

FAREHAM BOROUGH COUNCIL

Town and Country Planning Act 1990 – Section 78

Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000

APPENDICES TO ADDENDUM PROOF OF EVIDENCE

Of

Ms Jane Parker BA (Hons), MA, MRTPI

On behalf of the Local Planning Authority

CO-JOINED INQUIRY

Outline application with all matters reserved (except for access) for the demolition of existing buildings and development of up to 75 dwellings, open space, vehicular access point from Newgate Lane and associated and ancillary infrastructure

**LAND AT NEWGATE LANE NORTH, FAREHAM
Appeal by Fareham Land LP**

Planning Inspectorate Reference: APP/A1720/W/20/3252180

Fareham Borough Council Reference: P/18/1118/OA

AND

Outline Planning Permission For The Demolition Of Existing Buildings And Development Of Up To 115 Dwellings, Open Space, Vehicular Access Point From Newgate Lane And Associated And Ancillary Infrastructure, With All Matters Except Access To Be Reserved.

**LAND AT NEWGATE LANE SOUTH, FAREHAM
Appeal by Bargate Homes Ltd**

Planning Inspectorate Reference: APP/A1720/W/20/3252185

Fareham Borough Council Reference Ref: P/19/0460/OA

APPENDIX 5

Site Delivery Updates December 2020

APPENDIX 5:
Five-year position statements – October 2020

Five-year positions statements

Land east of Brook Lane, Warsash	p2
Land to the east of Brook Lane and west of Lockswood Road (Land south of Greenaway Lane)	p6
Land east of Brook Lane (south), Warsash	p12
Warsash Maritime Academy	p16

Five-year position statement

SHELAA Site reference: 2849

Input address: Land to the East of Brook Lane, Warsash

Date of permission:	P/16/1049/OA allowed on 17 May 2018
Applicants name:	Taylor Wimpey UK Ltd
Application progress:	Outline application allowed at appeal May 2018. Reserved matters application P/19/0313/RM submitted 25 March 2019. Amended plans due to be submitted to FBC in November 2020
Site assessment progress:	A reserved matters application has been submitted and the applicant is working on amendments to address issues raised in the consultation responses. Amended

	plans due to be submitted November 2020.
Viability/ Ownership/ Infrastructure:	No issues
Will the proposed development be nitrate neutral? Do you have an on-site solution to meet this requirement?	It is intended that the proposed development will offset its nitrogen load through contributions to an off-site mitigation scheme.
If not, how much off-setting land would you require under Natural England's nutrient neutrality methodology? http://www.fareham.gov.uk/PDF/planning/SolentNutrientAdviceV2June2019.pdf	<p>Natural England published updated guidance in March 2020 so the final nitrogen load of the proposed development has yet to be calculated in accordance with this methodology. Furthermore, the amount of off-setting land required depends on its current and proposed use because different uses have different nitrogen loads.</p> <p>The Hampshire and Isle of Wight Wildlife Trust has set out a methodology for calculating financial contributions. Taylor Wimpey are exploring if a contribution through this scheme could off-set the development's impact and are also considering other options for offsetting.</p>

If off-site mitigation was not available, how would that affect delivery of the site? For example, yields to be reconsidered, delivery postponed until a solution is found, the development would be rendered unviable.	Other solutions would be actively explored by the applicant. Delivery would be postponed until a solution is found.
What is the current land use and what evidence do you have of that over the past ten years?	Grassland
Do you want more information on the issue of nitrate neutrality before you can answer these questions?	No
Lead in time (years):	0
Build rate (per annum):	See below
Total units (as per application):	85

Delivery period

Year 1; 2020/21:	0
Year 2; 2021/22:	0
Year 3; Year 3; 2022/23:	35
Year 4; Year 4; 2023/24:	50
Year 5; 2024/25:	0
April 2025 onwards:	0

I agree that, to the best of my knowledge, the above information is an accurate assessment of the deliverability of the above site at this current time:

Signed:



Print Name: Simon Packer

Organisation: Turley

Date: 21 October 2020

Five-year position statement

SHELAA Site reference: 3056

Input address: Land South of Greenaway Lane, Warsash



	Statement as of Feb 2020	Statement as of Oct 2020
Planning Application number and date of planning permission if applicable, or anticipated date of application submission	We are waiting for the release of the permission	P/17/0470/EA
Applicants name:	Land and Partners Ltd	No change
Application progress:	We are waiting for the release of the permission	No change
Site assessment progress:	All surveys completed. There are no constraints	No change
Have there been any changes to the site's ownership, viability or infrastructure requirements since last contact with the Council? (if yes please provide details)	All of the land is under option to Land and Partners Ltd	No change

Will the proposed development be nitrate neutral? Do you have an on-site solution to meet this requirement?	No No	No, possibly
If not, how much off-setting land would you require under Natural England's nutrient neutrality methodology? www.fareham.gov.uk/PDF/planning/SolentNutrientsV5June2020.pdf	Our consultants, White Young Green, are in the process of calculating the Nitrate Load figure this development will produce as well as the subsequent mitigation strategy required. At present, we do not have the most up-to-date Nitrate Load for the site but from previous workings we estimate up to 2 hectares of off-site cereals to open space would be required.	No change
If off-site mitigation was not available, how would that affect delivery of the site? For example, yields to be reconsidered, delivery postponed until a solution is found, the development would be rendered unviable.	We are party to the Hampshire & Isle of Wight Wildlife Trust mitigation strategy but also have various possible private off-setting land solutions at our disposal.	delivery postponed until a solution is found

<p>What is the current land use and what evidence do you have of that over the past ten years?</p>	<p>There is a mix of uses on the site. The majority of the site consist of horticultural units such as Greenhouses and Polytunnels which are still in operation today. There are a number of horticultural units that are on site but have not been operational in the last ten years (these have not been included in our nutrient neutrality methodology). There are areas of uncut low-lying grassland. There is one occupied dwelling and associated garden on the site which is considered as 'Urban Land' under the Natural England's nutrient neutrality methodology. We have compiled an Evidence Pack to justify the existing uses of the site over the last ten years. The Council's Case Officer has visited the site this year and confirmed our evidence reflects what is on site.</p>	<p>No change</p>
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Do you want more information on the issue of nitrate neutrality before you can answer these questions?	We will need further information on Fareham's position regarding off-site mitigation strategies before we can answer all of the above questions in full.	No
Lead in time (years):	One year	No change
Build rate (per annum):	50 dwellings per annum	No change
Total units (as per application):	157	No change

Delivery period

	Statement as of Feb 2020	Statement as of Oct 2020
Year 2020/21:	NIL	No change
Year 2021/22:	50	25
Year 2022/23:	50	50
Year 2023/24:	57	50
Year 2024/25:	Site development completed	32
Year 2025/26:		
April 2026 onwards:		

I agree that, to the best of my knowledge, the above information is an accurate assessment of the deliverability of the above site at this current time:



Signed:

Print Name: Bryan S. Jezeph

Organisation: BJC Planning

Date: 22 October 2020

Five-year position statement

Sites with resolution to grant planning permission:

Planning reference number: P/17/0752/OA SHELAA Site reference: 3019

Input address: Land East of Brook Lane (South), Warsash



	Statement as of Feb 2020	Statement as of Oct 2020
Planning Application number and date of planning permission if applicable, or anticipated date of application submission	N/A	
Applicants name:	Bargate Homes	Bargate Homes
Application progress:	P/17/0752/OA- Resolution to grant subject to S106	P/17/0752/OA- Resolution to grant subject to S106
Site assessment progress:	Site is technically deliverable	Site is technically deliverable
Have there been any changes to the site's ownership, viability or infrastructure requirements since last contact with the Council? (if yes please provide details)	Under option to Bargate Homes	Now owned by Vivid in its entirety (Bargate's Parent Company)

Will the proposed development be nitrate neutral? Do you have an on-site solution to meet this requirement?	No	No
If not, how much off-setting land would you require under Natural England's nutrient neutrality methodology? www.fareham.gov.uk/PDF/planning/SolentNutrientsV5June2020.pdf	177.99 kg/TN/yr.	177.99 kg/TN/yr.
If off-site mitigation was not available, how would that affect delivery of the site? For example, yields to be reconsidered, delivery postponed until a solution is found, the development would be rendered unviable.	Delivery postponed until a solution is found	Delivery postponed until solution is found. Agreement in principle with HIWWT to use Little Duxmore Farm, no contracts signed.
What is the current land use and what evidence do you have of that over the past ten years?	Please refer to HRA submitted under P/17/0752/OA. Jean Chambers has the latest information.	Please refer to HRA submitted under P/17/0752/OA.
Do you want more information on the issue of nitrate neutrality before you can answer these questions?	Yes, however we are working with the Wildlife Trust to offset the nitrogen load from this site. Delivery rates cannot be	No

	confirmed until this is resolved with FBC.	
Lead in time (years):	TBC	Depends on when HIWWT issue their 'Developer Pack' and when FBC issue delegated decision
Build rate (per annum):	TBC	TBC
Total units (as per application):	140 (note Reserved Matters pre-app request is for circa 110-120 units). All Nitrogen budgets are based on 140	Phase 1 Reserved Matters will be submitted for 80 units and public open space following issue of Reserved Matters consent. Delivery of the eastern portion of the site and the remainder of the units (circa 30 to 40) will be assessed next year when there is more certainty in the market

Delivery period

	Statement as of Feb 2020	Statement as of Oct 2020
Year 2020/21:	TBC	Outline Permission Granted
Year 2021/22:	TBC	Reserved Matters submitted and granted for circa 80 units. Review number of units for remainder of site
Year 2022/23:	TBC	20
Year 2023/24:	TBC	40
Year 2024/25:		20 (remainder of 30 to 40 units TBC)
Year 2025/26:		
April 2026 onwards:		

I agree that, to the best of my knowledge, the above information is an accurate assessment of the deliverability of the above site at this current time: **PLEASE NOTE THE TIMESCALES FOR DELIVERY ARE ASSUMPTIONS AND ENTIRELY DEPENDENT ON FBC DECIDING APPLICATIONS AS DETAILED ABOVE**

Signed:
 Print Name:
 Organisation:
 Date:



Paul Thomas, Bargate Homes, 22nd October 2020

Five-year position statement**FAREHAM**
BOROUGH COUNCIL

SHELAA Site reference: 3088

Input address: Warsash Maritime Academy

Statement as of Oct 2020

Planning Application number and date of planning permission if applicable, or anticipated date of application submission:	No current or previous planning permission. Submission of application anticipated
Applicants name:	Solent University and Metis Homes (prospective purchaser of site from Solent University)
Application progress (if applicable):	No application. Pre-application dialogue with FBC
Site progress:	Terms for Disposal of Site to Develop agreed.
Have there been any changes to the site's ownership, viability or infrastructure requirements since last contact with the Council? (if yes please provide details)	No
Will the proposed development be nitrate neutral? Do you have an on-site solution to meet this requirement?	<p>Policy requires that the development should be nitrate neutral.</p> <p>Possible approaches are being considered.</p> <p>Site has previously been used as part of the Warsash Campus of Solent University including student residential accommodation which will need to be taken into account in calculating the site nitrogen budget.</p> <p>Once the budget has been calculated, an on-site solution may be available. At present it cannot be confirmed whether there will be an on-site solution.</p>

If not, how much off-setting land would you require under Natural England's nutrient neutrality methodology? www.fareham.gov.uk/PDF/planning/SolentNutrientsV5June2020.pdf	To be confirmed.
If off-site mitigation was not available, how would that affect delivery of the site? For example, yields to be reconsidered, delivery postponed until a solution is found, the development would be rendered unviable.	To be confirmed.
What is the current land use and what evidence do you have of that over the past ten years?	Part of Solent University Campus at Warsash. There is clear documentary evidence of the use over the last 10 years and beyond.
Do you want more information on the issue of nitrate neutrality before you can answer these questions?	No
Lead in time (years):	1-2
Build rate (per annum):	50
Total units (as per application):	150

Delivery period

Year 2020/21:	0
Year 2021/22:	100
Year 2022/23:	50
Year 2023/24:	0
Year 2024/25:	0
Year 2025/26:	0

April 2026 onwards:	0
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I agree that, to the best of my knowledge, the above information is an accurate assessment of the deliverability of the above site at this current time:

Signed:



Print Name: Mervyn McFarland

Organisation: Turley

Date: 26 October 2020

APPENDIX 6

Officer Report for Committee (18/11/2020) - Land
Rear of 403 Hunts Pond Road, Locks Heath
(P/19/0183/FP)

OFFICER REPORT FOR COMMITTEE

DATE: 18/11/2020

**P/19/0183/FP
IMPERIAL HOMES SOUTHERN LTD**

**TITCHFIELD COMMON WARD
AGENT: SENNITT PLANNING**

RESIDENTIAL DEVELOPMENT OF 16 HOUSES, TOGETHER WITH ACCESS ROAD, LANDSCAPING AND PARKING

LAND REAR OF 403 HUNTS POND ROAD, LOCKS HEATH

Report By

Peter Kneen – direct dial: 01239 824363

1.0 Introduction

- 1.1 The application has received fifteen third party representations of objection.
- 1.2 Members will note from the 'Five Year Housing Land Supply Position' report considered at the June 2020 Planning Committee that this Council currently has a housing land supply of 4.03 years. The site is a Housing Allocation (Housing Site H9) within the Adopted Local Plan, and therefore the principle of the residential development of the site has already been established.
- 1.3 To meet the Council's duty as the Competent Authority under the Conservation of Habitats and Species Regulations 2017 ("the Habitat Regulations"), an Appropriate Assessment is required to consider the effect of the development on the protected sites around the Solent. An Appropriate Assessment has been undertaken as part of the consideration of this application, and concluded that the development proposal will not have an adverse effect on the integrity of the protected sites around the Solent. Further details of this have been set out in the following report.

2.0 Site Description

- 2.1 The application site is located on the eastern side of Hunts Pond Road, towards its southern end, close to the roundabout with Warsash Road. The site would be accessed via Noble Road, the modern housing development to the north of the site. The site is bounded by residential development to the north, south and west, and forms the final element of an existing, adopted housing allocation from the Adopted Part 2 Local Plan.
- 2.2 The site is currently used as paddocks for the grazing of horses and includes a manège. To the east of the site lies The Wilderness Site of Importance for Nature Conservation (SINC), which runs north – south along the western side of Warsash Road. The SINC also comprises significant electric pylons.

2.3 The site is located within the Western Wards. The Western Wards comprise a wide range of services and facilities, including schools, employment, retail and leisure facilities. The Western Wards are well connected to public transport with bus services along Warsash Road and Hunts Pond Road, connecting the site to the rest of the Western Wards and to Fareham.

3.0 Description of Proposal

3.1 The development proposes the construction of 16 dwellings, comprising a mix of two, three and four bedroom houses, all of which would be provided as affordable houses. Since the original planning application was submitted, the scheme has been re-designed to address considerable Officer and third-party concerns with the original layout.

3.2 The re-designed layout included the re-siting of the estate road, in order to address concerns of overlooking and the impact of an access road running immediately adjacent to neighbours' gardens. The revised layout includes a centrally located road, ensuring vehicle movements are kept away from neighbouring occupiers. An area to the eastern end of the site, within the exclusion area of the electricity pylons, would be converted to a natural habitat to support the adjacent SINC, whilst also containing a balancing pond to address surface water disposal.

3.3 Each of the properties comprises car parking spaces to accord with the adopted parking standards, together with a provision of visitors' spaces. The application has been supported with detailed ecological reports, a transport assessment, statement of community involvement, flood risk assessment and drainage strategy and an air quality ecological impact assessment, together with a detailed planning statement.

4.0 Policies

4.1 The following policies apply to this application:

Adopted Fareham Borough Core Strategy

CS2:	Housing Provision;
CS4:	Green Infrastructure, Biodiversity and Geological Conservation;
CS5:	Transport Strategy and Infrastructure;
CS6:	The Development Strategy;
CS9:	Development in the Western Wards and Whiteley;
CS15:	Sustainable Development and Climate Change;
CS17:	High Quality Design;
CS18:	Provision of Affordable Housing;
CS20:	Infrastructure and Development Contributions;
CS21:	Protection and Provision of Open Space.

Adopted Development Sites and Policies

- DSP1: Sustainable Development;
DSP2: Environmental Impact;
DSP3: Impact on Living Conditions;
DSP5: Protecting and Enhancing the Historic Environment;
DSP13: Nature Conservation;
DSP15: Recreational Disturbance on the Solent Special Protection Areas;
- Housing Site H9: Land to the rear of 399-417 Hunts Pond Road

Other Documents:

Fareham Borough Design Guidance: Supplementary Planning Document (excluding Welborne) December 2015
Residential Car Parking Standards 2009

5.0 *Relevant Planning History*

- 5.1 No recent relevant planning history regarding the site. It is important to highlight however that the site represents the final element of the allocated housing site (Housing Site H9) of the adopted Part 2 Local Plan. The housing allocation identified the site as having a potential capacity of approximately 20 dwellings. Two earlier applications on land to the south of the site have already been built out and comprise 16 dwellings between them (6 dwellings on the southern part of the allocation, and 10 dwellings on the central part of the allocation). The two earlier developments have separate access points directly onto Hunts Pond Road.

6.0 *Representations*

- 6.1 Fifteen third party representations of objection have been received to the planning application. Of the 15 received, 12 related to the original planning application submission, and 3 further letters of objection were received to the revised layout. The objections received raise the following concerns:

- Disruption during the construction period;
- Loss of a greenfield site;
- Car parking issues would be exacerbated by the proposals;
- Loss of privacy;
- Removal of hedges within the boundaries to the site;
- Light pollution to existing residential properties;
- Poor layout and design;
- Highway safety concerns;
- Three storey houses would result in excessive overlooking;
- Flood risk and drainage issues;

- Loss of habitat/ecology/biodiversity;
- Overshadowing;
- Noise pollution;
- Pressure on local services and infrastructure;
- No green spaces being provided; and,
- Loss of protected trees in the site.

7.0 Consultations

EXTERNAL

Hampshire County Council – Highway Authority

7.1 No objection, subject to appropriate conditions.

Hampshire Country Council – Lead Local Flood Authority

7.2 No objection, subject to conditions.

Hampshire County Archaeologist

7.3 No objection.

Southern Water

7.4 Proposed foul sewerage drainage is not acceptable as not designed to adoptable standards. If the applicant or developer proposes to offer a new on-site foul sewerage pumping station for adoption as part of the public foul sewerage system, this would have to be designed and constructed to adoptable standards and specification of Southern Water Ltd. Subject to this being provided, no objection. Condition requiring the information to be provided, in consultation with Southern Water would need to be included.

Natural England

7.5 Further information required to assess the impact of the development on the protected sites around the Solent. No objection to recreational disturbance of the Solent, subject to mitigation. Biodiversity enhancement – no objection subject to mitigation. Appropriate buffers to the adjacent Kites Croft LNR and The Wilderness SINC would need to be secured.

Hampshire Fire and Rescue Services

7.6 No objection. Building must be undertaken in full compliance with the latest building regulations.

INTERNAL

Ecology

7.7 No objection, subject to appropriate conditions.

Refuse and Recycling

7.8 No objection, subject to appropriate sweep path plan for refuse vehicles being provided.

Open Spaces Manager

7.9 No objection. FBC would not want to take on responsibility for any open spaces on the site however.

Environmental Health (Contaminated Land)

7.10 No objection. Recommend informative.

Environmental Health (Noise and Pollution)

7.11 No objection.

Tree Officer

7.12 No objection. Detailed landscaping and tree planting scheme required.

Affordable Housing Officer

7.13 No objection to suitably worded condition to ensure the supply of the policy compliant level of affordable housing.

Transport Planner

7.14 No objection, subject to conditions.

8.0 *Planning Considerations*

8.1 The following matters represent the key material planning considerations which would need to be assessed to determine the suitability of the development proposal. The key issues comprise:

- a) Principle of Development;
- b) Design and Layout;
- c) Impact on Living Conditions of Neighbours;
- d) Ecology and the Environment;
- e) Highways and Car Parking;
- f) Affordable Housing.

a) Principle of Development

- 8.2 The application site forms part of the adopted Housing Allocation within the Adopted Part 2 Local Plan (Development Sites and Policies) 2015. Therefore, the principle of residential development on the site has been considered and established through the last Local Plan review and was subsequently allocated as Housing Site H9. The site, which formed part of a wider development area to the south has already been largely built out, with two earlier applications having already been constructed, providing 16 new dwellings within the H9 Allocation. The remaining area of land is the largest parcel remaining of the allocation and is proposed to be developed with 16 new dwellings.
- 8.3 As the site is allocated within the Adopted Local Plan, the land is considered to be located within the designated Urban Area of the Western Wards. The development of the site is therefore considered to accord with Policies CS2, CS6 and CS9 of the Core Strategy.

b) Design and Layout

- 8.4 Since the original planning application was submitted, the layout of the scheme has been completely redesigned in order to address a number of concerns raised by Officers. The current scheme presented to the Planning Committee represents a scheme that follows detailed discussions with Officers and has sought to address a number of concerns raised by neighbours to the original layout.
- 8.5 The original layout included the provision of an estate road skirting around the perimeter of the site, which resulted in an access road running the length of the neighbours' garden to the south, and included three storey houses centrally within the site which would have led to significant loss of privacy to occupiers to both the north and south. These elements have been removed from the current design and layout.
- 8.6 The layout now ensures that private gardens are located adjacent to private gardens, reducing the impact of street lighting and vehicle movements impinging on the enjoyment of private rear garden spaces. The three storey houses have also been removed, with the site limited to two storey and two and a half storey dwellings. This results in a softer transition from the higher density developments along Bedford Drive (to the north) to the lower density dwellings along Willow Brook Close (to the south).
- 8.7 Each of the proposed dwellings comprises private rear gardens of 11 metres or longer, in compliance with the adopted Design Guidance, and the site has been designed to accommodate private front gardens and areas of definable landscaped areas to soften the appearance of the development in the street

scene. Backland parking courtyards have been avoided as they have been poorly utilised locally, with almost all the properties having direct access to the car parking outside their properties. Where parking courtyards have been provided, they have been designed to incorporate sufficient areas of soft landscaping to ensure the level of hardstanding and blocks of car parking is minimised and softened.

- 8.8 The design and appearance of the dwellings, all of which are semi-detached, incorporate a variety of design finishes ensuring a high level of overlooking and connectivity to the public domain and interest in the street scene.
- 8.9 Overall, it is considered that the design and layout of the proposals represent an acceptable design solution to the final element of this Housing Allocation, whilst also making efficient use of the site, a good level of soft landscaping and private amenity space for the individual properties, many of which exceed the minimum standard required by the adopted Design Guidance. The development is considered to represent good quality design, in accordance with the principles of Policy CS17.

c) Impact on Living Conditions of Neighbours

- 8.10 The Council's Adopted Design Guidance sets out a requirement of a minimum of 11 metres for private rear gardens and a minimum of 22 metres from first floor windows to first floor windows to ensure adequate levels of separation and to protect the living conditions of existing and future occupiers. The proposals incorporate these elements into the scheme.
- 8.11 The development is located to the south of properties along Bedford Drive, with Plots 1, 7, 14 and 15 lying adjacent to the northern boundary. Plot 1 would be located over 4 metres from the boundary with 4 Noble Road (to the northwest), the siting of plot 1 would not result in an unacceptable adverse loss of sunlight to the adjoining garden.
- 8.12 Plot 7 would be located a 1 metre from the party boundary with 3 Noble Road; the dwelling at 3 Noble Road is however located 6 metres away from its shared boundary to the site, and therefore it is considered that the level of overshadowing would diminish into the latter part of the day, ensuring no unacceptable adverse impact on the use of their garden area.
- 8.13 The side elevation of Plot 14 would be located almost 15 metres from the rear of the property at 16 Bedford Drive, with the proposed dwelling itself set around 4 metres from the shared boundary. It is therefore considered that any level of overshadowing would not be unacceptable, and would not impact

the immediate rear elevation of 16 Bedford Drive, which is orientated to the south.

- 8.14 Finally, Plot 15 would be located around 4 metres from the shared boundary with 24 Bedford Drive. Number 24 Bedford Drive is a flat and the area immediately to the north of the planning application site is a parking courtyard. It is considered that the development would not have an unacceptable impact on the living conditions of occupiers of the neighbouring properties to the north.
- 8.15 Representations of objection have also been received from the occupiers of properties on Lynn Crescent, to the northwest of the site, the closest of which, 10 Lynn Crescent, would be located approximately 18 metres away. They have raised concerns regarding overlooking and loss of sunlight into their gardens from Plots 1-6 of the development. The properties on Lynn Crescent are oriented to the south, and none of the proposed dwellings would be directly behind these properties. There would not therefore be any unacceptable adverse loss of light to these dwellings. Further, whilst there would be some oblique overlooking due to the proposed development, no window on the proposed development would have a direct line of sight into these gardens, and the proposals therefore accord with the requirements of the Design Guidance. The nearest direct line of sight window would be to the rear elevation of properties fronting Hunts Pond Road, the closest of which would be in excess of 55 metres away to the southwest of the site, far in excess of the minimum 22 metres sought in the Design Guidance.
- 8.16 In terms of the impact on the living conditions of occupiers to the south, there would be no loss of light due to the orientation of the development. Additionally, there would be no windows serving habitable rooms with a direct line of sight into the private gardens (unlike the original scheme) of the neighbouring properties on Willow Brook Close. It is therefore considered that the proposals would not have an unacceptable adverse impact on the living conditions of neighbouring occupiers, and the scheme represents a significant improvement to the original submission.
- 8.17 Therefore, the proposed development is not considered to have an unacceptable adverse impact on the living conditions of neighbouring occupiers and accords with policies DSP2 and DSP3 of the Adopted Local Plan.

d) Ecology and the Environment

- 8.18 The application has been subject to detailed consultations with the Council's Ecologist and has been supported by Ecological Appraisals that address the

initial concerns raised by the Council's Ecologist regarding the effect of the development on protected species on and around the site.

- 8.19 A number of third party comments received have raised concern that the development of this site will result in the loss of a valuable area of undeveloped land at the southern end of Hunts Pond Road, which has seen considerable levels of development over the past 20 years. Additionally, many residents are concerned that the development of the site will significantly change their living environment from an edge of settlement location to a dense, contained suburban environment. The site has long been established as an allocated housing site in the Adopted Local Plan, and where the Council has a significant shortage of housing, it is important to ensure that all new housing sites make the most efficient use of land, particularly where they are well contained by established residential development, subject to them creating attractive, well landscaped environments.
- 8.20 It is considered that the proposals not only have the support of the Council's Ecologist, but would also provide a lower density development than the neighbouring development along Bedford Drive, and represent a suitable transition towards the lower density developments to the south.
- 8.21 The development is likely to have a significant effect on the following designated sites in respect of recreational disturbance, air quality and water quality: Solent and Southampton Waters Special Protection Area and Ramsar Site, Portsmouth Harbour Special Protection Area and Ramsar Site, Solent and Dorset Coast Special Protection Area, Chichester and Langstone Harbours Special Protection Area and Ramsar Site, Solent and Isle of Wight Lagoons Special Area of Conservation and the Solent Maritime Special Area of Conservation – collectively known as the European Protected Sites (EPS). Policy CS4 sets out the strategic approach to biodiversity in respect of sensitive European sites and mitigation impacts on air quality. Policy DSP13 confirms the requirement to ensure that designated sites, sites of nature conservation value, protected and priority species populations and associated habitats are protected and where appropriate enhanced.
- 8.22 The Solent is internationally important for its wildlife. Each winter, it hosts over 90,000 waders and wildfowl including 10 percent of the global population of Brent Geese. These birds come from as far as Siberia to feed and roost before returning to their summer habitats to breed. There are also plants, habitats and other animals within the Solent which are of both national and international importance.
- 8.23 In light of their importance, areas within the Solent have been specially designated under UK/European law. Amongst the most significant

designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC).

- 8.24 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' if it can be shown that the proposed development will either not have a likely significant effect on designated European sites or, if it will have a likely significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated European sites. This is done following a process known as an Appropriate Assessment. The Competent Authority is responsible for carrying out this process, although they must consult with Natural England and have regard to their representations. The Competent Authority is the Local Planning Authority.
- 8.25 The Council has completed an Appropriate Assessment to assess the likely significant effects of the development on the EPS. The key considerations for the assessment of the likely significant effects are set out below.
- 8.26 Firstly, in respect of Recreational Disturbance, the development is within 5.6km of the Solent SPAs and is therefore considered to contribute towards an impact on the integrity of the Solent SPAs as a result of increased recreational disturbance in combination with other development in the Solent area. The applicants have made the appropriate financial contribution towards the Solent Recreational Mitigation Partnership Strategy (SRMP) and therefore, the Appropriate Assessment concludes that the proposals would not have an adverse effect on the integrity of the EPS as a result of recreational disturbance in combination with other plans or projects.
- 8.27 Secondly, in respect of Air Quality, Natural England has advised that the effects of emissions from increased traffic along roads within 200 metres of EPS has the potential to cause a likely significant effect. The applicant has submitted an Air Quality Ecological Impact Assessment to support the application to address this matter.
- 8.28 The AQEIA concludes that the proposed development would not have a significant effect, in combination with other plans or projects, on the integrity of the EPS. The Council is therefore content that the development would be acceptable in this respect.
- 8.29 Finally, in respect of the impact of the development on water quality as a result of surface water and foul water drainage, Natural England has highlighted that there is existing evidence of high levels of nitrogen and phosphorus in parts of The Solent with evidence of eutrophication. Natural England has further highlighted that increased levels of nitrates entering the

Solent (because of increased amounts of wastewater from new dwellings) will have a likely significant effect upon the EPS.

- 8.30 A nitrogen budget has been calculated in accordance with Natural England's *'Advice on Achieving Nutrient Neutrality for New Development in the Solent Region'* (June 2020) which confirms that the development will generate 11.3556 kg/TN/year. Due to the uncertainty of the effect of the nitrogen from the development on the EPS, adopting a precautionary approach, and having regard to NE advice, the Council will need to be certain that the output will be effectively mitigated to ensure at least nitrogen neutrality before it can grant planning permission.
- 8.31 The applicant has entered into a contract (conditional on the grant of planning permission) to purchase 11.5kg of nitrate mitigation 'credits' from the Hampshire and Isle of Wight Wildlife Trust (HIWWT). Through the operation of a legal agreement between the HIWWT, Isle of Wight Council and Fareham Borough Council dated 30 September 2020, the purchase of the credits will result in a corresponding parcel of agricultural land at Little Duxmore Farm on the Isle of Wight being removed from intensive agricultural use, and therefore providing a corresponding reduction in nitrogen entering the Solent marine environment. A condition will be imposed to ensure that the development does not commence on site until confirmation of the purchase of the credits from the HIWWT has been received by the Council.
- 8.32 The Council has carried out an appropriate assessment and concluded that the proposed mitigation and condition will be adequate for the proposed development and ensure no adverse effect on the integrity of the EPS either alone or in combination with other plans or projects. The difference between the credits and the output will result in a small annual net reduction of nitrogen entering the Solent.
- 8.33 Natural England has been consulted on the Council's Appropriate Assessment and agrees with its findings.
- 8.34 It is therefore considered that the development accords with the Habitat Regulations and complies with Policies CS4 and DSP13 and DSP15 of the adopted Local Plan.

e) Highways and Car Parking

- 8.35 The application has been subject to consultation with the Highway Authority (Hampshire County Council), and the Council's Transport Planner. No objection has been raised, subject to appropriate conditions on the operation or safety of the local highway network.

- 8.36 It is acknowledged that many third party comments raised concerns regarding the lack of car parking provision within the development, the lack of car parking in the existing estate and the subsequent knock-on effects the provision of 16 additional houses would bring. The current proposal meets adopted car parking standards, including the provision of visitors' spaces. It is acknowledged that the neighbouring residential streets do get congested at peak times in the evenings and weekends. However, many of those properties include garage spaces to achieve parking standards and Members are aware that those facilities are rarely used for parking, which has the effect of displacing cars to the public highway.
- 8.37 The current proposal does not incorporate garages, with only two properties including car ports, for which a proposed condition would restrict alterations to ensure it maintains an open frontage, ensuring its continued use for car parking. Further, many of the parking spaces in the neighbouring development include parking courtyards, which result in an inconvenient use for residents who are required to then walk to their properties, and in many cases results in spaces out of view of their houses. This results in them being poorly used. The current proposal ensures car parking spaces adjacent to their property, ensuring security for future occupiers. It is considered that these factors, together with a parking standard in accordance with adopted requirements and the provision of visitors' parking spaces, mean that it is likely that the proposals would not result in the need to make use of on-street car parking and would not therefore result in an unacceptable impact on the adjoining residential streets.

f) Affordable Housing

- 8.38 The application proposal has been submitted by Imperial Homes Ltd, although, following early discussions with the applicant, it was identified that the development would ultimately be provided to Vivid Homes Ltd as a wholly affordable housing scheme. The proposals are intended to be funded through grants by Homes England, for which no Section 106 Legal Agreement can be applied. Therefore, in order to ensure that, in the event that the scheme fails to be transferred to Vivid Homes Ltd, the minimum provision of 40% of the units would be provided as affordable housing, an appropriately worded condition has been provided in order to ensure compliance with Policy CS18 of the Local Plan.
- 8.39 This approach has been considered by the Council's Affordable Housing Strategic Lead who considers that the appropriately worded condition is robust enough in this instance to ensure the delivery of the minimum provision

of affordable housing, to meet the identified need in accordance with the NPPF and the adopted Local Plan Policy CS18.

- 8.40 In summary, notwithstanding the objections received, Officers consider that the proposals to develop the last part of this allocated housing site are acceptable and in accordance with this Council's relevant adopted planning policies.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development hereby permitted shall be commenced within three years of the date of this decision.

REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.

2. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:

- a) Location Plan (Drawing: 19011-2-PL-2-01);
- b) Site Layout (Drawing: 19011-2-PL-2-02 Rev B);
- c) Site Layout – Bedrooms (Drawing: 19011-2-PL-2-04 Rev B);
- d) Site Layout – Building Heights (Drawing: 19011-2-PL-2-05 Rev B);
- e) Figure Ground Diagram (Drawing: 19011-2-PL-2-07)
- f) Site Layout – Building Materials (Drawing: 19011-2-PL-2-08 Rev B);
- g) Site Layout – Parking/Bins (Drawing: 19011-2-PL-2-09 Rev B);
- h) 2 Bed House – Plans (Drawing: 19011-2-PL-3-01);
- i) 2 Bed House – Plans and Elevations (Drawing: 19011-2-PL-3-01);
- j) 3 Bed House – Type A – Plans (Drawing: 19011-2-PL-3-02);
- k) 3 Bed House – Type A – Elevations (Drawing: 19011-2-PL-3-03);
- l) 3 Bed House – Type B – Plans & Elevations (Drawing: 19011-2-PL-3-04);
- m) 3 Bed House – Type C – Plans & Elevations (Drawing: 19011-2-PL-3-05);
- n) 4 Bed House – Plans & Elevations (Drawing: 19011-2-PL-3-06);
- o) Car Port – Plans & Elevations (Drawing: 19011-2-PL-3-07); and,
- p) Indicative Street Scene Elevations (Drawing: 19011-2-PL-5-01).

REASON: To avoid any doubt over what has been permitted.

3. No development hereby permitted shall proceed beyond damp proof course level until details (including samples where requested by the Local Planning Authority) of all proposed external facing (and hardsurfacing) materials have been submitted to and approved by the Local Planning Authority in writing.

The development shall be carried out in accordance with the approved details.
REASON: To secure the satisfactory appearance of the development.

4. The first and second floor window(s) proposed to be inserted into the southern elevations of Plots 6, 10 and 11, and the northern elevations of Plots 1, 7, 14 and 15 of the approved development shall be:
 - a) Obscure-glazed; and
 - b) Of a non-opening design and construction to a height of 1.7 metres above internal finished floor level;and shall thereafter be retained in that condition at all times.

REASON: To prevent overlooking and to protect the privacy of the occupiers of the adjacent property(ies).

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting or amending that Order) there shall be no alterations or amendments to the permitted car port, including the provision of garage doors to the front elevation, without the grant of a separate planning permission from the Local Planning Authority.

REASON: To ensure adequate off-street car parking is retained on site.

6. Prior to development commencing full details of the tenure of all homes/plots at the site, including the type of affordable tenure, shall be submitted and approved in writing by the Local Planning Authority, comprising a minimum of 7no. of the homes shall be provided as Affordable Housing (as per the NPPF definition). Of the affordable homes provided on the site, a minimum of 5no. shall be at Social or Affordable Rent and the Affordable homes provided at Social/Affordable Rent shall include at least 2no. 3-bed and 1no. 4-bed properties.

All affordable homes provided on the site shall be provided and managed by a housing association, housing company or companies, or a trust registered as a registered social landlord pursuant to the Housing Act 1996, or a non-profit provider pursuant to section 80 of the Housing and Regeneration Act 2008. None of the properties shall be occupied until that party/provider have entered into a Nominations Agreement with Fareham Borough Council. No Affordable homes for rent shall have a rent set in excess of the Local Housing Allowance relevant for the site and property size.

All affordable homes provided on the site shall thereafter remain affordable unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the affordable provision reflects the housing needs of the local population, in accordance with the requirements of Policy CS18 of the adopted Local Plan. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate levels of affordable housing is provided and secured before works commence.

7. No development shall take place until details of the width, alignment, gradient and type of construction proposed for the roads, footways and access(es), including all relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels, together with details of street lighting and the method of disposal of surface water, and details of a programme for the making up of roads and footways have been submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure that the roads are constructed to a satisfactory standard.
8. No dwelling constructed on the site subject to this planning permission shall be first occupied until there is a direct connection from it, less the final carriageway and footway surfacing, to an existing highway. The final carriageway and footway surfacing shall be commenced within three months and completed within six months from the date upon which construction is commenced of the penultimate building/dwelling for which permission is hereby granted. The roads and footways shall be laid out and made up in accordance with the approved specification, programme and details.
REASON: To ensure that the roads and footways are constructed in a satisfactory manner.
9. The visitor parking spaces marked on the approved plans shall be kept available for visitors at all times and not be used for private purposes.
REASON: To ensure adequate off-street parking provision on site is maintained.
10. None of the dwellings hereby permitted shall be first occupied until the car parking area relating to them as shown on the approved plan have been laid out/constructed and made available. These areas shall thereafter be retained and kept available for their respective purposes at all times.
REASON: In the interests of highway safety.
11. No dwelling shall be occupied until the bin and cycle stores have been made available in accordance with the approved plans. These designated areas shall thereafter be kept available and retained at all times for the purpose of bin and cycle storage.
REASON: In the interests of visual amenity and in order to facilitate modes of transport alternative to the private car.
12. No development shall commence on site until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved CEMP (unless otherwise agreed in writing by

the local planning authority) which shall include (but shall not necessarily be limited to):

a) Details of how provision is to be made on site for the parking and turning of operatives/contractors'/sub-contractors' vehicles and/or construction vehicles;

b) The measures the developer will implement to ensure that operatives'/contractors/sub-contractors' vehicles and/or construction vehicles are parked within the planning application site;

c) Arrangements for the routing of lorries and details for construction traffic access to the site;

d) The arrangements for deliveries associated with all construction works, loading/ unloading of plant & materials and restoration of any damage to the highway;

e) The measures for cleaning the wheels and underside of all vehicles leaving the site;

f) A scheme for the suppression of any dust arising during construction or clearance works;

g) The measures for cleaning Noble Road and Bedford Place to ensure that they are kept clear of any mud or other debris falling from construction vehicles, and

h) A programme and phasing of the demolition and construction work, including roads, footpaths, landscaping and open space;

i) Location of temporary site buildings, compounds, construction material, and plant storage areas used during demolition and construction;

j) Measures to control vibration in accordance with BS5228:2009 which prevent vibration above 0.3mms⁻¹ at the boundary of the SPA;

k) Provision for storage, collection, and disposal of rubbish from the development during construction period;

l) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

m) Temporary lighting;

- n) Protection of pedestrian routes during construction;
- o) No burning on-site;
- p) Scheme of work detailing the extent and type of piling proposed;
- q) A construction-phase drainage system which ensure all surface water passes through three stages of filtration to prevent pollutants from leaving the site;
- r) Safeguards for fuel and chemical storage and use, to ensure no pollution of the surface water leaving the site.

REASON: In the interests of highway safety; To ensure that the occupiers of nearby residential properties are not subjected to unacceptable noise and disturbance during the construction period; In the interests of protecting protected species and their habitat; In the interests of protecting nearby sites of ecological importance from potentially adverse impacts of development. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.

13. The development hereby permitted shall proceed in accordance with the measures set out in the 'Mitigation, Compensation and Enhancement Recommendations' section of the Ecological Appraisal report by Emma Pollard (June 2019). Thereafter, the enhancements to include hedgehog homes, reptile hibernacula, Schwegler 1F bat tubes, dormouse boxes, swift nest boxes and swallow eaves shall be permanently maintained and retained in accordance with the approved details.

REASON: To ensure the protection of wildlife and a net gain in biodiversity.

14. Prior to commencement of the development hereby permitted, a ten year management plan for the management of the retained, enhanced and new habitats in the eastern buffer area shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To protect biodiversity and the adjacent non-statutory designated sites. The details secured by this condition are considered essential to be agreed prior to the commencement of the development on the site so that appropriate measures are in place to protect the local biodiversity of the area.

15. No dwelling shall be occupied until the Building Regulations Optional requirement of a maximum water use of 110 litres per day has been complied with.

REASON: In the interests of preserving water quality and resources.

16. Not to commence development unless the council has received the Notice of Purchase in accordance with the legal agreement between FBC, IWC and HIWWT dated 30 September 2020 in respect of the Credits Linked Land identified in the Nitrates Mitigation Proposals Pack.

REASON: To demonstrate that suitable mitigation has been secured in relation to the effect that nitrates from the development has on European protected sites.

17. No work on site relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised bank and public holidays, unless otherwise first agreed in writing with the Local Planning Authority.

REASON: To protect the occupiers of nearby residential properties against noise and disturbance during the construction period.

18. No development shall proceed beyond damp proof course level until a landscaping scheme identifying all existing trees, shrubs and hedges to be retained, together with the species, planting sizes, planting distances, density, numbers, surfacing materials and provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed and hardsurfaced, has been submitted to and approved by the Local Planning Authority in writing.

REASON: In order to secure the satisfactory appearance of the development; in the interests of the visual amenities of the locality

19. The landscaping scheme, submitted under Condition 18, shall be implemented and completed within the first planting season following the commencement of the development or as otherwise agreed in writing with the Local Planning Authority and shall be maintained in accordance with the agreed schedule. Any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To ensure the provision, establishment and maintenance of a standard of landscaping.

20. None of the development hereby approved shall be occupied until a plan of the position, design, materials and type of boundary treatment to be erected to all boundaries has been submitted to and approved in writing by the Local Planning Authority and the approved boundary treatment has been fully

implemented. It shall thereafter be retained at all times unless otherwise agreed in writing with the Local Planning Authority.

If boundary hedge planting is proposed details shall be provided of planting sizes, planting distances, density, and numbers and provisions for future maintenance. Any plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To protect the privacy of the occupiers of the neighbouring property, to prevent overlooking, and to ensure that the development harmonises well with its surroundings.

21. The development hereby permitted shall be undertaken in accordance with the Flood Risk Assessment and Drainage Strategy (prepared by Paul Basham Associates 134.5003/FRA/4 19.08.19) and Road Alignment (prepared by Paul Basham Associates 134.5003.001 27.09.19). The development shall be carried out in accordance with the approved details unless otherwise agreed with the Local Planning Authority in writing.

REASON: In order to ensure satisfactory disposal of surface water. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid adverse impacts of inadequate drainage.

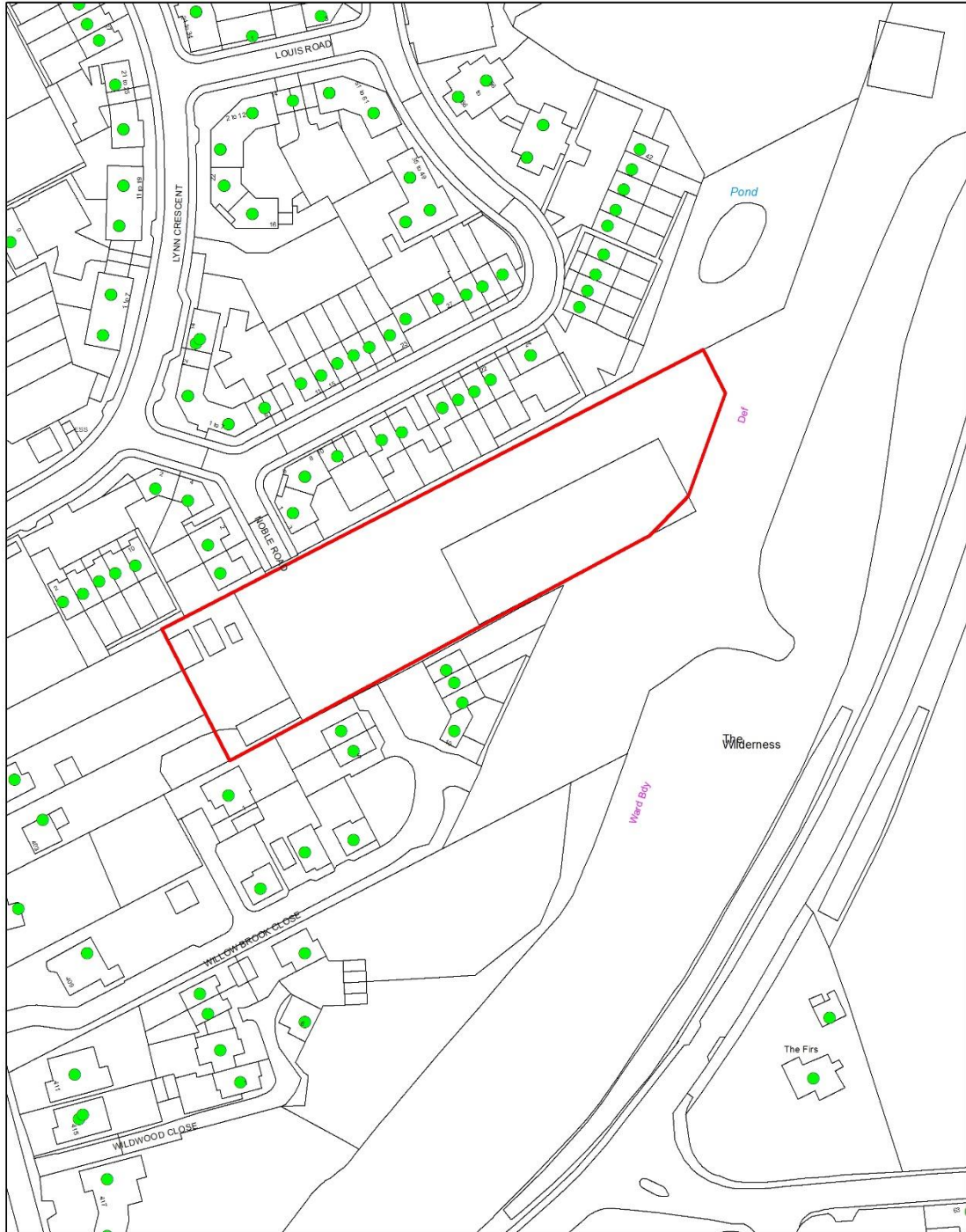
22. No development hereby permitted shall commence until details of the means of foul water drainage from the site have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details unless otherwise agreed with the local planning authority in writing.

REASON: To ensure satisfactory disposal of foul water. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid adverse impacts of inadequate drainage.

10.0 Background Papers

[P/19/0183/FP]

FAREHAM BOROUGH COUNCIL



403 Hunts Pond Road

Scale 1:1,250



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APPENDIX 7A

**BPMS – 201019 - Site Allocation – Little Duxmore
Farm for Imperial Homes (1,2500) – (Case ID –
311604-516)**

Location within county:



Little Duxmore Land Allocation

Issue Number - 201007 - 0003b

Imperial Homes South Ltd - Land rear of 403 Huntspond Road

Scale 1:2500

Hampshire and Isle of Wight Wildlife Trust
Beechcroft House, Vicarage Lane
Curdridge SO32 2DP
web: www.hiwwt.org.uk



Hampshire & Isle of Wight
Wildlife Trust

Allocated Land

Imperial Homes South -
Land rear of 403 Huntspond
Road

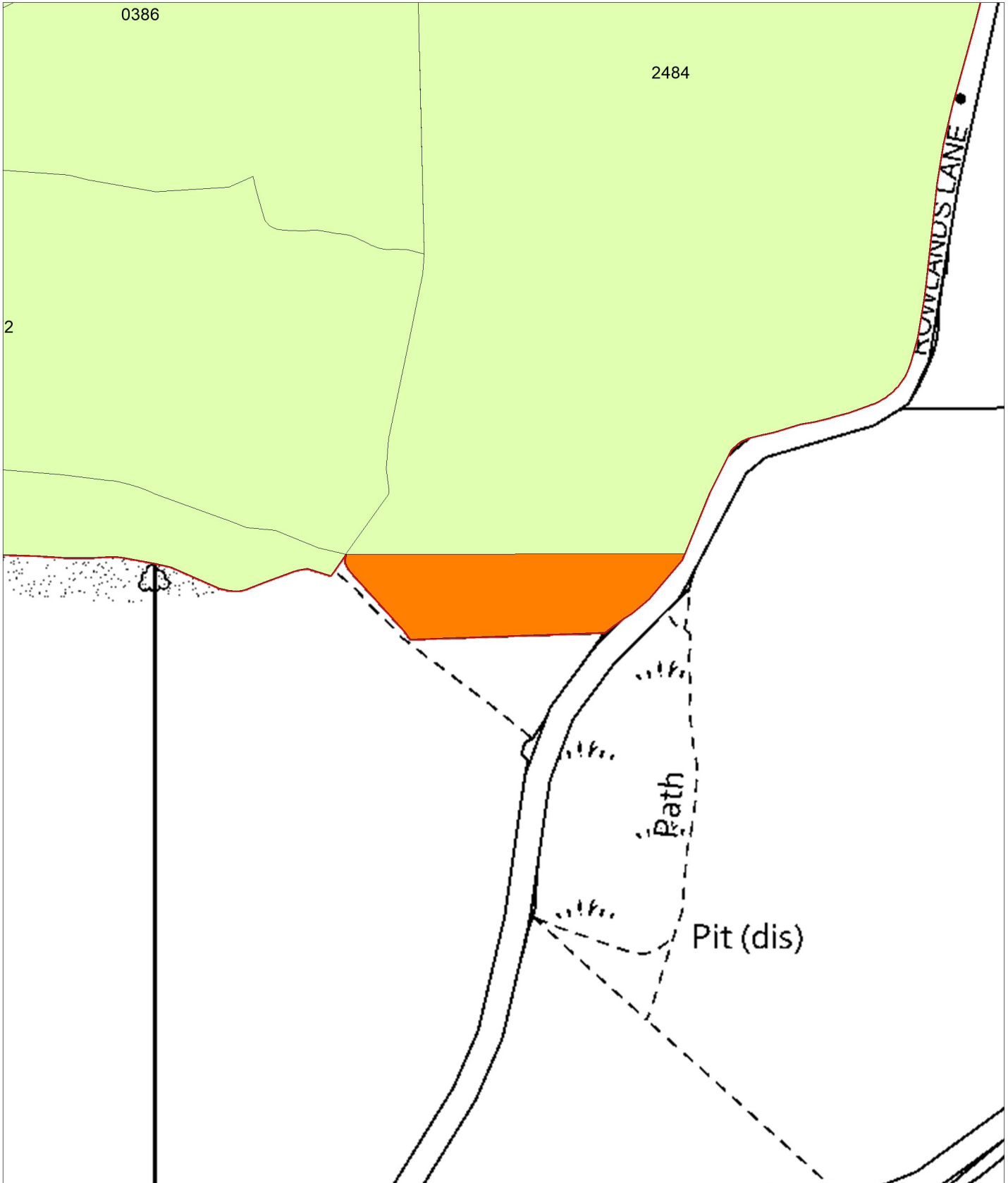


Availability

Available
Unavailable



Site Boundary



APPENDIX 7B

**BPMS – 201019 - Site Allocation – Little Duxmore
Farm for Imperial Homes (1,5000) – (Case ID –
311604-517)**

APPENDIX 7C

**BPMS – 201019 - Little Duxmore Farm Offset
Capacity Statement by HIWWT – (Case ID –
311604-515)**

Beechcroft House
Vicarage Lane
Curdrige
Hampshire
SO32 2DP

e feedback@hiwwt.org.uk
t 01489 774400
www.hiwwt.org.uk

Little Duxmore Farm

Field use and Nitrates mitigation capacity statement.

In considering the suitability and capacity of any site to mitigate for nitrogen inputs into the Solent, Natural England set out a series of criteria (reference: Natural England Document Advice on Achieving Nutrient Neutrality for New Development in the Solent Region Version 5 June 2020) against which a proposal can be met.

Natural England's Advice on Achieving Nutrient Neutrality for New Development in the Solent Region states that "Permanent land use change by converting agricultural land with higher nitrogen loading to alternative uses with lower nitrogen loading, such as for local communities, wildlife, and under schemes for flood management or to deliver the UK Government's Net Zero greenhouse gas emissions target by 2050, is one way of neutralising nutrient burdens from development." The Hampshire & Isle of Wight Wildlife Trust is proposing to take land with high nitrogen loading at Little Duxmore and convert it into a lower nitrogen loading management regime.

To be able to demonstrate that the proposal will provide nitrogen mitigation, Natural England's advice sets down a number of criteria which need to be fulfilled:

The first criteria is that location of the mitigation site will ensure that discharges from that site fall into the same catchment as discharges from the Waste Water Treatment Works serving the development. Little Duxmore Farm sits on a tributary of the Wootton Creek and Natural England's advice states that:

5.39 For development that drains to Peel Common WwTW, mitigation is appropriate in the following catchments – River Meon, Portsmouth Harbour, Medina Estuary, Wootton Creek, Newtown Harbour, Langstone Harbour.

5.40 For development that drains to Budds Farm WwTW, mitigation is appropriate in the following catchments – River Meon, Portsmouth Harbour, Langstone Harbour, Chichester Harbour, Wootton Creek, Medina Estuary (and the estuaries in between).

Little Duxmore Farm is therefore an appropriate location to mitigate for discharges via the Budds Farm and Peel Common waste water treatment works.

Once it has been established that the location of the mitigation site is appropriate the total capacity to provide mitigation for nitrates must be established.

Establishing the total capacity of the mitigation site is a function of three variables:

The total area of mitigation land available

The level of nitrogen discharged associated with the previous land use previous land use.
 The level of nitrogen discharged associated with the future land use

The Total area of mitigation land available at Little Duxmore Farm.

Using the mastermap mapping package the Wildlife Trust has mapped the Little Duxmore Farm excluding all areas of woodland, hard standing , tracks and other non eligible features.

The total area of land under intensive cropping or poultry.

This work has concluded that the Total eligible area at Little Duxmore farm is 36.42ha

The level of nitrogen discharged associated with the previous land use previous land use.

Below is the table of field ID numbers, names and areas at Little Duxmore accurately mapped using mastermap. Below the table is the crop rotation information provided by Andrew Kennerley the previous owner.

Table of fields and sizes used for mitigation of nitrates-nitrogen

RLR Field Number	Field Name	Area (ha)
SZ5688 0742	North Ground	4.02
SZ5587 9127	Copse Field	2.71
SZ5677 2484	Debs Field	12.20
SZ5587 8197	Courts Field	3.90
SZ5527 9172	South Ground	5.42
SZ5687 0386	East Ground	3.49
SZ5688 0214	Sheep Wash	4.68

Information Supplied by Andrew Kennerley Previous owner of Little Duxmore farm

Subject: Field use

Below are the last five years crop plans

Field number and Year	SZ5587 8197	SZ5688 0214	SZ5688 0742	SZ5587 9172	SZ5687 0386	SZ5687 2484	SZ5588 9127
	Courts Field	Sheep wash	North Ground	South Ground	East Ground	Debs Field	Copse Field
2019	Maize	Maize	Triticale	Rye	Triticale	Triticale	Poultry
2018	Wheat	Maize	wheat	Wheat	Maize	Maize	Poultry
2017	Silage	Silage	Silage	Wheat	Wheat	Wheat	Poultry
2016	Silage	Silage	Silage	Silage	Silage	Silage	Poultry
2015	Silage	Silage	Silage	Silage	Silage	Silage	Poultry

Appendix 1 of Natural England’s advice outlines the approach that should be used to calculate the outputs of each land use. It states that “The UK system is based on weighting the contributions of each enterprise in terms of their associated outputs. The weights used (known as ‘Standard Outputs’ or SOs) are calculated per hectare of crops and per head of livestock and used to calculate the total standard output associated with each part of the Farm Business.”

As can be seen from the land uses outlined above Little Duxmore farm has been used for a mix of poultry, arable and maize over the past 5 years with none of these land uses covering more than 2/3 of the

land over the period. Given that the entire farm holding will be removed from agricultural use, a whole farm classification of mixed use is considered appropriate in this case, rather than attributing individual land uses to each field. The farm classification has been determined following a review of the evidence of existing farm type for the last 5 years and professional judgement as to how the farm holding would be managed in the absence of the need for nitrogen mitigation. This approach has been presented to and confirmed as acceptable by Natural England.

The advice classifies mixed cropping as:

Holdings for which none of the above categories (cereals, general cropping, horticulture, pigs, poultry, dairy, lowland grazing) accounts for more than 2/3 of total SO. This category includes mixed pigs and poultry farms as well as farms with a mixture of crops and livestock (where neither accounts for more than 2/3 of SOs).

Section 4.47 of Natural England's advice draws on work by ADAS model and identifies the average nitrate-nitrogen loss for mixed farms in the Solent catchment as 28.3kgs per year.

The level of nitrogen discharged associated with the future land use

The Trust will manage the mitigation land at Duxmore as a nature reserve and has entered into a Legal Agreement (the Legal Agreement) with Fareham Borough Council and Isle of Wight Council within which it is committed, amongst other things, not to add any nitrates, not to plough the land, not to add any organic or inorganic fertilisers, not to provide supplementary food to livestock (apart from mineral licks) and to ensure that average grazing densities do not exceed 0.25 grazing livestock units per ha (or 0.15 sheep per ha) (subject to the further detail contained within the Legal Agreement)."

Despite the prohibitions on certain activities outline above and within the Legal Agreement Natural England's advice (4.62) is that continued nitrogen leaching will continue on formerly intensively managed farmland at a level of 5kg/N per year .

Appendix 3 of the Natural England advice note suggests a precautionary level of 4.66 kg/n per year would be released on publicly accessible SANG land. However Little Duxmore farm will not have public access on it so the impact of Dog waste which accounts for 34% of the overall residual discharge is not relevant.

Despite the absence of pet waste inputs the Trust has taken a precautionary approach and has factored in 5kg/N per year reduction in the mitigation capacity of the land at Little Duxmore Farm.

Summary:

The calculation below provides a summary of the three factors, outlined above and draws together the three variables to provide a calculation of the total mitigation capacity for the Little Duxmore Farm site

Total eligible area: 36.42 ha

Value of mixed copping following NE standard methodology 28.3 kg/ha

Residual discharge rate 5 kg/ha

Net mitigation capacity per hectare 28.3kg- 5kg = 23.3 kg/ha

Total capacity of site = 23.3 x 36.42 = 848.5kgs/ha per year

The Total nitrate-nitrogen mitigation capacity of Little Duxmore Farm is 848.5kg/N per year and this calculation for Little Duxmore Farm has been approved by Natural England

APPENDIX 7D

**BPMS – 201104 – Nitrates Mitigation Proposals
Pack – Covering Letter – (Case ID – 311604-544)**

Date: 4 November 2020

Beechcroft House
Vicarage Lane
Curdrige
Hampshire
SO32 2DP

e feedback@hiwwt.org.uk
t 01489 774400
www.hiwwt.org.uk

Nitrate Mitigation Proposal

P/19/0183/FP

403 Huntspond Road, Park Gate

Dear Peter Kneen

I am writing to confirm that the Hampshire and Isle of Wight Wildlife Trust (HIWWT) has entered into a contract with Imperial Homes South Ltd to provide nitrate mitigation for the above development. Under the terms of the contract, the HIWWT will provide 11.5 number of “nitrates credits” to the developer.

As you will be aware, the section 106/section 33 legal agreement dated 30th September 2020 between the HIWWT, Fareham Borough Council and Isle of Wight Council enables land at Little Duxmore Farm, Isle of Wight to be used for mitigation of the adverse effects of proposed housing development in the Borough of Fareham on the integrity of European Protected Sites as a result of increased nitrates discharged into the Solent. This is achieved by taking land out of agricultural use at Little Duxmore Farm.

In order to mitigate the adverse effects of this particular development, the credits purchased by the applicant would bind 0.496 hectares of land at Little Duxmore Farm. Changing the use of this parcel of land away from agricultural use would provide a reduction in nitrates amounting to 11.5 kg/N/year. Once the credits are purchased and the land is bound by the legal agreement, the use of the land would be restricted as set out in the agreement to ensure no additional nitrates are added which then may find their way into the water environment.

Please find enclosed the following:

- A plan of Little Duxmore Farm with the mitigation land in question identified;
- A further plan of the mitigation land itself shown in more detail;
- A summary of evidence showing how the mitigation land at Little Duxmore Farm is currently used and how it has been used over the past ten years;

- A Nutrient Budget showing how the reduction in nitrates has been calculated (including an explanation of why a mixed average farm type has been used as the basis for the existing land use having regard to advice issued by Natural England).

I trust this information is sufficient for you to be able to continue determining the current application and to carry out an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017. Please contact me should you have any questions.

Yours sincerely,



John Durnell
Director of Estates and Conservation Delivery

APPENDIX 8

Press release - 4th January 2021 - Welborne
revised planning application

Press Release

4 January 2021

Consultation starts on revisions to Welborne planning application

A consultation starts today (January 4) on revisions to the planning application for the Welborne Garden Village after proposals emerged for the government and developers Buckland Development Limited (Buckland) to plug a £40m shortfall in the budget to redevelop junction 10 of the M27.

The plan to create the 6,000-home Garden Village, to include schools, district shopping centres, a business park and health facilities, had been in jeopardy after £25m funding from the Solent Local Enterprise Partnership towards creating an all-moves junction 10 on the M27 motorway expired last year when it could not be used in time due to the complexities involved in the scheme.

The planning application had previously been approved in October 2019, subject to Buckland signing a Section 106 planning agreement to guarantee provision of the associated infrastructure improvements. The agreement was not signed after it became clear the funding of the junction 10 improvements was increasingly uncertain. Funding for the junction improvements being in place is a pre-commencement condition that the council imposed on the planning consent.

After a year of negotiations with Fareham Borough Council, Buckland, which originally pledged £20m towards the £75M cost of the junction 10 improvements, has agreed to double its contribution to £40m. Fareham Borough Council has also negotiated with the government to increase its contribution to the scheme from £10m to £30m.

That means the £75m cost of the upgrading of junction 10 can now be secured as £5m has already been funded by the government via the Solent Local Enterprise Partnership to complete the detailed design work and business case for the junction which is required, not just to serve Welborne, but also to aid the smooth running of the M27.

The additional early financial commitment being met by Buckland has affected the early viability of the Welborne development as originally approved and the developers have therefore put forward further revisions to the planning application. The previously agreed scheme allowed for 10 per cent (600) affordable homes, with regular reviews during the 30 years of the development that could increase affordable home provision to bring it to the Welborne Plan requirement for 30 per cent. Buckland has indicated it will maintain the initial 10 per cent affordable homes commitment but that the prospects of the profitability of the site enabling that figure to increase to 30 per cent will now be reduced. Any possible increases secured by the planning authority will be in the second half of the development, once 3,000 homes have been completed and the scheme becomes profitable. The revisions to the planning application are now subject to a new three-week consultation and will be brought back before the Council's planning committee towards the end of January, when public consultation feedback will also be reported.

Executive Leader of Fareham Borough Council, Councillor Seán Woodward, said: “I am very pleased that after extensive negotiations with Buckland and the government we are now on the brink of having the funding in place for the redevelopment of junction 10 of the M27, a key enabler for the Welborne Garden Village. The revised proposals from Buckland will be subject to the scrutiny of public consultation for the next three weeks and will then be examined by the Planning Committee. If the application is approved later this month there are still a number of hurdles to overcome before work can begin. This is, however, a very significant and important step forward in the Welborne Garden Village delivery which will provide 6,000 much needed new homes, nearly 6,000 jobs as well as hundreds of millions of pounds worth of infrastructure such as schools, roads, open spaces, shopping and community facilities.

“It has been a long and hard road to get to this point however it does seem that we are to expect a start on Welborne this year.”

To comment on the planning application visit <http://www.fareham.gov.uk/casetrackerplanning/ApplicationDetails.aspx?reference=P/17/0266/OA&uprn=100062408858> by 25th January.

ENDS

APPENDIX 9

Supplementary Planning Statement - December
2020 - Welborne revised planning application



W E L B O R N E
G A R D E N V I L L A G E

Supplementary Planning Statement

December 2020



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1. INTRODUCTION

- 1.1 This Supplementary Planning Statement is submitted in support of the Outline Planning Application (OPA) for a mixed-use new community to the north of Fareham, locally known as Welborne. The OPA is submitted to Fareham Borough Council (FBC) on behalf of Buckland Development Limited (Buckland). The main elements of the OPA are 6,000 residential dwellings, employment uses, local and community services and supporting infrastructure, including improvements to M27 Junction 10.
- 1.2 Buckland submitted the original OPA for this development in March 2017. Following the submission, a significant amount of comments on the OPA have been received from the statutory consultees, the general public and FBC. This led to discussions and negotiations with these parties to agree changes to the original OPA, and requirement for additional information to be provided in some cases. This culminated in a submission of an updated OPA in December 2018, in which a comprehensive Planning Statement was submitted, amongst a suite of other documentation. This Planning Statement has been submitted to supplement the December 2018 Planning Statement, and to provide update to this document, in relation to the proposed changes to the OPA. Further updated documents and information was submitted at various intervals prior to the planning committee which was undertaken in October 2019.
- 1.3 The OPA includes detailed approval for significant improvements to M27 J10, transforming the current junction arrangement into an 'all moves' junction. It is agreed by all parties that the proposed improvements to M27 J10 are a critical element of infrastructure that is required for both the full delivery of Welborne, and to support local (and regional) growth aspirations. It is also agreed by all parties that there is sufficient local highway capacity to accommodate up to 1,160 dwellings at Welborne prior to the improvements to M27 J10 becoming operational. The design and delivery of the junction improvements is being led by Hampshire County Council (HCC) as 'Scheme Promoter'.
- 1.4 The OPA was considered at FBC Planning Committee in October 2019, in which a 'Resolution to Grant' decision was reached, subject to the signing of a S106 Legal Agreement. Since the Planning Committee, significant progress has been made in negotiating this agreement with all parties, including FBC and HCC.
- 1.5 However, as explained in this Statement, despite significant efforts and government lobbying, significant progress has not been made in relation to finding gap funding for the M27 J10 Improvements. Whilst extremely positive discussions have been undertaken with Central Government regarding Housing Infrastructure Funding, the Solent LEP funding has been reallocated away from the project. Further, the Covid-19 pandemic has increased the financial and funding uncertainty. This combination of circumstances has placed the delivery of the project in jeopardy, which has significant implications in regard to project programming, delivery and HCC's Scheme Promoter position on the M27 J10 Improvements.
- 1.6 Given this, Buckland are proposing solution, by providing an additional contribution of £20m to the M27 J10 Improvements, totalling a £40m developer contribution. However, this alters the viability assumptions and costings in which the OPA was considered at Planning Committee. This additional contribution also has an effect on the amount of affordable housing that the scheme can viably deliver without additional funding solutions. These changes are explained in detail within the Viability Statement which is submitted, and should be read alongside, this Supplementary Planning Statement.
- 1.7 Significant time, efforts and resources have been placed into the delivery of Welborne from all parties for over a decade. Despite this, no solution has been found which will enable the delivery of Welborne without additional government funding, of which there is no sign it will be forthcoming.

To ensure Welborne's delivery, more certainty must be created, and the indefinite search for a funding solution must be resolved. The proposals as set out by Buckland in the documentation submitted seek to achieve this solution.

- 1.8 Furthermore, since the Planning Committee, significant work has been undertaken by Buckland in preparation for the first reserved matters planning applications, particularly in relation to the sitewide strategies which are required to be submitted in advance of these reserved matters applications. One of these sitewide strategies, the Biodiversity Enhancement Strategy, is now ready for submission, and has been included as a part of this additional application information package.
- 1.9 Also, again since the Planning Committee, as further negotiations regarding the S106 agreement have taken place, it has been noted that the proposed PEGASUS crossing which spans the A32 toward the centre of the site is shown on a different location in the submitted parameter plan and within the detailed A32 drawings. In order to regularise this position, the detailed A32 drawings have been updated to reflect the correct location of this crossing. These drawings have been reviewed by Hampshire County Council and agreed in principle.

Additional Application Documentation

- 1.10 This Supplementary Planning Statement should be read alongside the following submitted additional application documentation:
- a. Viability Statement
 - b. Biodiversity Enhancement Strategy
 - c. EIA Statement of Conformity
 - d. Updated Package of Drawings relating to the detailed A32 works

2. M27 J10 FUNDING AND BACKGROUND

The OPA and Planning Committee

- 2.1 The OPA includes detailed approval for significant improvements to M27 J10, transforming the current junction arrangement into an 'all moves' junction. It is agreed by all parties that the proposed improvements to M27 J10 are a critical element of infrastructure that is required for both the full delivery of Welborne, and to support local (and regional) growth aspirations. It is also agreed by all parties that there is sufficient local highway capacity to accommodate up to 1,160 dwellings at Welborne prior to the improvements to M27 J10 becoming operational. The design and delivery of the junction improvements is being led by Hampshire County Council (HCC) as 'scheme promoter'.
- 2.2 The proposed junction improvements represent a significant piece of infrastructure, and thus have a significant cost to deliver. HCC now estimate that this cost will be in the region of £70-75m (including risk and optimism bias). At the time of the planning committee (October 2019), HCC estimated the cost was £85-90m, and c. £49m of funding had been secured for M27 J10, as illustrated in the table below. This left a funding gap of c. £36-41m, when compared to the cost estimate for the scheme. An important factor to note is that both the Solent Growth Funding and the Retained DfT funding were both under a timing constraint, namely that the sums needed to be spent (or allocated) by March 2021.

Source	Amount
Developer Contribution (Buckland)	£20m
Solent Growth Funding (held by LEP)	£14.9m
Retained DfT Funding (held by LEP)	£14.1m
Total Funding	£49m
Funding Gap	c. £36m-41m

Table 1 – Proposed Funding Sources at October 2019

- 2.3 FBC have historically maintained that, in order to ensure the comprehensive delivery of Welborne, in conformance with the provisions of the Welborne Plan, that key infrastructure should be fully funded before works are commenced at Welborne. In order to protect this position, the following draft Grampian condition (Draft Condition 52) was agreed between Buckland, HCC and FBC to be imposed on the OPA, once granted:

52. No development shall take place on any other work on site other than that related to the delivery of Junction 10 until details of the sources of all the funding necessary to carry out the Junction 10 works has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

REASON: To ensure the timely delivery of the necessary infrastructure to service the development and in the interest of highway safety.

- 2.4 Draft Condition 52 was included to enable parties to seek additional funding opportunities either prior to the signing of the S106 Agreement and planning permission being issued (thereby removing condition 52 from any planning permission), or following the signing of the S106, with funding commitments demonstrated to FBC (as part of a discharge of condition application) prior to development being undertaken. At the time of the planning committee, all parties believed a funding solution could be achieved swiftly, and in any event by summer 2020.
- 2.5 A further draft Grampian condition was also agreed, which related to the development permitted prior to the M27 J10 improvements being operational (Draft Condition 53), which reads:

53. No occupation of the 1,161st residential unit; or 1,501st sqm B1 Office floorspace; or 5,751st sqm B2 General Industrial floorspace; or 4,001st sqm B8 Storage or Distribution floorspace; or 4,701st sqm A1 Retail Floorspace or the opening more than one primary school within the development hereby permitted, until the M27 J10 is open to the public as an all-moves junction, in accordance with the details approved under conditions 57 to 67 of this planning permission and as referred to within the legal agreement pursuant to section 106 of the Town and Country Planning Act 1990, as amended.

REASON: To ensure the timely delivery of the necessary infrastructure to service the development and in the interest of highway safety.

- 2.6 These conditions were both put before members within the Committee Report for the OPA, which received resolution to grant in October 2019.
- 2.7 Significant viability work has been undertaken as part of the Welborne project, and the outcomes of this were presented at this Planning Committee. In summary, the agreed viability position at the time of planning committee was as follows:
 - a. Buckland would pay £20m toward the M27 J10 Improvements. The remaining cost would be sourced from Central Government Grant Funding.
 - b. Infrastructure Delivery Cost was £308m, of which £106m would be required within the delivery of the first 1,000 units
 - c. Due to the significant cost in the early phases of development, the first 1,000 units at Welborne would be able to support provision of 10% affordable housing, based on a sub-market developer return on costs of 14.4% (Market-rate developer return on costs is usually a minimum 20%)
 - d. Factoring in growth over the build period for the whole development, it may be possible that later phases could support additional affordable housing, and thus a viability review mechanism will be incorporated into the S106 agreement. This will enable, if viable, later phases to deliver additional affordable housing to meet the Welborne plan target of 30%.
 - e. The development should not provide a payment of CIL, as the infrastructure to be provided as part of the S106 Agreement is sufficient to support the new community, and has other wider benefits. This Infrastructure will be provided at significant cost.

2.8 The table below illustrates a very simplified snapshot of the viability and delivery profile for the first 1,000 units at Welborne, taken from the CBRE Viability Report which was appended to the Planning Committee Report. It shows that the costs, through land acquisition and infrastructure delivery, outweigh the Gross Development Value of the first 1,000 dwellings by a factor of almost 50%.

	First 1,000 Homes (£/m)
Gross Development Value	129
Cost	(252)
Profit/Deficit	(123)
Profit/Deficit as % of costs	(49%)

Emerging Conclusions – Viability of First 1,000 Units

First 1,000 Units and Viability, Extract from CBRE Welborne Viability Report, October 2019.

Changing Circumstances since the Planning Committee

- 2.9 Since the Planning Committee in October 2019, negotiations surrounding the S106 have continued in earnest, and HCC have been proceeding with design work related to the Junction improvements. Buckland have also applied for, and implemented, enabling works to enable the swift delivery of the junction, once funding is secured.
- 2.10 Alongside this, applications for funding sources for the M27 J10 have been considered and discussions have been undertaken with senior members of Homes England, as well as Members of Parliament including the Housing Minister, Robert Jenrick MP and the Attorney General, Suella Braverman (the Local MP for Fareham). At this meeting, it was clear from a Central Government perspective, a local solution should be prioritised, rather than seeking significant additional funding from Central Government.
- 2.11 As a part of this, in 2017, FBC applied for £10m of Housing Infrastructure Fund Marginal Viability Grant (HIF). Following the ministerial meeting mentioned above, we have been advised that this application could be extended to £30m, following recommendation from the Housing Minister and his Special Advisors, subject to local partners proposing a solution to the remaining gap., Buckland and FBC have undertaken a number of meetings outlining their revised approach with Homes England, who have agreed in principle the £30m allocation, subject to the agreement of contracts.
- 2.12 Whilst significant progress has been made with HIF, the elements of funding which are held by the LEP have become much less certain. At the LEP Board Meeting of 22nd May 2020, the LEP Board resolved to withdraw the remaining Solent Growth Funding (£14.9m) and allocate it to other schemes. It was confirmed at the M27 J10 Steering Group on 19th August 2020 that the remainder of the retained DfT funding (£14.1m, less the £5m spent to date) was also to be reallocated to other projects in the region. Also, since the Planning Committee, HCC has reviewed the junction cost, and now estimates the cost will be £75m Table 2 below illustrates the funding position at the time of writing this Statement.

Committed Source	Amount
Developer Contribution (Buckland)	£20m
Money paid to HCC in design fees	£5m
Total Committed Funding	£25m
Funding Gap	£50m
Potential Source	
Housing Infrastructure Fund	£30m
Potential Funding Gap	£20m

Table 2 – Proposed Funding Sources at September 2020

- 2.13 Alongside the negotiation of the S106 and attempts to achieve funding, Buckland have been progressing with securing consent enabling works (including access to Boundary Oak School, access to the retained properties at Kneller Court Lane and ecological enabling works for the improvements to M27 J10), as well as progressing with work on the Strategic Scale Documents (Strategic Design Code, Street Manual, Biodiversity Enhancement and Housing Strategy), ready for submission as soon as the S106 is signed. These have all been undertaken with, currently, no prospect of a start on site, due to the provisions of Condition 52.

Opportunities to achieve other funding to satisfy Condition 52

- 2.14 As demonstrated in above, despite 11 months of lobbying by all parties for alternate funding, a significant funding gap remains. It is understood that during the ministerial meeting mentioned above, it was set out that it is extremely unlikely that any further HIF would be made available to Welborne, above the £30m HIF allocation.

- 2.15 There are other funding sources which could be utilised to offset other infrastructure costs (eg. affordable housing or school delivery) and thereby enabling more of the infrastructure budget to be diverted to M27 J10. However, these other potential funding sources often require an implementable planning permission to be in place prior to accessing them, as do many of the other funding streams which are available from government.
- 2.16 Further, significant government spending has recently been undertaken to combat the Covid-19 pandemic. Whilst economic stimulus packages are being announced to attempt to restart the economy following lockdown, these are focused on the retail, manufacturing and hospitality sectors at this stage. No announcements have been made for any funding to stimulate the construction or property sector. It is considered that if any funding packages do come forward, it is unlikely these will be made this financial year, and even if so, they will focus on 'easy wins' ie. stalled or slow delivering schemes which have shorter timeframe for delivery than Welborne.
- 2.17 Given this situation, Buckland consider it to be exceptionally unlikely any further funding will be available or accessible in the current financial year. Opportunities for funding could be present just prior to, or at the start of the next financial year (eg. April 2021), but given considerations above regarding Covid-19, there is significant risk that these will not materialise.

Programme implications

- 2.18 Following the above changes in circumstances, Buckland have undertaken a review of their anticipated delivery programme, and the implications of the failure to have achieved a method of filling the funding gap, some 11 months after planning committee. Key anticipated timeframes are shown in the table below, as a 'best case' based on the securing of funding as soon as possible.

Signing of the Section 106 Agreement	Unknown
Submission Approval of Strategic Scale Documents (Strategic Design Code, Street Manual and Housing Strategy)	c. 4 months
M27 J10 Funding Secured	Unknown
Submission of Neighbourhood Design Code and Phase 1 Reserved Matters	Once funding secured, and Condition 52 discharged. C. 4 months from submission to determination.
Works related to Strategic Services and Utilities (subject to planning)	Once funding secured, and Condition 52 discharged. C. 18 month process.
Works on Pre-occupation obligations (Dashwood, etc.)	Once funding secured, and Condition 52 discharged. C. 12 month process due to ecology constraints.
Commencement of Phase 1	Only once above actions completed, so estimate of 18 months from funding secured.
First Occupation	Two years from the point of funding allocation

Table 3 – Potential Programme Key timescales (Best Case)

- 2.19 The securing of the M27 J10 funding, and thus unlocking the ability to discharge Condition 52 and start on site in earnest thereby absolutely critical to this programme. Should this not be achieved as soon as possible the programme will slip. Given funding is often allocated in the Autumn Spending Review, or the April Budget, it is likely that any slip past a review stage will lead to minimum 6-month delay. Without funding certainty, the delay to delivery could be exponential.
- 2.20 Whilst the achievement of funding for M27 J10 has been a substantial risk to the delivery of Welborne throughout, given the requirements of Draft Condition 52, and failure to fill the funding gap during the S106 negotiation period, the funding position has become an even more significant (and more imminent) obstacle to progression.

The Need to Secure Welborne's Delivery

- 2.21 As a Government allocated garden village, Welborne is a project of national importance, and its delivery is critical to the growth aspirations of both Fareham and the Hampshire region. Therefore, its imminent delivery is of extreme importance. However, the circumstances above regarding funding have further increased the focus on its need to deliver imminently, due to a variety of factors.
- 2.22 Significant time, efforts and resources have been placed into the delivery of Welborne from all parties for over a decade. Despite this, no solution has been found which will enable the delivery of Welborne without additional government funding, of which there is no sign it will be forthcoming. To ensure Welborne's delivery, more certainty must be created, and the indefinite search for a funding solution must be resolved.

Risk to HCC M27 J10 Project Sponsorship

- 2.23 As was set out at the M27 J10 Steering Group Meeting on 19th August, the Solent LEP have confirmed that the £24m (£29m, less £5m spent to date) previously allocated funding for M27 J10 has been reallocated to other projects in the region and will not be available for Welborne. Further, it was also confirmed that funding has been withdrawn which would have enabled HCC to complete the detailed design works with Highways England. HCC have confirmed they can only continue as project sponsor if there is a clear funding mechanism to cover their costs. The current funding for J10 technical work is forecast to be spent before April 2021. Should further funding not be found before this April date, according to Buckland's discussions with HCC, they are likely to pause all their work towards the delivery of M27 J10, until further funding can be found.
- 2.24 HCC have made significant progress in recent months with the progression of the technical work required with Highways England to deliver M27 J10. It is clear that if HCC pause work on the project, progress with Highways England will be lost, and even if funding is forthcoming at a later date, this will have significant effects on the delivery programme at Welborne.

Housing Infrastructure Fund Conditions

- 2.25 Following Buckland and FBC's discussions with MHCLG, it is understood that any HIF allocation would also be time restricted, much like the original LEP funding. Therefore, this £30m funding could be lost if not spent by 2023. Given the two year anticipated build out for the M27 J10 works, in order to guarantee that this £30m would be spent by 2023, works would have to commence in 2021. Therefore, the timescales to achieve the remaining £20m funding gap are further constrained.

Local Plan and Five Year Land Supply

- 2.26 Working to the 'best-case' (as programmed in table 3), the anticipated delivery rate of dwellings at Welborne is summarised below.

Year	Dwellings Delivered Per Year	Cumulative Dwellings Delivered
2020-2021	0	0
2021-2022	0	0
2022-2023	30	30
2023-2024	180	210

2024-2025	240	450
2025-2026	240	690
2026-2027	240	930
2027-2028	240	1210
2029-2030	280	1490

Table 5 – Anticipated Dwellings Delivered, based on Table 3 Programme.

Orange highlight illustrates FBCs current Five-Year Housing Land Supply Period

- 2.27 Welborne is a critical element of FBCs adopted Local Plan, and represents the single largest housing allocation (and delivery vehicle) in the Borough. Allocated in FBCs Core Strategy in 2011 (which covers the plan period until 2026), the Core Strategy predicted that some 5,350 dwellings would be completed at Welborne by 2026, with the remainder complete by 2031. Whilst this timescale and delivery has clearly slipped in the last 9 years since the plan was adopted, it illustrates the importance of the delivery of Welborne to meet the targets and aspirations of the current local plan.
- 2.28 Further, FBC are currently embarking on a review of their Local Plan, covering the period to 2037. The policies surrounding Welborne are not proposed to be reviewed as part of this plan, and Welborne remains a critical element of planned growth in the area, with the Local Plan 2037 consultation documentation acknowledging the high reliance on Welborne to deliver to meet the planned growth requirements in the Borough. Thus, should Welborne be subject to further delays in its delivery, the strategy held both within the adopted local plan and the emerging local plan will be weakened significantly.
- 2.29 Looking at shorter to medium term implications, any delays in the delivery of dwellings at Welborne will have implications upon FBC’s five-year housing land supply. Over the last few years, the five year supply position has fell below the required 5 years, and is currently 4.03 years (as measured in June 2020). This has been compounded by the ‘moratorium’ on planning consents which has been created due to issues regarding nutrient loading and nitrogen on local Special Protection Areas. This is a factor which does not affect Welborne, as nitrate neutrality has been demonstrated as part of the Shadow Appropriate Assessment submitted.
- 2.30 The 450 units currently programmed for delivery (using the best-case programme) equates to approximately 0.83 years of FBCs five-year land supply to 2025, when utilising an overall housing requirement of 540 homes per year. Therefore, Welborne also has a significant contribution to make to housing delivery, even in the short/medium term.
- 2.31 Both the adopted Local Plan and the Draft Local Plan 2037 consider options for the delivery of new residential land allocations in areas other than Welborne. However, the geography of the Borough, with the sea to the south and limited capacity in the built-up areas, means there are limited opportunities for further residential allocations. There is much public objection to the perceived coalescence of existing settlements, which means edge of settlement locations for development have been receipt of significant local objection. However, should Welborne remain undelivered, it is likely that FBC may need to consider these options to deliver the required level of homes, or be subject to further speculative planning applications in these areas which look to exploit any weakening five year housing land position.
- 2.32 The swift delivery of Welborne is even more critical now than it has ever been for the short and long-term growth aspirations of FBC and the region both in housing and economic terms.

Works already undertaken

- 2.33 As noted above, Buckland has continued to undertake a significant amount of work towards the delivery of Welborne, even without an OPA consent. This has included tangible progress towards the submission of strategic scale documents (the Strategic Design Code, Biodiversity Enhancement Strategy and Street Design Manual). Should the funding barrier to delivery remain, there is a very real risk that this work will need to be redone as time passes, and this material becomes dated. As has been shown in the determination period of the OPA with nitrogen and biodiversity, new requirements are appearing rapidly from Government and governing bodies, which may have implications on delivery and work undertaken to date.
- 2.34 The predominant justification for many of the enabling works which Buckland have undertaken to date has been to undertake works which would require protected species relocation and licencing to enable clearance of land for the M27 J10 works. Whilst these works have been undertaken, the habitats created will need to be maintained and monitored (at cost) until completion of the junction works.
- 2.35 Further, some of these standalone enabling works already undertaken by Buckland have required previously farmed fields to be cleared of crops and are now left fallow. These fields will need to be maintained (at a cost), to enable works to continue in earnest free of ecology constraints once funding is secured. These costs provide further incentive for swift delivery of homes at Welborne, as they cannot yet be balanced against development receipts.
- 2.36 Whilst Buckland remain committed to exploring alternative funding sources, it is clear it has now reached a point where the whole delivery of Welborne is in jeopardy, unless an alternative solution can be found to solve the funding issue.

3. PROPOSED CHANGES TO THE OPA AND ADDITIONAL INFORMATION SUBMITTED

M27 J10 Funding and Viability

- 3.1 Given the considerations set out above, and the need to secure the delivery of Welborne, Buckland have been considering alternative funding solutions to secure the delivery of M27 J10, and thereby the delivery of Welborne. Following this review, Buckland propose the following:
- a. Welborne to be zero-rated for CIL, in line with the Changes to the FBC CIL Charging Schedule as recently submitted to the Planning Inspectorate for Examination.
 - b. The developer contribution to the M27 J10 Improvements is raised from £20m to £40m. This will then, along with the anticipated HIF allocation of £30m, enable the Improvements to be fully funded.
- 3.2 This payment will be required in the first phase of development (first 1000 units) to enable the junction to be provided prior to the delivery of the 1160th dwelling. This will severely impact the predicted return on cost. To achieve the previously agreed return on cost of 14.4% (a sub-market rate, but agreed as suitable as part of the viability work assessed and presented to the October 2019 Planning Committee) with the increased developer contribution and delivering all of the infrastructure required to deliver Welborne (at a cost of some £308m), affordable housing provision would need to be reduced to 3%.
- 3.3 Buckland is fully committed to the delivery of a balanced community at Welborne, and thus cannot countenance an affordable housing delivery of just 3%. Buckland remain committed to provide a minimum of 10% affordable housing across the entire development. As the submitted viability assessment illustrates, when factored in with the proposed £40m junction developer contribution, this leaves a predicted return on cost of 1.5%, which is exceptionally below market rates (which usually expect a 20% return on GDV).
- 3.4 The submitted Viability Assessment illustrates a 'no growth' scenario, however the previous viability work undertaken by both Buckland and FBC assumed modest growth in values, due to a 'placemaking premium' at Welborne, and to factor in house price growth. In the context of overall returns predicted at 14.4%, but with an acknowledgement that significant funding is required in early phases, it was agreed that a 'Viability Review Mechanism' would be present which would require Buckland to increase affordable housing provision beyond the 10% agreed for the first 1,000 dwellings, in later development phases, should viability allow. However, with an additional £20m of M27 J10 funding due in the early phase, the return on cost now is at 1.5%. In order to enable Buckland to 'catch-up' at later phases to an acceptable return on gross development value (GDV), the parameters of the viability review mechanism must be reviewed.
- 3.5 Following discussions with FBC, Buckland propose two substantive changes to the viability review mechanism:
- a. The first viability review will be undertaken prior to the delivery of the 3,000th home, and will be undertaken at 750 dwelling intervals thereafter (ie. at 3,750, 4,500, 5,250 and 5,750 dwellings).
 - b. On any of the viability review dates should cumulative profits exceed 20% of cost), 80% of any additional returns over 20% of cost will be used to repay HIF, which in turn will be re-invested in affordable housing by FBC
 - c. Following the repayment of HIF, 50% of any surplus above 20% on GDV will be used to further boost the delivery of affordable housing to a total of 30% sitewide
- 3.6 Further, given their increased costs and the impact this therefore has on the viability of the proposals, as well as the need to preserve the provision of as much affordable housing as possible, the development is no longer committing to deliver Passivhaus or Lifetime homes. Whilst every

effort will be made to deliver these where practicable, a commitment to a fixed percentage of delivery cannot be made in the context of the viability considerations set out above.

- 3.7 These changes and viability considerations are set out in full within the submitted Viability Statement.
- 3.8 As discussed at our meeting on the 17th December 2020, this change to the proposals regarding the developer contribution, and subsequently the viability review, will necessitate a return to planning committee to consider the OPA proposals, as the scheme of delegation as set out in the October 2019 committee papers does not cover this matter. However, we are firmly of the belief that, without these changes, there is very little prospect of Welborne progressing further, as additional Government funding outside the HIF is unlikely to be secured imminently, meaning progress with HCC and Highways England will be lost.
- 3.9 Further, the current draft Condition 52 prevents development beginning at Welborne until funding is secured. Therefore, with no funding present, and little prospect of it being achieved imminently, given the costs incurred to date Buckland cannot commit to progress with further costly, and potentially abortive, work on the Design Codes and reserved matters applications, with no prospect of onsite delivery due to the provisions of Condition 52. This will lead to a potentially indefinite delay of the delivery of Welborne. This is something all parties wish to avoid. These factors have led Buckland to submit these proposals.

Biodiversity Enhancement

- 3.10 Since the Planning Committee, significant work has been undertaken by Buckland in preparation for the first reserved matters planning applications, particularly in relation to the sitewide strategies which are required to be submitted in advance of these reserved matters applications. One of these sitewide strategies, the Biodiversity Enhancement Strategy, is now ready for submission, and has been included as a part of this additional application information package. This Biodiversity Enhancement Strategy was envisaged, at the time of the planning committee, to be approved following outline planning permission but prior to the approval of the first reserved matters application, as confirmed by Draft Condition 10 present in the officers report to committee.
- 3.11 The sitewide Biodiversity Enhancement Strategy has been prepared alongside discussions and input from FBC officers and HCC Ecology officers, and sets out the strategy for harnessing biodiversity opportunities within Welborne, and illustrates how development phases can achieve Biodiversity Enhancement within all contexts of the community as it grows. It approaches Biodiversity Enhancement from the whole site perspective and will be delivered over an extended timeframe of 25 or more years, providing a basis for a consistent approach as statutory guidance and requirements for new planning applications which evolve over time.

Other supporting documentation

- 3.12 To enable FBC to determine this planning application in the above new viability context, and also given that some 11 months have passed since the planning committee, a review of the ES information submitted has been undertaken. This review is documented in the submitted Environmental Statement of Conformity, which concludes that no additional impacts have occurred since the Committee in October 2019.
- 3.13 Furthermore, as further negotiations regarding the S106 agreement have taken place, it has been noted that the proposed PEGASUS crossing which spans the A32 toward the centre of the site is shown on a different location in the submitted parameter plan and within the detailed A32 drawings. In order to regularise this position, the detailed A32 drawings have been updated to reflect the correct location of this crossing. These drawings have been reviewed by Hampshire County Council and agreed in principle.

4. DEVELOPMENT PLAN CONTEXT AND PLANNING EVALUATION

- 4.1 This section of the Planning Statement reviews the application proposals in the context of the local and national planning policy context. Much of this planning policy context remains as considered at the Planning Committee in October 2019, and thus this section focusses on any policy changes in the intervening period, and evaluation of the changed OPA proposals as outlined above.

Updated Planning Policy Since October 2019 Planning Committee

- 4.2 There has been very limited formal planning policy update at a national level since the October 2019 Planning Committee. Minor changes have been made to the Planning Practice Guidance, but these are not material to the determination of this planning application.
- 4.3 Whilst there has been little formal planning policy update, in August 2020, a new 'Planning White Paper' was released, titled Planning for the Future (the PWP). The PWP sets out consultation proposals for comprehensive reform of the planning system, with a view to boosting the supply of housing, reducing uncertainty and delivering beautiful places. Whilst specific proposals have not been enacted into formal planning policy and legislation, the PWP is useful in setting out a 'direction of travel' and laying out the Governments objectives for planning policy moving forward. It is considered that this OPA meets many of these objectives and aims, particularly in seeking to deliver a Garden Village of exemplary quality, with beauty at its heart.
- 4.4 In terms of local level planning policy and guidance, again there has been very limited update of this since the October 2019 Planning Committee. FBC have been continuing with work on their Draft Local Plan 2036, with further consultation on Issues and Options undertaken in January 2020. However, the updated plan maintains the position of the previous draft, namely that Welborne will continue to be subject to the detailed policies within the Welborne Plan, which is not being revisited as part of the 2036 work. Therefore, the planning policy position at Welborne remains as considered previous.
- 4.5 The most significant update is related to the FBC CIL Charging Schedule. Following the recommendations of the Welborne Plan, viability work undertaken by Buckland and independent viability review undertaken for FBC by CBRE, the Charging Schedule is proposed to be revised to 'zero-rate' development at Welborne. This change to the CIL Charging Schedule was subject to formal consultation in July 2020, with a further consultation on minor modifications held until 18th September 2020. The updated CIL Charging Schedule reflecting the changes proposed (and zero rating Welborne) has now been submitted to the Planning Inspectorate for examination.
- 4.6 As set out above, with the submitted Viability Statement and in the previous viability work undertaken in support of the OPA, the development cannot viably support CIL payments, and thus the zero rating of Welborne is critical to enable the OPA to be successfully delivered.

Planning Policy Evaluation of Changes to the OPA Proposals

- 4.7 Given that the vast majority of the OPA proposals remain as considered previously at Planning Committee, the changes to the OPA proposals only have a limited effect on conformance with Welborne Plan policies, and the development remains substantially in conformance with the plan as a whole.
- 4.8 It is clear throughout almost all of the policies of the Welborne Plan, that planning applications for development at Welborne must be comprehensive, and contain the infrastructure fit for the delivery of 6,000 homes, including the provision of the M27 J10 improvements. This is to both support the new community, and prevent adverse impacts on existing communities in the area. As agreed as part of the discussions surrounding the OPA, the cost of this infrastructure is some £308m, based on a developer contribution of £20m to the M27 J10 improvements. Given the importance of the

delivery of this raft of infrastructure required to create a sustainable community at Welborne, it is not considered that the infrastructure could be reduced in order to facilitate additional junction contribution, without significant impact on the proposed new community, or existing communities. Therefore, in order to enable the additional £20m of junction contribution to be found, and thereby enable Welborne to become deliverable, flexibility must be found elsewhere.

- 4.9 This causes the main change proposed in this submission, related to the nature of provision of Affordable Housing, and therefore conformance with Welborne Plan Policy WEL18. WEL18 states:

"Development at Welborne shall provide a total of 30% affordable housing.

Each residential phase of development shall be required to meet the target of 30% affordable housing provision unless a robust and transparent viability appraisal proving this not to be possible is accepted by the Council.

In exceptional circumstances where viability considerations require, the minimum affordable housing numbers on any phase will be 10% (subject to viability and the implications for other infrastructure) and the maximum required will not normally exceed 40%.

Where it is agreed that a residential phase will not meet the 30% target of affordable housing, the subsequent phase or phases will be required to meet that shortfall in addition to the 30% target if possible in viability terms.

The initial tenure split will be 70% affordable or social rent and 30% intermediate tenures. The tenure split will be kept under review phase by phase based on evidence of need and viability.

A range of affordable housing types, sizes and tenures shall be delivered within each residential phase. The precise number and mix of affordable homes within each phase shall be agreed with the Council, having regard to the nature of the phase to be developed, the identified need for affordable homes and its viability at the time the phase comes forward.

Approximately 15% of all affordable homes delivered within each phase of the development shall be designed to meet higher accessibility standards equivalent to the Lifetime Homes standards. The precise proportions shall reflect evidence of need at the time the phase comes forward and will be subject to the need to ensure that the phase remains economically viable.

Planning permission will be granted for affordable homes that are integrated with the market housing, within the overall limits set out, and are designed and will be constructed to the same or higher standards. Affordable housing may be clustered in small groups.

- 4.10 As can be seen in the underlined sections of the policy, whilst the aspiration of the policy is that 30% affordable housing is achieved on site, there is a clear understanding that this is subject to viability considerations. As demonstrated within the submitted Viability Statement, viability constraints are clearly present which prevent the delivery of 30% affordable housing on any phase, without additional grant funding being present. Therefore, it is considered that the proposed development is in conformance with the exceptions within this policy. Buckland remain committed to a Viability Review Mechanism that allows later phases of development to increase affordable housing provision, should viability considerations allow. However, as explained above, the parameters of this viability review mechanism need to be altered to reflect the additional contribution which Buckland is providing to the M27 J10 Improvements, and thereby reflect that Buckland will be making a significantly sub-market return throughout the development.
- 4.11 The Affordable Housing Mix is proposed to remain as presented at Planning Committee in 2019, 50% affordable rent and 50% intermediate tenures.
- 4.12 WEL17 – Market Housing sets out the requirement to deliver approximately 15% of all market homes as lifetime homes, or to an equivalent standard, subject to viability. WEL 36 sets out the requirement that 10% of dwellings will be built to Passivhaus Standard, again, subject to viability. As demonstrated within the submitted Viability Statement, viability constraints are clearly present which prevent the delivery of these items, without impact on the delivery of affordable homes or other infrastructure. Given both of these policies contain viability exceptions, it is clear that the proposed development, with the additional M27 J10 contribution, meets these exceptions. The

position regarding the delivery of these two dwelling types will be reviewed as a part of the viability review process.

- 4.13 In relation to the Biodiversity Enhancement Strategy, the most pertinent policy of the Welborne Plan is WEL31 - Conserving and Enhancing Biodiversity. This policy states:

The initial planning applications for development at Welborne shall be supported by a full ecological assessment to identify and address potential impacts on designated sites, priority habitats and protected species, within and immediately adjacent to the site boundary.

The ecological assessment shall clearly set out how biodiversity interests will be protected, and where possible enhanced. Given that the development of Welborne will take place over a long period of time, the ecological assessment should provide details of how it is intended that it is regularly updated to ensure that any mitigation measures required are effective.

Any adverse impacts to designated sites, priority habitats and priority and protected species should be avoided. If impacts are unavoidable, measures shall be put forward to ensure that impacts are appropriately mitigated, with compensatory measures used only as a last resort.

Proposals shall demonstrate how development contributes towards enhancing biodiversity through:

i. The implementation of the broad habitat types within Welborne's seminatural greenspace;

ii. Incorporating design features within the built environment to enhance biodiversity; and

iii. Enhancing ecological connections to other areas of natural greenspace off site.

- 4.14 The initial sections of this policy are satisfied by the detailed ecology information submitted as part of the Environmental Statement and other supporting information. The Biodiversity Enhancement Strategy focusses on the section emphasised above. The Strategy clearly demonstrates how reserved matters will enable the implementation of habitat types in a variety of contexts, not limited to proposed greenspace, and clearly indicates how design features will be utilised to enhance biodiversity. The requirement set out within the Biodiversity Enhancement Strategy for consideration of adjacent development parcels, and the formation of a 'jigsaw plan' enables reserved matters applications to clearly demonstrate how ecological connections will be established and maintained both off and on-site. Therefore, it is clear that all of the provisions of policy WEL31 have been considered and are met within the Biodiversity Enhancement Strategy, and thus this document is in conformance with this Welborne Plan policy.
- 4.15 Further, the Biodiversity Enhancement Strategy is also in full conformance with the provisions of the Draft Condition 10, as held within the Officer's report to Planning Committee of October 2019.

5. CONCLUSIONS

- 5.1 The Welborne OPA was considered at FBC Planning Committee in October 2019, in which a 'Resolution to Grant' decision was reached, subject to the signing of a S106 Legal Agreement. Since the Planning Committee, significant progress has been made in negotiating this agreement with all parties, including FBC and Hampshire County Council (HCC).
- 5.2 However, significant progress has not been made in relation to finding gap funding for the M27 J10 Improvements, despite efforts made. This has placed the delivery of the project in jeopardy, which has significant implications in regard to project programming, delivery and HCCs project sponsor position on the M27 J10 Improvements.
- 5.3 Given this, an alternative solution is needed, therefore Buckland are proposing an additional contribution of £20m to the M27 J10 Improvements (creating a total £40m contribution), which alters the viability assumptions and costings in which the OPA was considered at Planning Committee. This additional contribution also has an effect on the amount of affordable housing that the scheme can viably deliver, and the exact types of market housing which can be viably delivered. These changes are explained in detail within the Viability Statement which is submitted alongside this Supplementary Planning Statement. Other than these changes, no other changes are proposed to the OPA which was considered at Planning Committee in October 2019.
- 5.4 As demonstrated within this statement, these changes are in conformance with the viability exceptions within the policies of the Welborne Plan.
- 5.5 Alongside these changes to the viability parameters, this Supplementary Planning Statement also supports the submission of a Biodiversity Enhancement Strategy. This Strategy, drafted with input from FBC and HCC officers, clearly demonstrates how Biodiversity Enhancement will be secured at Welborne, and satisfies both the provisions within Welborne Plan policies as well as the Draft Condition 10, presented to Planning Committee in October 2019.
- 5.6 To enable FBC to determine this planning application in the above new viability context, and also given that some 11 months have passed since the planning committee, a review of the ES information submitted has been undertaken. This review is documented in the submitted Environmental Statement of Conformity, which concludes that no additional impacts have occurred since the Committee in October 2019.
- 5.7 Given the above, it is considered that the exceptional circumstances present provide clear justification to activate the viability exceptions within the Welborne Plan, and thus this OPA should be granted planning permission to ensure the swift and comprehensive delivery of Welborne.

APPENDIX 10

Correspondence between Terence O'Rourke and
MHCLG - May - August 2019 regarding HDT
results



TERENCE
O'ROURKE

Steve Quartermain CBE
Chief Planner
Ministry of Housing Communities & Local Government

C/O planningpolicy@communities.gov.uk

31 May 2019

TOR: 249501E

Dear Mr Quartermain

Housing Delivery Test (HDT) Fareham Borough

We write to seek clarification as to the requirement figures used in the HDT for Fareham Borough Council.

By way of background, we are currently instructed by Miller Homes with respect to a housing scheme in Fareham Borough. The site is subject to a draft allocation in the emerging local plan and the Council cannot demonstrate a five-year housing land supply with a 5% buffer applied, using the HDT results. A planning application for 350 homes has been submitted but frustratingly, despite the officer recommendation to approve, the Council refused the application and we have submitted an appeal (reference: APP/A1270/W/19/3230015). We need to progress common ground with the Council, an element of which will relate to the housing land supply position.

In this context, both we and officers have been baffled by the HDT result; attached is a report to the Fareham Planning Committee, dated December 2018, confirming the officer view that Fareham would become a 20% buffer authority once the HDT results were published. This view was taken by applying the Rule Book, in particular:

"Where a housing requirement figure is adopted and then repeated in a subsequent plan (such as an allocations document) without re-testing the housing requirement, the housing requirement will be deemed valid for five years only from the first time that the figure was adopted (unless the original plan has been reviewed and found not to require updating)." (footnote 9)

The Fareham Core Strategy sets the housing requirement for the Borough. It was adopted August 2011. The housing requirement is repeated in the subsequent 'Local Plan Part 2: Development Sites and Policies' and 'Local Plan Part 3: The Welborne Plan', both of which were adopted in June 2015. Significantly, however, neither plan re-tested the housing requirement. The position is clearly set out in the attached, extracted pages from the Local Plan Part 2. Whilst you will see, from paragraph 5.169 onwards, that there was an

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'update' to the OAN, published October 2012, against which the Council decided to show delivery, as well as delivery against the Core Strategy requirement, significantly, this updated OAN was not re-tested. The examining Inspector for Local Plan Part 2 makes this very clear at paragraph 44 of the report (extracted pages attached):

"However, it is not the role of LP2 to re-assess objectively assessed need – that will be one of the tasks of the forthcoming review of the Local Plan, which will also be able to accommodate the requirements of the revised SHS (to be completed early next year)."

In these circumstances, it seemed clear to us, and seemingly planning officers, that housing delivery in Fareham Borough would be measured against household growth requirements rather than the plan requirement. We believe that in applying household growth Fareham Borough is a 20% buffer authority.

We have copied this letter to the planning case officer so that he is aware of our query to you, given that we are meeting him on the 11th June to discuss common ground. A response from your team before then would be much appreciated, if that is possible.

We look forward to hearing from the policy team.

Yours sincerely,

Jacqueline Mulliner MRTPI
Director and Head of National Planning

cc Richard Wright, Fareham Borough Council

Wright, Richard

From: Jacqueline Mulliner <jacqueline.mulliner@torltd.co.uk>
Sent: 08 August 2019 15:21
To: Wright, Richard
Subject: FW: Housing Delivery Test Fareham Borough

Hi

See below, received today – at least I got a final response, even if it doesn't make a great deal of sense!

Jo Baker who has the excel spread sheet on nitrogen is away now and all next week – trying to get hold of her, but will get you the calc asap.

Best
Jac

Jacqueline Mulliner MRTPI
Director - Head of National Planning

You can now follow us on:



From: MHCLG Planning Policy <PlanningPolicy@communities.gov.uk>
Date: Thursday, 8 August 2019 at 12:05
To: Jacqueline Mulliner <jacqueline.mulliner@torltd.co.uk>
Subject: RE: Housing Delivery Test Fareham Borough

Dear Jacqueline,

Thank you for your email in relation to the Housing Delivery Test calculation for Fareham Borough Council.

We have no further comment on the matter. Based on the information available to us the housing requirement for Fareham Borough Council, for the purpose of the Housing Delivery Test, is set out in the Local Plan Parts 2 and 3.

Yours sincerely,

Planning Policy

SE Quarter, Third Floor, Fry Building, 2 Marsham Street, London SW1P 4DF
planningpolicy@communities.gov.uk



Ministry of Housing, Communities & Local Government