based on completions.
- Delivered 53 affordable dwellings (11 by Fareham Housing)



# Authority Monitoring Report (AMR)

- Just under 2,000 sqm various employment uses lost to residential.
- Local Centres performing well with vacancy rates reducing.
- Total area of 27 ha of new development permitted in countryside (21 ha in two sites permitted on appeal)
- 13.17 hectares of development permitted in strategic gaps (10.22 ha at one site, now removed through the plan)
- 20 self-build dwellings have been completed.
- 73 (48%) of dwellings were on brownfield land
- 150 of the 351 permitted were within identified flood zones.
- Council collected £251k for Bird Aware and £115k for New Forest Mitigation



# Planning and Development Scrutiny Panel

## Planning Strategy Update 1 November 2023

- Levelling Up and Regeneration Act 2023
- Biodiversity Net Gain
- Nitrate Neutrality
- SPD Progress Update

# Regeneration and Levelling Up Act 2023

- Received Royal Assent on 26 October
- Most of the sections which directly relate to DM and plan-making have not commenced and will require secondary legislation
- Changes to planning procedures will begin to take place from 2024, once associated regulations and changes to national policy are in place
- The final version of the Act is yet to be published
- Expecting a revised NPPF to complement the measures in the Act

# Regeneration and Levelling Up Act 2023

## What we have been consulted on so far:

- Levelling-up and Regeneration Bill: reforms to national planning policy
  - response submitted March 2023
- Infrastructure Levy Technical Consultation
  - response submitted May 2023
- Environmental Outcome Report Technical Consultation
  - response submitted June 2023
- Plan-making reforms: consultation on implementation
  - response submitted October 23

# Regeneration and Levelling Up Act 2023

## What we know

- Streamlined 30-month plan-making system – local plans limited to locally specific matters.
  - Strong focus on public participation
- National Development Management Policies to be introduced, drawn up by DLUHC, covering issues which apply in most areas.
- The emphasis of the National Planning Policy Framework will shift to guiding plan-making (Development Management Policies will be separate).

# Regeneration and Levelling Up Act 2023

## What we know

- LPA will be required to produce Design Code covering entire authority area.
- Duty to cooperate will be dropped.
- New Infrastructure Levy to replace S106 & CIL.
- LPAs to prepare Infrastructure Delivery Strategies.



# Regeneration and Levelling Up Act 2023

- Expecting a revised NPPF to complement the measures in the Act
- It is expected that the revised NPPF will likely include (but we don't know for sure):
  - Removal of the requirement to provide a 5YHLS if the LPA has an up to date Local Plan (less than 5 yrs old).
  - A review of implications for the standard method of new household projections data based on the 2021 Census, which is due to be published in 2024.

# Regeneration and Levelling Up Act 2023

- It is currently unclear how the Housing Delivery Test will function in the future.
- No Housing Delivery Test has been published for 22/23
- Earlier consultation suggested a refinement of the test to add an additional permissions-based test that would 'switch off' the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement
- **There is a considerable amount of detail that is yet to be published across all of the proposed planning reforms within the LURA**

# Biodiversity Net Gain

- The Fareham Local Plan has a policy requiring BNG which came into effect on adoption of the Plan in April.
- This applies to all applications of one or more dwellings or new commercial/ leisure buildings.
- Mandatory BNG introduced via the Environment Act will come into effect January 2024 for Major developments
- Mandatory BNG for Small sites will be introduced from April 2024
- Mandatory BNG will only apply to applications for planning permission made after the implementation date.

# Biodiversity Net Gain (BNG)

- Details are currently not clear on the finer points of how mandatory BNG will be implemented.
- Regulations and Guidance are expected to be published by Government by the end of November
- The BNG SPD which was consulted on earlier in the year will be updated to include, as necessary, guidance on how the Council will implement mandatory BNG.

# Nutrient Neutrality

- The proposal to relax nutrient neutrality requirements for homebuilders and address pollution at source is no longer within the LURA.
- Officers are monitoring the situation and await further information from government.

# Emerging SPD's

## **Planning Obligations SPD**

- Consulted March to May 23
- Adoption likely in December 2023 or January 2024

## **Biodiversity Net Gain SPD**

- Consulted April and May 23
- Re-consultation likely in the first quarter of 2024

## **Self and Custom Build SPD**

- Adopted at October Executive and now a material consideration

END

**Figure 1: The new 30 month plan timeframe**

