
Report to Gosport Borough Council

by John Wilde C.Eng M.I.C.E.

an Inspector appointed by the Secretary of State for Communities and Local Government

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

REPORT ON THE EXAMINATION OF THE GOSPORT BOROUGH

LOCAL PLAN 2011-2029

Document submitted for examination on 28 November 2014

Examination hearings held on 3 and 4 March 2015

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Abbreviations Used in this Report

AHVA	Affordable Housing Viability Assessment
GBCLPR	Gosport Borough Council Local Plan Review
HBIC	Hampshire Biodiversity Information Centre
HMA	Housing Market Area
IDP	Infrastructure Delivery Plan
LDS	Local Development Scheme
LP	Local Plan
MoD	Ministry of Defence
MM	Main Modification
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
OSMR	Open Space Monitoring Report
PPSFA	Playing Pitch and Sports Facility Assessment 2014
PUSH	Partnership for Urban South Hampshire
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SHS	South Hampshire Strategy
SINC	Site of Importance for Nature Conservation
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
TCPA	Town and Country Planning Act 1990

Non-Technical Summary

This report concludes that the Gosport Borough Local Plan 2011-2029 provides an appropriate basis for the planning of the Borough over the next 14 years and is sound, providing two modifications are made to the Plan. Gosport Borough Council has specifically requested me to recommend any modifications necessary to enable the Plan to be adopted.

I have recommended the inclusion of both main modifications after considering the representations from other parties on these issues.

The Main Modifications can be summarised as follows:

- In the interest of clarity, the identification of the Haslar Gunboat Yard as a separate site on the Policies Map and within policy LP6 and all associated paragraphs.
- To ensure that the plan is effective, the replacement of existing paragraph 13.14 with the following:

The Local Plan has been prepared through the Duty to Cooperate having regard to the PUSH South Hampshire Strategy 2012. The PUSH authorities are now committed to a review of the South Hampshire Strategy and it is programmed for completion in 2016. The evidence gathering for this new strategy has already started with the publication of a Strategic Housing Market Assessment (SHMA). This SHMA identifies an objectively assessed housing need for the PUSH area and this will be the starting point for identifying housing requirements. The SHMA identifies that Gosport fits within the wider Portsmouth Housing Market Area. Gosport is not a separate housing market in itself so arguably does not have an entirely distinct district housing need. However, to the extent that there can be an objectively assessed housing need specifically for Gosport, if environmental/infrastructure considerations indicate that this cannot be fully met within Gosport, the intention is that the SHS will in effect relocate this to other districts. This will be as a result of the Strategy's district level housing targets being based on what can be delivered in terms of environmental/infrastructure capacity, with the district level targets collectively summing to the total Portsmouth HMA/South Hampshire objectively assessed need. The South Hampshire Strategy Review will allocate a housing figure for Gosport for the period 2016-2036.

Accordingly, the publication of the South Hampshire Strategy Review will necessitate a full or partial review of the Local Plan. The Council have recognised the need for an early review and have published a revised Local Development Scheme setting out a timetable for a review of this Local Plan. This review will also take into account any revisions to the National Planning Policy Framework.

Introduction

1. This report contains my assessment of the Gosport Borough Local Plan 2011-2029 (LP) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (NPPF) paragraph 182 makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the Publication version draft plan July 2014 which was published for consultation in August 2014.
3. My report deals with the main modifications that are needed to make the Local Plan sound and they are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act the Council requested that I should make any modifications needed to rectify matters that make the Plan unsound and thus incapable of being adopted. These main modifications are set out in the Appendix. The Main Modifications that are necessary for soundness all relate to matters that were discussed at the Examination hearings. Following these discussions, the Council prepared a schedule of proposed main modifications which was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report.
4. This report will deal with main matters relating to soundness and legal compliance and not every point raised by representors.

Assessment of Duty to Co-operate

5. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed by section 33A of the 2004 Act in relation to the Plan's preparation. With regard to this the Council have supplied a Duty to Cooperate Statement¹. This document sets out the requirements for cooperation as stipulated by the NPPF and then details the formal relationships that the Council have with a range of organisations to fulfil these requirements. These include the relevant bodies prescribed by Regulation 4². Central to the cooperation is the existence of The Partnership for Urban South Hampshire (PUSH), which is an organisation representing twelve local authorities in the south Hampshire area. PUSH publishes the South Hampshire Strategy, which is a sub-regional planning document. This is informed by various other documents produced or commissioned by PUSH including a Strategic Housing Market Assessment (SHMA), a Strategic Flood Risk Assessment (SFRA) and studies dealing with green infrastructure, climate change and employment floorspace amongst others.

¹ Document LP/A4/5

² Of the Town and Country Planning (Local Planning) (England) Regulations 2012

6. There have been no objections from any relevant organisations regarding the Duty to Cooperate. Whilst future housing supply is dependant on the cooperation of other authorities within the PUSH area, and this is a matter that I will return to later in this report, overall I am satisfied that the Council has engaged constructively, actively and on an on-going basis and that this duty has therefore been met.

Assessment of Soundness

Main Issues

7. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified a number of main issues upon which the soundness of the Plan depends. Most prominent amongst these is the issue of housing supply, with the Council accepting that they have not provided for the objectively assessed housing need as identified within the South Hampshire SHMA. There are however other issues, including several site-specific matters, that could impact on the overall housing numbers, and it therefore seems sensible to me to start with these before returning to the question of housing.

Issue 1 – Spatial Strategy: Open space designations – should the following sites been classified as open space?

a) Brockhurst Gate

8. Brockhurst Gate is a site to the north-west of Fort Brockhurst. Approximately half of the overall site is shown on the policies map as an economic development allocation with the remaining portion shown as *existing open space*. The site was previously the Civil Service Sports Ground and included a cricket pitch, football pitches and a shooting range. The sports ground also included changing rooms and a social club, but these have now been demolished following a fire at the site.
9. Policy LP35 of the LP aims to protect existing open space for open space functions, although the policy does set out circumstances where the site may be developed, including where *alternative provision is made available of equivalent or greater community benefit in terms of quality, quantity and accessibility and the proposed site cannot be used for an alternative form of open space for which there is an identified need*. The section of the site that is allocated for economic development is subject to policy LP9B which specifies that any development proposals would need to provide a new sports pavilion and car parking facilities for the adjacent open space.
10. Paragraph 74 of the NPPF states that existing open space should not be built upon unless, amongst other things, an assessment has been undertaken which has clearly shown the open space to be surplus to requirements. To justify retaining the open space the Council have produced a document entitled *Playing Pitch and Sports Facility Assessment 2014³ (PPSFA)*. This

³ LP/E9/3

document utilises methodologies in line with Sport England's recommendations to assess the supply of and demand for a variety of pitch types up to 2021. The report concludes that currently there is a theoretical surplus of 1.9 football pitches within the Borough, falling to a surplus of 1.3 in 2021, when resting⁴ pitches are taken into account.

11. The Council point to the fact that, on average, about 45% of senior, junior and mini-soccer pitches are unsecured, in that they are under the control of either education providers or the MoD. These pitches could be withdrawn from use at any time by the relevant provider or the terms and conditions could be changed to make them unviable. I note that, according to the PPSFA, such an eventuality occurred with the pitches at HMS Sultan, where the league was informed that each club using the MoD pitches would have to pay licence charges which could be for a one off event or a series of events over an agreed period of time on top of the playing pitch hire. This has made these pitches inaccessible for the league.
12. Whilst a document submitted by the owners of the Brockhurst Gate site⁵ indicates that the overall cost of the pitches at HMS Sultan is comparable with others in the area, the upfront cost of an annual licence fee could well be a deterrent to casual users. This case also highlights the fact that, although the Defence Infrastructure Organisation⁶ indicates that there are no plans at present to withdraw the HMS Sultan sites, such arrangements can easily change over time.
13. I note that the Brockhurst Gate pitches were not included in the PPSFA. However, as they were closed at the time of the assessment this is a perfectly rational omission.
14. My attention has been drawn to the relatively recent re-development of Gosport Leisure Centre, which is in close proximity to the Brockhurst Gate site. It would seem that 2 mini-football pitches were intended to be provided but have not as yet been installed due to a lack of demand. I have also been provided with some information that questions the accuracy of the PPSFA and also information indicating that there is a large overprovision of pitches across the local catchment area.
15. Notwithstanding these factors however, I consider the PPSFA to be a thorough document that provides sound evidence for the Council's stance. I accept that there may be some relatively minor inconsistencies, but these are to an extent inevitable as situations regarding the numbers of teams and availability of pitches can change at short notice. The fact is that the PPSFA identifies only a very small theoretical surplus of football pitches. Even if the Brockhurst Gate pitches are added to this surplus, it is still substantially outweighed by the number of pitches outside of the Council's direct control that could be lost with changing circumstances.
16. Paragraph 74 of the NPPF is clear that existing open space should not be built upon unless an assessment has been undertaken which clearly (my

⁴ Pitches taken out of use to allow surfaces to recover and regenerate

⁵ Playing Pitch Need Assessment by 4 global Consulting Ltd REP29/E/1.4

⁶ Rep29/E.104 App 3

underlining) shows the open space to be surplus to requirements. The most thorough assessment before me is the PPSFA and that recommends that the unsecured community use pitches that exist, including the Brockhurst Gate site, should be protected, and I concur with this view. I therefore consider the designation and policies LP9B, LP3 and LP35 to be sound.

b) Stokesmead

17. Stokesmead is a site of about 1.18ha situated within the Anglesey Conservation Area adjacent to Stoke Lake, which forms part of the Portsmouth Harbour SPA, Ramsar site and SSSI. It has a planning history stretching back over 30 years. The site was allocated as open space in both the 1995 Gosport Local Plan and the Gosport Borough Local Plan Review 2006 (GBLPR). Previously the site has been used as recreational open space as part of a children's home and as a sports pitch leased to the Council. It is designated under policy LP9E as open space allocation for the provision of a public park, (and is shown on the policies map as such), with the Council particularly keen to establish a children's play space.
18. This desire stems from the 2014 Open Space Monitoring Report⁷ (OSMP) which identifies that there is no provision within the Anglesey Ward for such space. The Council accept that there are play facilities located in the neighbouring ward but point out that these are strategic facilities used by children across the borough. Even taking these alternative facilities into account the provision for the two wards is below the borough average in terms of hectares per 1000 head of population.
19. I consider therefore that, statistically, a need has been identified. I further consider that such facilities, by their very nature, should be relatively localised, and note that existing high quality play facilities for children and young people are greater than 400m away.
20. Furthermore, at present about 90% of the site is within flood zone 3 and by 2115 all of the site will be. It is within the Anglesey Conservation Area and adjacent to the Alverstoke Conservation Area and is seen as a significant open area within the setting of both of these CAs as well as enhancing the setting of a number of Listed Buildings. The site also provides a buffer between the SPA/Ramsar site/SSSI and the urban areas.
21. I note that the ward has a good overall level of high quality open spaces but none of these are specifically for children. I am also aware that the site is currently in private ownership and not available for public use. However, the ownership of a site, and the aspirations of its owners, should not be instrumental in its designation within a LP, particularly when there is sound evidence to support its proposed use.
22. The Inspector who conducted the examination of the GBLPR commented that *Stokesmead Field is a high value open space due to its waterside location, is an important feature of the Anglesey Conservation Area and provides a setting for a number of important buildings in the adjoining Alverstoke*

⁷ LP/E9/1

Conservation Area. I have been given no substantial evidence that would lead me to a different conclusion.

23. The financial effect of the site being designated as open space and the implications for any change in value of other housing sites within the borough because of this designation are not matters relevant to this examination. In light of the above I therefore consider that the site should be classified as open space and policies LP3, LP9E and LP 34 to be sound.
- c) Munitions Store, Priddy's Hard
24. The Munitions Store site and its adjacent moat area are an open space area provided as mitigation for the adjoining approved development of 700 houses. The site is identified as existing open space on the Policies Map. It is also classified as a SINC (Site of Importance for Nature Conservation) and is subject to an agreement under Section 299A of the Town and Country Planning Act (TCPA), being retained and protected from development in order to provide conditions suitable for the retention and breeding of the Great Crested Newt. The site is surrounded by a high fence, is extremely overgrown and contains two former cordite magazines. These cannot however be seen due to the vegetation. The public has no access to the site.
25. The site had not been formally identified as a SINC in time to be included as such within the GBLPR, but was given equal protection within it. The Hampshire Biodiversity Information Centre (HBIC), the authority that identifies SINCs met on the 5 March 2015 and subsequently confirmed that the criteria of the existing Priddy's Hard SINC should be amended to include criterion 6C, 'sites supporting an outstanding assemblage of species', in addition to the original criterion 6A, 'sites supporting one or more notable species', which had previously been identified as part of the SINC designation. HBIC also confirmed the presence of Great Crested News on the Munitions Store part of the site. I note that there is also an active badger sett within the site and a population of slow worms. The designation of the site as a SINC within the LP is in my view therefore adequately justified and sound.
26. As regards the designation of the site as open space, this to my mind is a logical follow on from the designation of a SINC. I note that the Council's OSMR⁸ uses a typology used in previous Government advice on producing open space audits. One type of open space is defined in the OSMR as *Natural and Semi-Natural Greenspace whose primary purpose is wildlife conservation, biodiversity and environmental education and awareness*. Whilst the Munitions Store site is not currently suitable for educational purposes it is nonetheless an area of wildlife conservation and biodiversity. I also note that the NPPF defines open space as *all open space of public value*, which, amongst other things, can *act as a visual amenity*.
27. The Munitions Store site forms part of a nature conservation mitigation scheme for a large housing development. There is evidence of protected species within the site and I consider that its designation as open space and as a SINC is perfectly rational and sound. I acknowledge that there are

⁸ LP/E9/1

buildings within the site that have some historic value and that are undergoing a process of deterioration. However, I have been given no information to indicate that these buildings are either locally or nationally listed and therefore their presence does not, to my mind, prejudice the proposed designations. Policy LP34 is therefore sound.

28. I have been made aware that since the Hearing the owners of the site have approached the HBIC requesting that the footprints of the buildings be removed from the SINC designation. The HBIC consider that as the buildings themselves are not part of the notable habitat, it would be appropriate to delete them from the SINC designation. In light of this it may be appropriate to delete the buildings themselves from the SINC boundary on the LP Policies Map. If that were to happen then any change in designation would hold sway and it would be for the Council to decide what steps to take. Such an adjustment would not alter my view that the SINC and open space designation is justified.

Issue 2 – Spatial Strategy: Should the Sailors Rest site be designated as existing community and built leisure facilities?

29. Up until 2010 the building on this site housed the Aggie Weston's Royal Sailors Rest, but the lease for this was surrendered in November of that year. The building has now been demolished due to a succession of arson attacks and vandalism. The Policies Map shows the site as an existing community and built leisure facility, but as the owners point out, there is no existing facility on the site.
30. As a site for existing community and built leisure facilities the site would be subject to policy LP32 in particular. This policy would allow for residential development provided that they *contribute towards providing high quality and accessible community, cultural and built leisure facilities*. It also allows for development that would result in the loss of existing community, cultural sports recreation and built leisure facilities if it could be demonstrated, amongst other things, that *there are no other viable community, cultural, sports, recreation or built leisure uses for the premises or site, and that there have been reasonable attempts to sell/let them for these purposes*.
31. The Council consider that the policy is sufficiently flexible to allow alternative uses. I have also been directed to a recent planning application during which a representation was made by a community group seeking new facilities. It seems to me therefore that there may be a need for a community use on the site. However, if this turns out to not be the case, and this can be adequately demonstrated, then the proposed policy is flexible enough to cater for such an eventuality. For these reasons I consider that the proposed designation should remain.

Issue 3 – Spatial Strategy: Should the Gunboat Sheds be designated separately from the rest of the Haslar Marine Technology Park, as a mixed use area in line with the designation of the Blockhouse?

32. Policy LP6 relates to the Haslar Peninsula. The policy indicates three separate sections within the peninsula, these being the Royal Hospital, the Blockhouse

and the Haslar Marine Technology Park. This latter area includes the buildings known as the Gunboat Sheds. These are a scheduled ancient monument and were until recently within the ownership of QinetiQ and seen as part and parcel of the technology park. As such any planning permission would be restricted to employment uses.

33. However, the sheds have recently been purchased and the new owners point out that the sheds differ from the rest of the area in terms of their setting, architecture and historical importance. The Council have acknowledged this and concluded that residential use of the site could be appropriate subject to several caveats. I concur with this view and therefore, in order to demonstrate that the Council is following the most appropriate strategy, changes are necessary to policy LP6 and a range of accompanying paragraphs. Consequently I recommend this main Modification (**MM1**) in order to achieve soundness.

Issue 4 – Spatial Strategy: Should a further Strategic Gap Review have been undertaken?

34. The strategic gap within Gosport Borough relates in the main to the gap between Gosport and Lee-on-the-Solent, although there are several small sections of gap that border Fareham Borough Council. These gaps are in accord with policy 15 of the South Hampshire Strategy which recognises the need to designate such gaps to help maintain the individual character and identity of settlements and to provide new or enhanced recreation and other green infrastructure.
35. The gap between Gosport and Lee-on-the-Solent is largely occupied by the Alver Valley Country Park along with the Lee-on-Solent golf course and the Browndown SSSI. The creation of the country park is a key objective of the Council. A considerable part of this gap is in within Flood Zone 3.
36. In the preparation of the LP the Council undertook a review of the urban boundary area which included a review of the settlement gap. This resulted in several changes to the gap, in particular to the north of Daedalus and to the west of Rowner, in the Alver Village area. The Council also co-operated with a Fareham Borough Council review of that Council's boundaries to ensure a common approach. I also note that the 2014 SHLAA assessed broad areas within the settlement gap as well as other areas outside of the urban area.
37. In light of the above I have no reason to consider that a further settlement gap review should have been undertaken.

Issue 5 – Spatial Strategy: Is the Open Space Monitoring Review based on sound evidence?

38. The OSMR was produced in 2014 and follows previous versions in 1996, 2002, 2004, 2010 and 2012. It is therefore up to date and benefits from previously gained knowledge. It identifies open space needs and priorities on a ward by ward basis and compares the quality and value of the various categories of open space. It has been carried out in line with methodologies that were up

to date at the time of being undertaken and pays heed to relevant national policy and guidance.

39. Whilst I have already found that there are some relatively minor inconsistencies in the PPSFA that in turn feed into the OSMR, these are not of a substantive enough nature to undermine the overall integrity of the OSMR. Overall therefore I conclude that the OSMR is based on sound evidence.

Issue 6: Spatial Strategy – Is the SHLAA based on sound evidence?

40. The Council's latest SHLAA was produced in 2014, with a base date of 1 April. It was a review of the 2012 SHLAA, and the methodology used in its production was updated to reflect advice given in the National Planning Policy Guidance (NPPG). Whilst the last call for housing sites was in 2012 opportunities for developers to put forward further sites were provided during the consultation stages of both the Consultation Draft GBLP (December 2012) and the Publication version (August/September 2014), and I note that several sites were put forward during the latest consultation.
41. The SHLAA reviewed a total of 173 sites of which 52 were found to be suitable for development. Of these 29 were considered to be available and achievable. I note that the Council assessed the potential of sites even where the landowner did not respond directly to the Council's request at the call for sites stage. Overall I consider that the SHLAA is a comprehensive document founded on a sound evidential basis.

Issue 7: Spatial Strategy – Is the level of detail of the GBLP with respect to certain specific sites set correctly?

42. One respondent highlighted several specific areas of Gosport and indicated that these should have been addressed within the LP. These areas included car parks and buildings in the town centre area as well as the oil depot to the west of St George Barracks North.
43. All of these sites except the oil depot are within the Waterfront and Town Centre Regeneration Area. The Council intend to produce a Supplementary Planning Document⁹ (SPD) which will investigate various options for these sites, and will provide further details in line with the principles set out in policy LP4. The SPD will be prepared in close consultation with key stakeholders and the public. To me this would seem to be the appropriate way forward, and avoids the need for excessive detail within the GBLP.
44. As regards the oil depot, this is still an operational facility under the ultimate control of the MoD, which has never indicated that the site will be released for development. It is appropriate therefore that it remains as white land within the urban area boundary on the Policies Map.
45. In a similar vein the area known as Bastion No 1 and the ramparts adjacent to St George Barracks North are shown as open space on the Policies Map, and are both sites of historical significance. A respondent considered that these

⁹ See para 7.10 of the GBLP (LP/A1/1)

should be subject to specific policies aimed at restoration and improving access to the public.

46. Once again the Council point to the forthcoming production of the Waterfront and Town Centre SPD, and although the two identified sites are outside of the actual regeneration area they directly adjoin it to the north and south. Plan 4 of the LP shows that the two sites form part of a green network that marks the position of Gosport Lines, and the Council note the potential of creating a walkway through this area. Within the LP the two areas would be protected by Policy LP35 and given that there are no proposals to alter the function of these sites it would seem inappropriate to include them within policy LP34.

Issue 8 – Is the Council's approach to the identified housing need justified

47. I now return to the question of housing need and supply, and the fact that the Council have not provided for the objectively assessed housing need as identified within the South Hampshire SHMA. The Council point to the findings of the SHLAA and the restrictions on land supply within the Borough. I agree that these are severe. This occurs due to a combination of the presence of protected natural environments, an already built up and densely developed urban area and the presence of extensive MOD facilities, as well as the fact that the Borough is surrounded on three sides by the Solent and Portsmouth Harbour.
48. I have already found the open space and settlement gap strategies and the SHLAA to be robust, and it follows that there are no other housing sites available other than those identified within the SHLAA. The Council point to the fact that over the period 2001-2011 housing stock growth has been stronger in Gosport than in any of the other PUSH authorities¹⁰. This housing stock growth has been partly as a result of MoD land becoming available and the Council also point to the fact that should further sites become available in the future, then the level of housing identified within the GBLP is not a ceiling and that the presumption in favour of sustainable development would apply.
49. Paragraph 47 of the NPPF requires that local planning authorities should meet the full, objectively assessed needs of market and affordable housing in the housing market area, as far as is consistent with the policies set out in the NPPF. However, the NPPG makes clear that if a Council find that they have insufficient sites to meet their objectively assessed need *then it will be necessary to investigate how this shortfall should be best planned for*¹¹. This approach has been reinforced in a letter from the Minister of State for Housing and Planning to the Planning Inspectorate dated 19 December 2014. This letter confirms that Councils will need *to consider SHMA evidence carefully and take adequate time to consider whether there are environmental and policy constraints, such as Green Belt, which will impact on their overall final housing requirement. They will also need to consider whether there are opportunities to cooperate with neighbouring planning authorities to meet needs across housing market areas.*

¹⁰ 12.7% compared with an average of 8.7% for the other authorities

¹¹ Reference ID 3-027-20140306

50. I have already found that the Council have fulfilled their duty to cooperate and in response to one of my questions a letter has been received by the Council from PUSH. This states that Gosport is *not a separate housing market in itself so arguably does not have an entirely distinct district housing need. However, to the extent that there can be an objectively assessed housing need specifically for Gosport, if environmental/infrastructure considerations indicate that this cannot be fully met within Gosport, the intention is that the SHS will in effect relocate this to other districts.*
51. Following receipt of this letter the Council have proposed a modification to paragraph 13.14 which confirms that the publication of the SHS review will necessitate a review of the GBLP and repeats the information given in the letter from PUSH that any shortfall in housing availability in Gosport will be taken up elsewhere within the PUSH authorities. The SHS review is programmed for completion in 2016 and the Local Development Scheme shows that the LP review will commence in January 2016 with submission to the Secretary of State for examination in November 2018. In light of this, and taking into account my previous conclusions, I consider that the Council's approach to housing supply is sound and robust. This modification is in my view necessary for the plan to be considered sound, as it reflects the most appropriate strategy to follow in the current circumstances. The Main Modification (**MM2**) is therefore recommended.
52. In arriving at this conclusion I have taken into account a written ministerial statement dated 27 July 2015 which indicates that a commitment to an early review of a Local Plan may be appropriate as a way of ensuring that the adoption of that plan is not unnecessarily delayed. I am also conscious of the letter of the same date to the Planning Inspectorate from the Rt Hon Greg Clarke MP, which makes clear that Inspectors should take a pragmatic approach to Examinations.
53. In connection with the housing supply issue my attention has been drawn to objective 16 and paragraph 3.28 of the LP. Objective 16 is: *To meet local housing requirements including a range of housing types and tenures to provide the opportunity for all members of the community to live in a decent home including the increasingly ageing population as well as future generations.* As one respondent has pointed out, this objective is unlikely to be met if the total objectively assessed housing need will not be provided within the borough. I acknowledge that not all the Council's objectives will be currently met. However, that does not mean that the Council should not identify appropriate aspirations which, depending on the turn of events, could be met by the end of the plan period in 2029.

Issue 9 – Is the proposal to seek 40% affordable housing on sites of 10 or more dwellings consistent with the findings of the CIL Viability Assessment?

54. Policy LP24 seeks to secure 40% of affordable housing on development sites proposing 10 or more dwellings¹². The policy makes clear that where it can be clearly demonstrated that the provision of 40% affordable housing is not economically viable *the Council will seek to negotiate a percentage of affordable housing as close as possible to the target level having regard to a site specific economic viability assessment.*
55. This flexible approach is contested by one respondent who considers that such an approach is contrary to paragraphs 154 and 174 of the NPPF, and will lead to delay and uncertainty in the planning process. However, the Council's Affordable Housing Viability Assessment (AHVA) concluded that 40% affordable housing is achievable in the *majority of cases tested*. There is also a significant need for affordable homes within the borough and the AHVA also reasoned that *it is appropriate to set the quota at 40% to ensure that, where schemes are generating high values, opportunities are taken to secure more affordable housing, though recognising that not all schemes will be able to achieve this quota and in these cases the borough will need to be flexible.*
56. The AHVA also reasoned that the number of sites requiring negotiation would be small with a consequent light administrative burden. I also note that the AHVA was produced during a low point in the economic cycle and that the Council accept that a review of the CIL Charging Schedule will be likely in due course. Furthermore, paragraph 50 of the NPPF states, with respect to housing policies, that such policies should be *sufficiently flexible to take account of changing market conditions over time.*
57. Overall, whilst I acknowledge that there may be instances where the 40% quota will be un-attainable; these will be likely to be relatively rare and will diminish as the economy recovers from recession. I consider the flexible approach of the Council to be reasonable in this case.

Issue 10 – Retail provision

58. One respondent considered that the figure for 10,500sqm of net additional retail floorspace was incorrect and not supported by the evidence within the Council's own Retail Capacity Study. However, the Council have shown that there is a typographical error in table 10 of the Retail Background Paper which says outstanding comparison floorspace rather than outstanding convenience floorspace. They have also clarified the make-up of the figure of 10,500sqm which includes completions between 2011 and 2014.
59. The same respondent also considered that there should be more clarity about the type of retail space being referred to within the policy. However,

¹² A written ministerial statement of 28 November 2014 indicated that this parameter should become 11 or more dwellings. However, a high court judgement (West Berkshire District Council and Reading Borough Council v SSCLG 31/7/15) reversed this and therefore the parameters of 10 or more dwellings are in line with current planning guidance.

paragraph 6.23 of the GBLP states that *this take up of floorspace will be predominately in the comparison goods sector*. The evidence in the Retail Capacity Study suggests that if the Borough were to retain its current market share then there would be no requirement for additional convenience retail floorspace. Notwithstanding this, the Council consider it prudent to allow for some flexibility for retailers to develop sufficient and suitable retail floorspace in order to resist competition from other centres, of which there is some evidence. The Council also point to the fact that the NPPF does not require a local plan to differentiate between convenience and comparison floorspace and that it also makes clear that local planning authorities should promote competitive town centres that provide customer choice and a diverse retail offer.

60. In light of the Council's answers on these matters I consider that the figure of 10,500sqm is in line with the findings of the Retail Capacity Study, which is based on sound evidence and that no further clarification is needed.
61. Paragraph 11.68 of the GBLP makes clear that proposals for retail development over 1000sqm will generally require an impact assessment. This figure has been challenged by one respondent who considered 1000sqm to be too large such that proposals just below this could have a negative impact on defined centres. In turn the Council point out that the figure of 1000sqm represents a significant reduction from the default threshold of 2500sqm given in paragraph 26 of the NPPF. They also consider that reducing the threshold to 300sqm as recommended by the respondent would be unduly restrictive and that the figure of 1000sqm would allow balanced regeneration opportunities as well as contributing towards reducing leakage to destinations outside the Borough. I concur with the Council's view and consider the threshold of 1000sqm to be proportionate and reasonable.

Issue 11 – Spatial Strategy: Employment growth

62. Appendix V of the SHMA considers the relationship between population growth, housing need and employment growth. For each authority in the PUSH area a number of projections are shown and for the Gosport area projection Y indicates that with an increase in housing numbers of 229 per annum, a zero economic growth would result.
63. In response to this the Council have highlighted the fact that at present there is a relatively large net out-commuting of workers from the Borough¹³. This has arisen particularly over the last fifteen years with the demise of various MoD operations. Between 2001 and 2011 however the housing stock in the Borough increased by 12.7%, which indicates that there is not a simple linear relationship between housing and employment. Had there been then employment would have grown over the same period, whereas there was actually a 27% decrease in jobs.
64. Indeed, the SHMA itself emphasises that *the economic modelling should be treated as a sensitivity rather than an accurate assessment of housing need. In purely methodological terms, there are inherent limitations in the accuracy*

¹³ 13,400 registered in the 2011 Census

of economic forecasts. Furthermore the relationship between population growth and growth in jobs locally is complex, and is sensitive to changes in employment rates, commuting patterns and double-jobbing.

65. The present net out-commuting indicates that there is a pool of workers within the Borough who could take up any jobs created from economic growth, without the necessity for parallel new housing. Many of the jobs lost over the past decade were due to MoD closures and were in reasonably skilled sectors, such that these people could well have the skills necessary to complement the types of employment being encouraged by the Council. The information provided in relation to economic growth leads me to conclude, notwithstanding the various complex projections within the SHMA, that their strategy is sound and will not be compromised by the level of housing currently proposed.

Assessment of Legal Compliance

66. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The LP is identified within the approved LDS, which is dated November 2014. The LP's content and timing are broadly compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in September 2012 and consultation has been compliant with its requirements, including the consultation on the post-submission proposed 'main modification' change (MM)
Sustainability Appraisal (SA)	SA has been carried out and is in line with statutory requirements.
Habitats Regulations Assessment	The Habitats Regulations Assessment is dated January 2014 with an addendum dated July 2014. Both are adequate.
National Policy	The LP complies with national policy except where indicated and modifications are recommended.
2004 Act (as amended) and 2012 Regulations.	The Local Plan complies with the Act and the Regulations.

Overall Conclusion and Recommendation

67. The Plan has two deficiencies in relation to soundness for the reasons set out above which means that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.

68. The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Gosport Borough Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

John Wilde

Inspector

Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM1		Paragraph 7.1	<p>The Haslar Peninsula, is a significant area of change and consists of three large sites:</p> <ul style="list-style-type: none"> • Royal Hospital Haslar; • Blockhouse/<u>Haslar Gunboat Yard</u>; and • The Haslar Marine Technology Park including QinetiQ
		Policy LP6	<p>1. Planning permission will be granted for development provided that:</p> <p>a) the distinctive built heritage and setting of the Haslar Peninsula is conserved and enhanced, and opportunities are taken to interpret the historic significance of Royal Hospital Haslar and Blockhouse/<u>Haslar Gunboat Yard</u></p>
		Policy LP6	<p>4. Planning permission will be granted to provide a number of uses at the Blockhouse/<u>Haslar Gunboat Yard</u> site (as shown on the Policies Map) as set out below:</p>
		Paragraph 7.5	<p>Flood risk will be a major consideration for development proposals on the Peninsula particularly in relation to Blockhouse/<u>Haslar Gunboat Yard</u> which is mainly within Flood Zone 3. Significant flood defence infrastructure is likely to be required on the Peninsula with the precise nature and scale still to be determined.</p>
		Paragraph 7.8	<p>The flood risk issues at Blockhouse/<u>Haslar Gunboat Yard</u> will be a determining factor on the location, type and scale of uses within the site as significant parts of Blockhouse/<u>Haslar Gunboat Yard</u> are within Flood Zones 2 and 3. Consequently the Flood Risk Assessment will need to consider whether it is appropriate to locate vulnerable uses (as defined by the NPPF) on certain parts of the site. Issues that need to be addressed by a Flood Risk Assessment include:</p>

		Paragraph 7.42	<p>The Blockhouse site occupies three <u>four</u> land parcels known as Blockhouse 1, 2 and 3 and <u>Haslar Gunboat Yard</u>.</p> <ul style="list-style-type: none"> • Blockhouse 1 (former HMS Dolphin) includes the Submarine Escape Training Tank and 33 Field Hospital as well as MoD administration, training, living accommodation and sports and welfare facilities. • Blockhouse 2 includes the RN Submarine Museum and the Joint Services Adventurous Sailing Training Centre (JSASTC). The Museum is a popular visitor attraction that will be retained on the site. • Blockhouse 3 (former HMS Hornet) is separated from Blockhouse 1 and 2 by Haslar Road and is used jointly by the JSASTC and the Hornet Sailing Club primarily as a boatyard. • <u>Haslar Gunboat Yard includes the underused historic gunboat sheds and yard.</u>
		Paragraph 7.44	<p>The Blockhouse/<u>Haslar Gunboat Yard area</u> provides a significant opportunity to create a new heritage/leisure quarter focusing on the strengths of its Harbour-mouth location, historic buildings and the Royal Naval Submarine Museum.</p>
		Paragraph 7.50	<p>Proposals for Blockhouse should have regard to the historic context and the potential use of the Gunboat yard and sheds (a scheduled ancient monument) which covers parts of Blockhouse and the adjacent Haslar Marine Technology Park.</p>
		Paragraph 7.53	<p>It is important that as parts of Blockhouse/<u>Haslar Gunboat Yard</u> are developed opportunities are taken to improve public access to the site and along the waterfront. It will be necessary to ensure proposals do not harm important nature conservation interests such as over-wintering birds on important habitats adjacent Blockhouse/<u>Haslar Gunboat Yard</u>.</p>
		Paragraph 7.57	<p>The eastern part of the site is within the Haslar Conservation Area and the site includes the Haslar Gunboat Sheds and Yard scheduled ancient monument, the No2.Cavitation Tunnel which is a Grade II Listed Building and two ship</p>

			testing tanks which are locally listed buildings.
MM2		Paragraph 13.14	<p>Replace the existing paragraph with:</p> <p><u>The Local Plan has been prepared through the Duty to Cooperate having regard to the PUSH South Hampshire Strategy 2012. The PUSH authorities are now committed to a review of the South Hampshire Strategy and it is programmed for completion in 2016. The evidence gathering for this new strategy has already started with the publication of a Strategic Housing Market Assessment (SHMA). This SHMA identifies an objectively assessed housing need for the PUSH area and this will be the starting point for identifying housing requirements. The SHMA identifies that Gosport fits within the wider Portsmouth Housing Market Area. Gosport is not a separate housing market in itself so arguably does not have an entirely distinct district housing need. However, to the extent that there can be an objectively assessed housing need specifically for Gosport, if environmental/infrastructure considerations indicate that this cannot be fully met within Gosport, the intention is that the SHS will in effect relocate this to other districts. This will be as a result of the Strategy's district level housing targets being based on what can be delivered in terms of environmental/infrastructure capacity, with the district level targets collectively summing to the total Portsmouth HMA/South Hampshire objectively assessed need. The South Hampshire Strategy Review will allocate a housing figure for Gosport for the period 2016-2036.</u></p> <p><u>Accordingly, the publication of the South Hampshire Strategy Review will necessitate a full or partial review of the Local Plan. The Council have recognised the need for an early review and have published a revised Local Development Scheme setting out a timetable for a review of this Local Plan. This review will also take into account any revisions to the National Planning Policy Framework.</u></p>