

Planning (Welborne),
Department of Planning and Environment,
Fareham Borough Council,
Civic Offices,
Civic Way, Fareham,
Hampshire, PO16 7AZ

8th April 2014

Dear Sirs

CPRE Hampshire Response - Consultation on the LP3 Welborne Publication Plan - Feb 2014

CPRE Hampshire welcomes the next stage of consultation for the Welborne development, and is pleased to see that the quantum of housing has dropped further to some 6,000 dwellings. Sadly it seems that many of CPREs comments in our response to the Draft Welborne Plan (letter dated June 2013) and to the Core Strategy (submission dated January 2011) remain relevant today. Even more concerning is that some of the issues which we raised in our response to the Draft LDF (June 2006) are still outstanding, nearly 8 years later. Copies of these letters are available on request.

In general, there are far too many details which are still not yet available. In particular, our concerns remain about many aspects of the proposed infrastructure requirements, limitations on the aspiration for self-containment and the likely adverse impact on the wider landscape. Previous respondents to the Fareham Core Strategy, including ourselves and community groups, were all assured that queries on viability, transport, water resources, flood risk amongst other issues would all be answered (detailed and how they would be funded) in a forthcoming document, which would be called the Area Action Plan. The Welborne Publication Plan has policies which raise these same queries, but do not answer them. It seems the Area Action Plan is no longer considered necessary. This cannot all be left until a planning application, and on that basis the plan as a whole fails the Soundness test of being Positively Prepared. It cannot have a strategy which seeks to meet infrastructure requirements since these are not yet quantified. It further fails to meet the test of being Effective - as there are no details of how this as yet unknown infrastructure liability can be delivered.

We take the opportunity to remind the Leader of Fareham Borough Council, Cllr Woodward of his promise to the community - "put bluntly not a brick of a house can be laid unless infrastructure matters can be satisfactorily dealt with prior to the granting of any planning consents".

Please find attached one completed Form A, and a number of the middle sections of Part B. The second section of Part B has not been repeated, as the date and signature are the same for each. Please therefore note that our request to participate at the Inquiry applies to all submissions from CPRE Hampshire under each of the Part Bs (B1 to B.11) submitted below.

In conclusion, CPRE looks forward, on behalf of our many members affected by this development, to being kept apprised of each stage of the Welborne development.

Yours faithfully

Caroline Dibden
CPRE South Hampshire Group

Ref:

(official use only)

FAREHAM

BOROUGH COUNCIL

Local Plan Part 3: The Welborne Plan Publication Stage Representation Form

Please return to Fareham Borough Council by 5pm on Friday 11 April 2014

This form has two parts –

Part A – Personal Details. You only need to fill this out once, if making multiple representations

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

2. Agent's Details (if applicable)

*If an agent is appointed, please complete only the title, name and organisation boxes and complete the full contact details of the agent in 2.

Title	<input type="text"/>	Mrs
First Name	<input type="text"/>	Caroline
Last Name	<input type="text"/>	Dibden
Job Title	<input type="text"/>	Planning Lead
Organisation	<input type="text"/>	CPRE Hampshire
Address Line 1	<input type="text"/>	89a St Cross Road
Address Line 2	<input type="text"/>	Winchester
Address Line 3	<input type="text"/>	Hampshire
Postcode	<input type="text"/>	SO23 9RJ
Telephone No.	<input type="text"/>	01962 841897
Email Address	<input type="text"/>	info@cprehampshire.org.uk

Ref:
(official use only)

caroline.dibden@btinternet.com

Part B.1 – Please use a separate sheet for each representation

Name of your organisation: **CPRE Hampshire**

3. To which part of the Local Plan Part 3: The Welborne Plan does this representation relate

Paragraph	<input type="text" value="1.30, 1.34"/>	Policy	<input type="text" value="WEL 1, SA"/>	Policies map	<input type="text"/>	Other map or diagram	<input type="text"/>
-----------	---	--------	--	--------------	----------------------	----------------------	----------------------

4. Do you consider the Local Plan Part 3: The Welborne Plan is:

4.(1) Legally compliant	Yes	<input type="text"/>	No	<input checked="" type="checkbox"/>
4.(2) Sound	Yes	<input type="text"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the duty to co-operate	Yes	<input type="text"/>	No	<input type="checkbox"/>

5. Please give details of why you consider the Local Plan Part 3: The Welborne Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

Sustainable Development

There are many outstanding issues in the accompanying Sustainability Appraisal, with many of the ratings showing only low confidence, in particular transport impact, water and waste, flood risk. This lack of reliable data means that the overall Welborne Publication Plan does not meet the Soundness Test as it is not Consistent with policies in the National Planning Policy Framework for sustainable development. Nor can the Plan be considered Justified, as no reasonable alternatives have been considered for transport solutions since no detailed options have been put forward with which to compare.

6. Please set out what modification(s) you consider necessary to make the Welborne Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this modification will make the Welborne Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The outstanding issues and uncertainties in the Sustainability Appraisal should be resolved. Queries on transport options, water and waste, and flood risk should be quantified; they cannot be left as unknowns.

Part B.2 – Please use a separate sheet for each representation

Name of your organisation: CPRE Hampshire

3. To which part of the Local Plan Part 3: The Welborne Plan does this representation relate

Paragraph	1.31,1.54, 5.91	Policy	WEL 2, WEL 16 WEL 29,	Policies map	B.2	Other map or diagram	
-----------	--------------------	--------	-----------------------------	-----------------	-----	----------------------------	--

4. Do you consider the Local Plan Part 3: The Welborne Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the duty to co-operate	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

5. Please give details of why you consider the Local Plan Part 3: The Welborne Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

Cross-boundary issues in particular use of the Knowle Triangle

The inclusion of possible playing fields in the Knowle Triangle is in conflict with the adopted Winchester City Council Local Plan Part 1 Para 5.29 and Policies SH4 and CP18, which specify that areas in Winchester district must form part of the semi-natural green space, which could not include playing fields. Winchester always stated that there should be sufficient buffers within Fareham borough, so as not to need to resort to land within Winchester. Since the Winchester Local Plan has been examined and duly adopted, the Welborne Publication Plan must be in accordance with this principle, or the plan fails the Soundness Test for Effectiveness as it is not based on effective joint working on cross-boundary strategic issues.

6. Please set out what modification(s) you consider necessary to make the Welborne Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this modification will make the Welborne Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Ref:

(official use only)

All references to playing fields in the Knowle Triangle should be removed from text, policies and maps.

Part B.3 – Please use a separate sheet for each representation

Name of your organisation: **CPRE Hampshire**

3. To which part of the Local Plan Part 3: The Welborne Plan does this representation relate

Paragraph	1.54,3.57,	Policy	WEL 3, WEL 5	Policies map		Other map or diagram	
-----------	------------	--------	-----------------	--------------	--	----------------------	--

4. Do you consider the Local Plan Part 3: The Welborne Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

5. Please give details of why you consider the Local Plan Part 3: The Welborne Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

Settlement Buffers and Settlement Coalescence
 The buffers as described in the Welborne Plan at 50m are not sufficient to prevent coalescence of the settlements and thus the plan is internally inconsistent, and is thus Unsound. The Fareham Core Strategy also states the buffers should be adequate to prevent coalescence and thus the Welborne Plan is not in accordance with this. A buffer of 50 m is barely the width of one house. Furthermore, Para 5.28 of the Winchester District Local Plan Part 1 states that the land for the SDA (now Welborne), including open space, green infrastructure and green buffers should be **within** Fareham borough. This is not the case as proposed by the Welborne Plan.

6. Please set out what modification(s) you consider necessary to make the Welborne Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Welborne Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The green buffers should be enlarged to prevent possible coalescence of the settlements so as to make the Plan consistent with itself and with the Fareham Core Strategy. The buffers should be within Fareham borough.

Part B.4 – Please use a separate sheet for each representation

Name of your organisation: **CPRE Hampshire**

3. To which part of the Local Plan Part 3: The Welborne Plan does this representation relate

Paragraph	5.1 to 5.15	Policy	WEL 9	Policies map	B.2	Other map or diagram	
-----------	-------------	--------	-------	--------------	-----	----------------------	--

4. Do you consider the Local Plan Part 3: The Welborne Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the duty to co-operate	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

5. Please give details of why you consider the Local Plan Part 3: The Welborne Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

Self Containment and Employment Provision

The Welborne Plan states (para 5.16) that there is likely to be limited demand for office space for some time, as there is currently an over-supply, and this justifies the prevalence of storage space and related employment in the first phases of the plan. This is in complete contrast to all the original justifications for the Welborne development from 2004 onwards for economic development of the South Hampshire sub-region, and bears out CPREs and others' prediction that the Welborne development could suck employment out of the older urban areas and the cities. The Welborne Plan is thus in conflict with the Cities First principle of the South Hampshire Economic Strategy.

The proportion of warehousing and its location close to the M27 also goes to the heart of the self-containment principle, which was originally proposed as 40%, and now seems to be lowered in each subsequent study.

6. Please set out what modification(s) you consider necessary to make the Welborne Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Welborne Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Ref:

(official use only)

There should be less warehousing as this will aid self-containment, and thus the Plan will be in accordance with South Hampshire studies.

Part B.5 – Please use a separate sheet for each representation

Name of your organisation: **CPRE Hampshire**

3. To which part of the Local Plan Part 3: The Welborne Plan does this representation relate

Paragraph	6.23 to 6.30	Policy	WEL 18	Policies map		Other map or diagram	
-----------	--------------	--------	--------	--------------	--	----------------------	--

4. Do you consider the Local Plan Part 3: The Welborne Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the duty to co-operate	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

5. Please give details of why you consider the Local Plan Part 3: The Welborne Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

Affordable Housing

Previous versions of the Welborne Plan and the Fareham Adopted Core Strategy provided for a total of 30-40%% affordable housing, as along with economic growth, this was purported to be the main justification for the whole development. Whilst the viability might be impacted by the proportion of affordable housing, the drop to 30% serves to undermine the entire raison d'être for the new town.

The Plan implies that if viability is compromised by providing even 30%, then a lower target might be accepted or Fareham BC will step in to fund via the JVHC. This is not what the public understood and accepted as the quid pro quo for the loss of this greenfield site. This part of the plan is not Justified as no reasonable alternatives have been considered; it is not Positively Prepared as it does not meet the need as previously reported at the Core Strategy examination in public.

Furthermore the Welborne Plan should make it clear (as set out in the Fareham Core Strategy) that the affordable housing provision in the new settlement is a sub-regional resource, and as such should be shared with neighbouring authorities. Failure to do so will also result in the Plan falling short of the Soundness Test for cross-boundary strategic issues.

6. Please set out what modification(s) you consider necessary to make the Welborne Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. (NB Please note that any non-compliance with the

Ref:

(official use only)

duty to co-operate is incapable of modification at examination).
You will need to say why this modification will make the Welborne Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The drop to 30% affordable housing should be resisted.

The Welborne Publication Plan should include a reference to the settlement being a sub-regional resource and thus the affordable housing element should be open to neighbouring authorities.

Part B.6 – Please use a separate sheet for each representation

Name of your organisation: **CPRE Hampshire**

3. To which part of the Local Plan Part 3: The Welborne Plan does this representation relate

Paragraph	7.1 to 7.9, 7.19 to 7.21, 7.25	Policy	WEL 23, WEL 24, WEL 26	Policies map		Other map or diagram	
-----------	--------------------------------------	--------	------------------------------	-----------------	--	----------------------------	--

4. Do you consider the Local Plan Part 3: The Welborne Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

5. Please give details of why you consider the Local Plan Part 3: The Welborne Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

Transport Strategy

The Welborne Plan has been long awaited by CPRE and local communities, hoping that finally at this stage, there would be some answers to all the queries that we have raised over many years of the process. Sadly the transport issues remain largely unanswered. Whilst J10 of the M27 has been modelled extensively, there are still 4 options, none of which seem to be preferred. The answer is always about to be answered by the latest modelling, it is always about to be released, but it is never in time to be evaluated alongside the planning process. This is transport planning in Wonderland - always jam tomorrow, never jam today – but in this case the jam maybe be a traffic one!

The phasing of whichever option is chosen for J10 is not scheduled to be completed until the end of Phase 2, until around 2022 when 1840 houses have been completed. Promises were made by Fareham Borough Council that “put bluntly not a brick of a house can be laid unless infrastructure matters can be satisfactorily dealt with prior to the granting of any planning consents” (Cllr Sean Woodward – 9th November 2010).

An email to CPRE from Hampshire County Council on 2nd April 2014 stated “The Highways Agency is currently working with Fareham Borough Council on its local plan and the Welborne site north of the M27 Junction 10. The proposal is to provide additional slip roads at the junction; however, this has only been accepted in principle and its implementation depends on the outcome of an assessment.” This confirms that an assessment is still awaited. As a result of the lack of information, the Welborne Plan cannot be considered to be Positively Prepared as this crucial piece of infrastructure has not been detailed. Nor

can it be Justified as it is not possible to verify whether this is the most appropriate strategy as we do not yet know which strategy it will be.

There is no mention of possible traffic impact going north into the South Downs National Park. It is likely that increased traffic will not be in accordance with National Park Purposes under Section 62 of the Environment Act 1995, which seeks to conserve and enhance the natural beauty, wildlife and cultural heritage of the area. This requires all authorities to have regard to these Purposes.

Whilst Policy WEL 26 is welcomed in principle, it could be made easier to understand and to monitor by splitting into 2 policies, one for bus and one for rail. The rail aspect should not just examine rail options for development in the west of the site, but for the site as a whole. The track should be safeguarded to allow for changes in government policy. This would be consistent with sustainable development principles in the NPPF.

6. Please set out what modification(s) you consider necessary to make the Welborne Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this modification will make the Welborne Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The traffic modelling should be finalised, an option chosen and laid before the public for consultation, as has been promised, but not delivered.

Detailed modelling of the possible traffic impact in the South Downs National Park should be undertaken, and mitigation measures proposed if necessary.

Rail options should be evaluated for any development on the site, not just in the west.

Part B.7 – Please use a separate sheet for each representation

Name of your organisation: **CPRE Hampshire**

3. To which part of the Local Plan Part 3: The Welborne Plan does this representation relate

Paragraph	8.3 to 8.5, 8.26 to 8.28, 8.43	Policy	WEL 29, WEL 30, WEL 31, WEL 33 HRA	Policies map		Other map or diagram	
-----------	--------------------------------------	--------	--	--------------	--	----------------------	--

4. Do you consider the Local Plan Part 3: The Welborne Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

5. Please give details of why you consider the Local Plan Part 3: The Welborne Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

Green Infrastructure, Biodiversity and Landscape

The under-provision of the full quota (84.8ha) of recommended SANGS land, with only 70.5ha onsite, is concerning, as it is possible that viability arguments will be used to avoid payment in lieu. This would not be in accordance with the NPPF. In any event it is not clear how provision of SANGS at Welborne will prevent visitors at the coastal bird havens.

Natural England Guidelines on SANGS state “Other infrastructure would not be expected”, confirming that the inclusion of the Knowle Triangle as part of the SANGS quota would preclude any school playing fields in this area.

Further the NE guidelines state that “SANGS should seek to avoid sites of high nature conservation value which are likely to be damaged by increased visitor numbers”, which would imply that the SINCS at Dash Wood in Winchester district should not be included in the SANGs quota, or at least car parking should be excluded and visitors encouraged to visit on foot.

The policy on Biodiversity should include an “independent” assessment in order to assure the public that it is in accordance with HRA. A developer study could be construed as biased. Furthermore base readings should be taking place now

There is no mention in paras 8.3 to 8.5 of the wider landscape impacts, such as from

Portsmouth Hill looking into the site. Para 8.43 picks up the problem but gives no solutions. This omission should be inserted into Policy WEL 33. This is the most sensitive of landscape areas, and Portsmouth Hill itself contains a number of historic monuments. As far as possible, development of any high or large scale buildings should be avoided in this eastern area.

There is no mention of the possible visibility of the site on the eastern margin from inside the South Downs National Park. Issues such as light pollution could have an adverse impact on the natural beauty, wildlife and cultural heritage and thus be contrary to Park Purposes as mentioned above. The possible impact on the South Downs National Park has been missed from the HRA and should have been included. It should be included in WEL 33.

6. Please set out what modification(s) you consider necessary to make the Welborne Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Welborne Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Clarify the intention of the SANGS with respect to its role as “alternative” green space.

Exclude playing fields from Knowle Triangle, and car parks from Dash Wood.

Add the word “independent” to Policy WEL 31 as follows – The initial planning applications for development at Welborne shall be supported by a full *independent* ecological assessment.

Insert mention of the impact on views into the site, and control of light pollution, from Portsmouth Hill and the South Downs National Park into policy WEL 33. Specify height and mass limits on buildings in the area to the east of the A32.

Part B.8 – Please use a separate sheet for each representation

Name of your organisation: **CPRE Hampshire**

3. To which part of the Local Plan Part 3: The Welborne Plan does this representation relate

Paragraph	9.12, 9.17 to 9.21	Policy	WEL 37, WEL 38, WEL 39	Policies map		Other map or diagram	
-----------	--------------------	--------	------------------------	--------------	--	----------------------	--

4. Do you consider the Local Plan Part 3: The Welborne Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

5. Please give details of why you consider the Local Plan Part 3: The Welborne Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

Water and Waste Strategy

The comments in Para 9.12 imply that there are no real solutions to the supply issue, and all Policy WEL 37 can do is try to minimise use – “Firstly local water supplies come mainly from a heavily used aquifer where there is no further water available for licensing, as well as nearby watercourses, so increased levels of abstraction could cause environmental harm”.

Paras 9.17 – 9.21 imply a number of severe problems with waste water, and these need to be resolved before the plan is declared Sound. A connection to Southern Waters Peel Common plant is expensive and difficult. An alternative provision from Albion Water expanding the Knowle plant involves a considerable increase in tanker traffic. At this stage neither of these options can be deemed to be deliverable.

Policy WEL 39 states that the site promoters will carry out a flood risk assessment, but this is too late in the process. The SA stated that Flooding Risk could not be evaluated and was left as an unknown. In view of the historical flooding events in Wallington, this cannot be left to the application stage.

The Plan cannot be deemed to be Positively Prepared or Effective as infrastructure requirements regarding water sourcing, waste disposal and flooding have not been demonstrated to be deliverable.

Ref:

(official use only)

6. Please set out what modification(s) you consider necessary to make the Welborne Plan legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this modification will make the Welborne Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Water supply, waste and flood issues should be resolved at this stage, not left to the planning application.

Part B.9 – Please use a separate sheet for each representation

Name of your organisation: **CPRE Hampshire**

3. To which part of the Local Plan Part 3: The Welborne Plan does this representation relate

Paragraph	10.5, 10.36 to 10.39, 10.47	Policy	WEL 41, WEL 42, GVA Report	Policies map		Other map or diagram	
-----------	--------------------------------------	--------	-------------------------------------	-----------------	--	----------------------------	--

4. Do you consider the Local Plan Part 3: The Welborne Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

5. Please give details of why you consider the Local Plan Part 3: The Welborne Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

Viability and Phasing

Paras 10.36 to 10.39 and WEL 41 appear to release the developer from any infrastructure said to be unviable. This is topsy turvy – if the infrastructure is required and yet no profit is to be made, then the development should not be allowed to proceed. If the plan cannot be said to meet infrastructure requirements then it cannot have been Positively Prepared and would thus be Unsound. It does not help in this case that some of the most crucial infrastructure requirements are still unknown – even at this late stage.

The Plan seeks to safeguard sites, but WEL 42 appears to undermine this aspiration. It permits the developer to seek alternative uses by showing that the “use” is not viable. The policy should be reworded to say that if the “use” is not viable, but is still required, it must be met in another way. Otherwise the plan cannot be considered to be meeting objectively assessed infrastructure requirements and is therefore Unsound.

These concerns are of even more importance if the project is so marginal as is suggested by the GVA Report on Viability Testing, which indicate that the cost of the infrastructure over the first 3 years with current costs and values make the scheme unviable. This marginal case continues for up to 10 years.

6. Please set out what modification(s) you consider necessary to make the Welborne Plan legally compliant or sound, having regard to the test you have identified at question 5

Ref:

(official use only)

above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).
You will need to say why this modification will make the Welborne Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policies should be reworded to prevent developers evading their obligations on infrastructure requirements. Policies should not permit the use of viability to avoid building the community facilities which are crucial to Welborne even having a hope of achieving self-containment and sustainability.

Critical infrastructure such as J10 improvements and the sewage disposal cannot just be “agreed” away.

Part B.10 – Please use a separate sheet for each representation

Name of your organisation: **CPRE Hampshire**

3. To which part of the Local Plan Part 3: The Welborne Plan does this representation relate

Paragraph	SA 6.2.6 to 6.2.9	Policy	SA Appendix B Sect 2	Policies map	B.1	Other map or diagram	
-----------	-------------------	--------	----------------------	--------------	-----	----------------------	--

4. Do you consider the Local Plan Part 3: The Welborne Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.(3) Complies with the duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

5. Please give details of why you consider the Local Plan Part 3: The Welborne Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

Air Quality

There appears to be a section missing on Air Quality? The only reference in the Welborne is on Map B.1 to the Air Quality Assessment Zone.

In the Sustainability Appraisal for the South East Plan the SDA (now Welborne) was recommended for deletion on the grounds of its likely adverse impact on air quality. The SA accompanying the Welborne Plan plays down these likely impacts in its conclusions and suggests that the traffic modelling and self-containment will mitigate any adverse effects. Discussion is limited to the two existing AQMAs in Fareham and does not examine a wider area. The Appendix Section 2 states “Whilst the two AQMAs in Fareham are not located adjacent or near the plan area, Welborne has the potential to negatively affect air quality across the borough, including the town centre, where the AQMAs are located. This is acknowledged by the Air Quality Action Plans prepared for the AQMA, which suggest that Welborne could add to Fareham town’s congestion issues.”

CPRE do not therefore accept that the issue can be dismissed so lightly, as the conclusions do not seem to relate to the appendix, and are predicated on a traffic solution which has not been finalised, and self-containment which is unlikely to be achieved. CPRE requests more detailed analysis of the possible health impacts of such a large increase in population and traffic so close to an already congested motorway. These studies have not been concluded so the premise in the SA is flawed and thus Unsound.

6. Please set out what modification(s) you consider necessary to make the Welborne Plan

Ref:

(official use only)

legally compliant or sound, having regard to the test you have identified at question 5 above where this relates to soundness. (NB Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).
You will need to say why this modification will make the Welborne Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Insert a section and a policy on air quality. Commission further studies.

Part B.11 – Please use a separate sheet for each representation

Name of your organisation: **CPRE Hampshire**

3. To which part of the Local Plan Part 3: The Welborne Plan does this representation relate

Paragraph	10.52	Policy		Policies map		Other map or diagram	
-----------	-------	--------	--	--------------	--	----------------------	--

4. Do you consider the Local Plan Part 3: The Welborne Plan is:

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(3) Complies with the duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

5. If you wish to support the legal compliance or soundness of the Local Plan Part 3: The Welborne Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

CPRE supports the participation of local people.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

	No , I do not wish to participate at the oral examination		Yes , I wish to participate at the oral examination.
--	--	---	---

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

CPRE Hampshire has made comments on each, and every iteration of the documents relating to the Welborne development since its inception prior to the South East Plan over a decade ago. We are well versed in both the finer detail and the overall concept and wish our views to be represented at the Examination. We have many members in Fareham and the southern part of Winchester District, and this would allow us to represent their strongly held views. We are not permitted to join the Standing Conference and in particular, we do not see that any other organisation is representing the landscape and countryside for its own sake.

We wish to see that any development at Welborne uses options least adverse to the landscape surrounding it, and therefore we wish to contribute to the Examination and present those views directly to the Inspector.

NB This request to participate at the Inquiry applies to all submissions from CPRE Hampshire under each of the completed Part Bs above – B.1 to B.11

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

9. Signature:

Caroline Diddex (for CPRE Hampshire)

Date:

8th April 2014