

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

**Date:** Thursday, 30 March 2023

**Venue:** Collingwood Room - Civic Offices

**PRESENT:**

**Councillor** M R Daniells (Chairman)

**Councillor** Ms S Pankhurst (Vice-Chairman)

**Councillors:** Ms F Burgess, Mrs T L Ellis, Mrs J Needham, P Nother and N J Walker

**Also  
Present:**



**1. APOLOGIES FOR ABSENCE**

No apologies of absence were received at the meeting.

**2. MINUTES**

RESOLVED that the Minutes of the Planning and Development Scrutiny Panel meeting held on the 22 February 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.

**8. PLANNING STRATEGY UPDATE**

*At the agreement of the Chairman this item was brought forward on the agenda.*

The Panel received a presentation from Planning Strategy officers providing a Planning Strategy Update, including an overview of the forthcoming Self and Custom Build Supplementary Planning Document and an update on the Council's emerging Local Plan. A copy of the presentation is appended to these minutes.

The Head of Planning Strategy and Economic Development presented details to the Panel on the Council's emerging Local Plan, which is to be considered for adoption by the Council on the 05 April 2023. The presentation provided information on the Inspectors' letter which had recently been received. The report concluded that the Local Plan can be found sound but only with the inclusion of the main modifications, all of which were subject to Council approval for a consultation in October 2022. The officer then explained the next steps once adopted and the implications for the Council should Members choose not to adopt the Local Plan. Members asked questions for clarification on changes to the Strategic Gap designation and the contribution to Portsmouth's unmet need.

The Senior Planner (Strategy) then went on to deliver details on the forthcoming Self and Custom Build Supplementary Planning Document (SPD). Members asked questions for clarification on new the policy and officers explained how legislation from central government has led to the development of a register of interest in Self and Custom Build and the policy in the emerging Local Plan. They also explained that the SPD has been prepared to provide

guidance to planning applicants on the information to submit alongside their applications. Officers also provided details on the local need for self and custom build plots and how this has provided the data to develop the SPD.

RESOLVED that the Panel note the contents of the presentation.

## **6. BIODIVERSITY NET GAIN SUPPLEMENTARY PLANNING DOCUMENT - FOR CONSULTATION**

The Panel received a report on the Biodiversity Net Gain Supplementary Planning Document by the Director of Planning and Regeneration. The report outlined the Supplementary Planning Document (SPD) which has been prepared to provide guidance to applicants seeking planning permission. Executive approval is to be sought to consult on the SPD at their meeting on the 04 April 2023.

The Principal Planner (Strategy) presented the Executive report to the Panel and explained the Council's approach to securing and implementing Biodiversity Net Gain (BNG) in line with Policy NE2 in the emerging Fareham Borough Local Plan 2037.

Members of the Panel discussed the report in detail and asked questions for clarification on how the measures implanted by developers to achieve BNG will be monitored and if necessary, enforced by the over the 30-year period required and asked if costs would be incurred by the Council. Officers explained that the policy would be implemented and enforced in line with all other planning policies. The management of this new policy will incur costs but it was agreed by Members of the Panel that costs incurred are necessary to secure Borough's biodiversity for future generations.

Members of the Panel expressed support the Biodiversity Net Gain consultation and look forward to seeing how both residents and developers respond to the details within the SPD. Officers confirmed that the results of the consultation will be brought to a future meeting of the Panel.

RESOLVED that the Planning and Development Scrutiny Panel:-

- a) note the contents of the Executive report at Appendix 1; and
- b) ask that to the Executive to consider the Panels comments at their meeting on the 03 April 2023.

## **7. EXECUTIVE BUSINESS**

Members of the Panel were asked to note the Executive decisions made since the last meeting of the Panel, that fall under the remit of the Planning and Development Portfolio.

### **(1) Provision of Tree Maintenance Services within the Borough of Fareham**

No comments were received.

**(2) Community Infrastructure Levy - Consultation**

No comments were received.

**(3) Planning Obligations SPD Review**

No comments were received.

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

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

Members requested that the Coastal Partners be invited to a future meeting of the Panel to provide details of projects within the Borough. The Director of Planning and Regeneration addressed the Panel to advise that there are several local projects that the Coastal Partners are working on that they can update the Panel on. It was agreed that an item would be brought to the Panel within the 2023/24 meeting cycle.

RESOLVED that the Panel considered the Scrutiny Priorities.

(The meeting started at 6.00 pm  
and ended at 7.55 pm).

# Planning Strategy Update

Planning and Development Scrutiny Panel  
30<sup>th</sup> March 2023

**FAREHAM**  
BOROUGH COUNCIL

# Content

- Local Plan Update
  - Receipt of Inspector's report
- Self Build and Custom Build Housing
  - Developing a Supplementary Planning Document

# Local Plan Update

# Inspector's report received

- On 23<sup>rd</sup> March, the Inspector issued her report on the Local Plan examination.
- This concludes the Local Plan examination process.
- The Inspector found that, as submitted, the Local Plan cannot be found sound.
- However, with the inclusion of the Main Modifications, the Local Plan is sound and capable of adoption.
- All legal requirements have been met, including the Duty to Co-operate with neighbouring authorities.



# Summary of the Main Modifications

- Main modifications are those which are required to make the plan sound.
- These were approved for consultation by Council in October 2022, and subject to six week public consultation until December.
- They include;
  - Changes to policy to provide for at least 9560 new homes in line with a stepped trajectory.
  - Commitment to an early review of the plan, if required, following the outcome of the PfSH work to assess the sub regional unmet housing need
  - Commitment to an early review of the plan, if required, following the the monitoring of housing delivery.
  - Deletion of two housing allocations at Fareham Station East and Fareham Station West.
  - An amendment to the boundary of the Areas of Special Landscape Quality in Chilling/Brownwich to ensure it is justified.
  - Modification to the allocation at Land South of Longfield Avenue to include the addition of an agreed Masterplan and Supporting Principles in a new Appendix D, and the removal of the Strategic Gap designation.
  - Changes to the affordable housing policy to improve its clarity.
  - Changes to the policy approach to ensure the provision of self build and custom build homes is effective.
  - Minor changes to various policies to set out a positive strategy for the mitigation of climate change and the protection and enhancement of the natural and historic environments.

# Content of Inspector's report

## The Inspector's report discusses the following topics;

### 1. Legal requirements

- She concludes that we have met the Public Sector Equality Duty and Environmental Regulations (including the Sustainability Appraisal and Habitats Regulations requirements)
- She concludes that the Council has engaged constructively, actively and on an on-going basis.

### 2. Development Strategy

- She concludes that this is positively prepared and justified

### 3. Housing Provision and Requirement

- She concludes that the Plan's contribution to unmet need is not 'unreasonable' in the context of continuing PfSH work.
- The stepped requirement is justified and consistent with national policy

### 4. Housing Allocations

- Whilst there are a number of small modifications to policy, overall the sites are available, suitable for housing and deliverable (except the two Fareham station sites)
- The Broad Location of Housing Growth in the town centre has a 'reasonable prospect' of delivery.

# Content of Inspector's report (2)

## 5. Meeting the Housing Requirement

- She is satisfied that the Plan provides an adequate buffer of sites in case some sites fail to come forward or are delayed
- The Housing Trajectory is based on reasonable evidence and there is robust evidence to support the assumption that future windfall sites will contribute to the overall supply.
- The Council will be able to achieve a five-year housing land supply upon adoption of the plan.

## 6. Affordable Housing

- Plan makes appropriate provision to meet the identified need for affordable housing and the policy is justified and effective

## 7. Housing Policies

- Subject to a few modifications to the wording of policies, the policies on housing matters, including adaptable dwellings, dwellings for older people and for those who want to build their own homes are justified and effective.

## 8. Employment needs and site allocations

- The approach to employment needs is effective and consistent with national policy

## 9. Retail and Town Centre Development

- Policies within this chapter are justified and effective.

# Content of Inspector's report (3)

## 10. Natural Environment and Green Infrastructure

- Modification to the Biodiversity Net Gain policies to align with legislation and removal of policy requirement for EV charging points on new dwellings, which is now part of the Building Regulations.
- Policies within this chapter are justified and effective.

## 11. Transport and Infrastructure

- Satisfied that the traffic impacts of the Local Plan growth can be appropriately mitigated, and that they would not have an unacceptable impact on highway safety, nor would the cumulative impacts be severe.
- Effective provision is made for development schemes to contribute towards the delivery of new or improved infrastructure.

## 12. Climate Change, Design and the Historic Environment

- Minor changes to the policy to recommended SuDs on minor development
- Modifications to ensure that the policy, Vision and Strategic Priorities of the Plan take account of locally distinctive design
- Policies on Historic Environment are consistent with national policy and effective.

## 13. Implementation and Monitoring Framework

- Revised monitoring indicators that will monitor the effectiveness of policies.

# Next steps

- Executive (3<sup>rd</sup> April) to consider the report and recommend to Council that they resolve to adopt the Plan.
- Council meeting on 5<sup>th</sup> April to consider adoption.
- Adoption version of the Plan has been prepared and is available as part of the papers for those meetings.
- Upon adoption, this Plan would be used to determine planning applications in the Borough, alongside the Welborne plan for the garden village.
- If the Council chose not to adopt, we would need to start the plan-making process again.
- This could leave us exposed to speculative applications with an increasingly out-of-date suite of policies in the current Local Plan. This could lead to further costly and resource-intensive planning appeals, and increased scrutiny by Government on our appeals performance.

# Draft Self & Custom Build Supplementary Planning Document (SPD)

# What is Self & Custom Build?

Defined by the Self-build and Custom Housebuilding Act 2015:

“self-build and custom housebuilding” means the building or completion by— (a) individuals, (b) associations of individuals, or (c) persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals.

Can be simplified as: A home built to the plans or specifications decided by the occupant.

# Background: Self & Custom Build Regulation

Local Planning Authorities have the following duty in relation to Self and Custom Build Housing:

## **Self-build and Custom Housebuilding Act 2015:**

- keep and publicise a Register of people who want to self/custom build in their area;
- have regard to the Register when exercising planning, housing, land disposal, regeneration functions

## **Housing and Planning Act 2016:**

- duty on Councils to meet demand by granting 'development permissions' for enough serviced plots to meet demand on rolling annual basis (three years to deliver, as evidenced by registered needs)

## **Fareham's Self & Custom Build Register**

- created in April 2016 - evidences the level of S&CB need.
- Self & Custom Build Register webpage
- Register is split into 2 parts
- Annual reporting



# Self & Custom Build in Fareham – the story so far...

**2015** - Welborne Local Plan Part 3 adopted which includes a policy for the provision of 60 Custom-Build Dwellings (WEL21).

**2016** – creation of Self & Custom Build Register in accordance with regulation.

**2018** – Executive approve the implementation of the Self-Build and Custom House Building Action Plan.

**2018** - Fareham Borough Council host for Right to Build Expo by National Custom & Self-Build Association (NaCSBA), the Right-to-Build Taskforce and Wood for Good, in partnership.

**2018-2020** - Local Plan preparation – includes Self and Custom Build percentage policy (HP9), percentage requirement informed by Self and Custom-Build Register. Local Plan also includes the Small Scale Development outside Urban Areas policy (HP2) to support small scale and individual self-builders, a specific site allocation for Self and Custom-Build is included in the emerging plan, Land east of Bye Road HA33, Some of the housing in HA1 is coming forward as self-build.

**2018-2022** - Policy tested through Local Plan consultations and at examination hearings and **found sound by the Inspector**, subject to modification.

**2021** – Outline planning permission granted for 4 self build dwellings on Council land at Sea Lane, Stubbington

**2021/22** – Self-Build sites at Greenaway Lane (Warsash Cluster) and Bye Road underway.

**2023** - Preparation of Self and Custom Build Supplementary Planning Document

# Emerging Local Plan Policy

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

Proposals that provide for self and/or custom build homes within the Urban Area boundary, as defined on the policies map, will be supported in principle.

On sites of 40 dwellings or more (gross), 10% of the overall dwellings shall be provided through the provision of plots for sale to address local self or custom build need.

Such provision shall:

- a) be provided as serviced plots; and

- b) ideally be provided in grouped plots; and
- c) ensure design parameters are in place to provide a framework that takes account of the existing and emerging built form; and
- d) ensure design parameters are in place that ensure no significant detrimental impact on the amenity of existing, and potential neighbouring, self or custom build plots arises.

Plots which are marketed appropriately but not sold within 12 months of initial promotion, may be developed for housing other than as self and/or custom build homes.

Sites that appear to have been subdivided for the purposes of application submission so as to avoid the 40 dwelling threshold, or sites that feature as part of cluster of adjoining development sites, shall be considered cumulatively and if progressed on an individual basis 10% of dwellings shall be provided in accordance with this policy.

Where a site's size and density make it unsuitable for self/custom build provision, exemption from the policy will be considered on an individual basis. For example, where the sites' housing type or mix would not meet the needs identified by the Council's Self and Custom Build Register.

For sites where housing delivery will come through multiple phased applications, each phase will be expected to meet the 10% policy requirement unless there is clear evidence of lower demand. In such instances the delivery requirement for self and custom build homes will be considered on an individual basis.

# Self & Custom Build in Fareham



Bye Road



HA1 – Warsash Cluster: Greenaway Lane

## Emerging Local Plan Allocations:

- HA1 – Warsash Cluster: Greenaway Lane
- HA33 – Bye Road
- HA55 – Longfield Avenue
- HA56 – Downend West

## Other Opportunities:

- Welborne
- Sea Lane, Stubbington

# The draft Self and Custom Build SPD

## SPD will:

- Provide clarity on what Self & Custom Build Housing is
- Build upon and provide more detailed advice & guidance on HP9, the Self & Custom Build Policy
- Set out the Planning Policy Context
- Provide guidance for individuals seeking to undertake Self & Custom Build
- Set out what is expected of developers when submitting applications caught by Policy HP9.

# Next Steps

- SPDs require consultation but not independent examination
- Presenting SPD to Executive in May for approval to consult
- Consultation to take place in May/June
- Adoption to take place Summer 2023

