



Notice is hereby given that a **MEETING** of the **COUNCIL OF THE BOROUGH OF GOSPORT** will be held in the **TOWN HALL, GOSPORT** on **WEDNESDAY** the **FOURTEENTH DAY** of **OCTOBER 2015** at **6.00PM** AND ALL MEMBERS OF THE COUNCIL ARE HEREBY SUMMONED TO ATTEND TO CONSIDER AND RESOLVE THE FOLLOWING BUSINESS –

1. To receive apologies from Members for their inability to attend the Meeting.
2. To confirm the Minutes of the Meeting of the Council held on 15th July 2015 (copy herewith).
3. To consider any Mayor's Communications.
4. To receive Deputations in accordance with Standing Order No 3.5 and to answer Public Questions pursuant to Standing Order No 3.6, such questions to be answered orally during a time not exceeding 15 minutes.

(**NOTE:** Standing Order No 3.5 requires that notice of a Deputation should be received by the Borough Solicitor **NOT LATER THAN 12 O'CLOCK NOON ON MONDAY, 12 OCTOBER 2015** and likewise Standing Order No 3.6 requires that notice of a Public Question should be received by the Borough Solicitor **NOT LATER THAN 12 O'CLOCK NOON ON MONDAY, 12 OCTOBER 2015**).

5. Questions (if any) pursuant to Standing Order No 3.4.

(**NOTE:** Members are reminded that Standing Order No 3.4 requires that Notice of Question pursuant to that Standing Order must be received by the Borough Solicitor **NOT LATER THAN 12 O'CLOCK NOON ON TUESDAY, 13 OCTOBER 2015**).

6. To receive the following Part II minutes of the Boards of the Council:
 - Community Board: 14 September 2015
 - Economic Development Board: 16th September 2015
 - Policy & Organisation Board: 23rd September 2015

7. GOSPORT BOROUGH LOCAL PLAN 2011-2029: ADOPTION

The Council is required by legislation to prepare a development plan for its area. The Gosport Borough Local Plan 2011-2029 has been subject to an examination and the Inspector has found the Local Plan sound subject to two Main Modifications. The Council once it makes these modifications may adopt

the Gosport Borough Local Plan 2011-2029 as the statutory development plan for its area.

8. COMMUNITY INFRASTRUCTURE LEVY – ADOPTION OF CHARGING SCHEDULE

This report seeks approval for the adoption of the Community Infrastructure Levy (CIL) Charging Schedule with a view to collecting CIL on liable new developments in the Borough.

9. FEES AND CHARGES

To consider and approve the amended fees & charges contained in this report and appendix.

**IAN LYCETT
CHIEF EXECUTIVE**

**TOWN HALL
GOSPORT**

06 October 2015

FIRE PRECAUTIONS

(To be read by the Mayor if members of the public are present)

In the event of the fire alarm being activated, please leave the Council Chamber and Public Gallery immediately. Proceed downstairs by way of the main stairs or as directed by GBC staff, follow any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.

This meeting may be filmed or otherwise recorded. By attending this meeting, you are consenting to any broadcast of your image and being recorded.

MEMBERS ARE REQUESTED TO NOTE THAT:

(1) IF THE COUNCIL WISHES TO CONTINUE ITS BUSINESS BEYOND 9.30PM THEN THE MAYOR MUST MOVE SUCH A PROPOSITION IN ACCORDANCE WITH STANDING ORDER 4.11.18

(2) MOBILE PHONES SHOULD BE SWITCHED OFF OR SWITCHED TO SILENT FOR THE DURATION OF THE MEETING

**MINUTES OF THE MEETING OF THE COUNCIL
HELD ON 15 JULY 2015 AT 6pm**

Attendance:

The Mayor (Councillor Farr) (P) (in the Chair);

Councillors Allen (P), Ms Ballard (P), Bateman (P), Mrs Batty (P), Beavis (P), Bergin (P), Burgess (P), Carter CR (P), Chegwyn (P), Mrs Cully (P), Dickson (P), Ms Diffey (P), Edgar (P), Mrs Forder (P), Forder (P), Foster-Reed (P), Geddes, Gill (P), Hazel, Hicks (P), Mrs Hook (P), Hook (P), Hylands (P), Jessop (P), Langdon (P), Mrs Morgan (P), Murphy (P), Philpott (P), Scard (P), Mrs Searle (P), Mrs Wright (P) and Wright (P).

Also in attendance: Honorary Freeman Hewitt and O'Neill and Honorary Alderman Foster and Kimber.

ONE MINUTES SILENCE

In order to express their sympathy regarding the recent death of Honorary Alderman John Train; Members of the Council stood in silent tribute for one minute.

APOLOGIES

Apologies for inability to attend the meeting were submitted on behalf of Councillors Geddes and Hazel.

MINUTES

COUNCIL RESOLVED: That the Minutes of the Annual and Adjourned meetings of the Council held on 20th and 21st May 2015 be confirmed and signed.

MAYOR'S COMMUNICATIONS

The Fairtrade Action Group presented a certificate to the Mayor reaffirming the Borough's status as a Fairtrade Borough.

The Mayor reflected on the success of the Marine Festival and the P1 Grand Prix of the Sea. He extended thanks to all those involved and advised that Gosport was being considered to host the P1 event next year.

DEPUTATIONS

There were no deputations received.

QUESTIONS PURSUANT TO STANDING ORDER 3.4

There were none.

PART II MINUTES

COUNCIL RESOLVED: That the following Part II Minutes be received.

- Community Board: 21 May and 22 June 2015 (Minute No 5-6 and 12-17)
- Economic Development Board 21 May and 24 June 2015 (Minute no 5-6 and 12 -14)
- Policy & Organisation Board: 21 May and 1 July 2015 (Minute No 5 and 11-15)

NOTE: Councillor Edgar advised he was the Chairman of the Solent Sea Rescue Partnership in relation to the Economic Development Board minute number 14.

DEVOLUTION – DEVELOPING PROPOSALS FOR DEVOLVED POWERS AND RESPONSIBILITIES

Consideration was given to a report of the Chief Executive requesting approval to develop a proposal with the other Hampshire and Isle of Wight Councils, to bring about devolution of powers and responsibilities from Central Government to the wider Hampshire and Isle of Wight area and as part of this create an appropriate governance structure that will provide for binding decisions to be made at this level.

RESOLVED: That Full Council approve the Leader and Chief Executive continuing to work with other Authorities in Hampshire and the Isle of Wight to develop a proposal for submission to Government to achieve devolved powers and responsibilities from Central Government that will lead to better outcomes for local people.

OFFICER EMPLOYMENT PROCEDURE STANDING ORDERS

Consideration was given to a report of the Borough Solicitor and Deputy Chief Executive advising the Council of proposed changes to the Constitution to accord with legislation.

RESOLVED: The changes in the Constitution as set out in Appendix 1 of the report of the Borough Solicitor and Deputy Chief Executive, be agreed.

INDEPENDENT REMUNERATION PANEL

Consideration was given to a report of the Borough Solicitor and Deputy Chief Executive advising the Council of progress on the recruitment of the Independent Remuneration Panel.

RESOLVED: That the composition of the Independent Remuneration Panel to include a second member representing Residents, be agreed.

The meeting concluded at 6.36pm

The Mayor.

**A MEETING OF THE COMMUNITY BOARD
WAS HELD ON 14 SEPTEMBER 2015 AT 6PM**

The Mayor (Councillor Farr) (ex-officio), Councillor Hook (P), Bateman (P), Burgess (P), Dickson, Edgar (P), Foster-Reed, Hazel, Mrs Hook (P), Hylands, Mrs Morgan (P), Murphy (P), Searle (P), Wright (P)

It was reported that in accordance with Standing Order 2.3.6, Councillor Hook had been nominated to replace Councillor Dickson for this meeting.

PART II

23. ALVER VALLEY COUNTRY PARK

Consideration was given to a report by the Chief Executive that sought Members approval on various proposals and actions regarding a number of projects within the Alver Valley Country Park which were included in the Council's Alver Valley Country Park Strategy approved in April 2014.

Councillors congratulated the Officers on both the quality of the report and the amount of hard work that had been undertaken in progressing the various projects and Strategies for the Alver Valley Country Park.

A Member queried whether the Gun Club had been approached to consider selling land and it was advised that ongoing dialogue was taking place.

Members were informed that a soft market test had been carried out to generate interest in implementing a Garden Centre at the Alver Valley Country Park and it was reported that a meeting was scheduled with architects to finalise plans. Following this meeting and discussions with the 17th Century Village, it was proposed that an extraordinary Community Board meeting be arranged to progress this.

In respect to the proposed dog policy at Alver Valley Country Park, concerns were raised with regard to enforceable measures in place for users. It was confirmed that the site would be monitored including where necessary the issuing of fixed penalty notices and that responsibility was primarily down to self-enforcement of users of the Country Park. It was envisaged that the segregated dog areas, using the traffic light system would be effective.

Following a Member's question regarding the grant for developing the car parks and access improvements it was reported that subject to recommendations, phased planning applications were ready to be submitted for approval. Works were envisaged to be completed in January/February 2016 with other elements of the Western Gateway being completed in the summer. Works on the Eastern Gateway Car Park were due to be completed by June 2016 with the external funding being used by March 2016. Members were further advised that local firms would be encouraged to submit tenders.

In respect of the Alver Valley Country Park having opportunities for adventurous play equipment for older teens, it was reported that investigations were being made and that consultation with the Youth Council would be made to engage young people.

RESOLVED: That the Community Board:

1. agrees the preferred Concept Plan for the Western Gateway (as set out in Appendix A) and notes that a planning application will be submitted with full details of the car park and access, and illustrative details of the other elements of the Gateway;

2. notes that a full planning application will be submitted for an extended car park and associated works at the Eastern Gateway;
3. agrees developer contributions secured for the Alver Valley and play areas will be used, with other secured funding, to provide the relevant facilities at the Western Gateway (play areas, toilets, landscaping) and Eastern Gateway (car parking and associated works);
4. agrees car park management measures outlined in Paragraph 2.8 of this Report;
5. agrees the Strategy and Management Plan for Dogs in the Alver Valley Country Park for public consultation purposes (see Appendix B);
6. agrees the Alver Valley Country Park Grazing Strategy (Appendix C) for public consultation purposes;
7. adopts the Signage and Interpretation Strategy for the Alver Valley Country Park (see Appendix D);
8. notes other project updates contained within the Report.

24. ANY OTHER BUSINESS

There was no other business.

The Meeting concluded at 18:26.

CHAIRMAN

**A MEETING OF THE ECONOMIC DEVELOPMENT BOARD
WAS HELD ON 16 SEPTEMBER 2015**

The Mayor (Councillor Farr) (ex-officio), Chairman of the Policy and Organisation Board (Councillor Hook) (P); Councillors Ms Ballard, Mrs Batty (P), Beavis (P), Mrs Cully(P), Edgar, Geddes(P), Hylands (P), Langdon (P), Philpott (P), Ronayne (P).

It was reported that in accordance with Standing Order 2.3.6 Councillors, Hook and Hicks had been nominated to replace Councillors Edgar, and Ms Ballard respectively for this meeting.

PART II

20. LAND AT MANOR WAY LEE ON THE SOLENT

Consideration was given to a report of the Borough Solicitor and Deputy Chief Executive informing Members of an opportunity to acquire open land at Manor Way from the Homes and Communities Agency.

Members welcomed the acquisition of the land and that it would be designated in the Local Plan as open space.

Members sought clarification regarding the financial arrangements for the land and were advised that the land had been valued at £200,000 and that this sum would be deducted from any future financial contribution for Open Spaces paid under the Section 106 agreement from the Daedalus development.

In answer to a Members question, the Board were advised that the land would be acquired with vacant possession.

Members welcomed the acquisition of the land for community use for the residents of Lee-on-the-Solent and commended Councillor Burgess for his involvement and pursuance of the acquisition.

RESOLVED: That the acquisition of the land at Manor Way, shown hatched black on Appendix 1 on the terms set out in Paragraph 2.2 of the report of the Borough Solicitor and the Deputy Chief Executive be agreed.

21. ACQUISITION OF LAND AT CHARK FARM, LEE ON THE SOLENT AND GOMER LANE GOSPORT

Consideration was given to a report of the Head of Property Services requesting the authorisation for the acquisition of a number of small, open space land parcels forming part of the housing development at Chark Farm, Lee-on-the-Solent.

It was acknowledge that the land at Lee-on-the-Solent was now known as Cherque Farm.

In answer to a Member's question, the Board were advised that the land at Gomer had been acquired at auction and that the land in Lee-on-the-Solent was an historical matter that required finalising to make the Council the legal owners.

Members were advised that the land at Gomer had been purchased at auction and had become available at too short notice to be considered by the Board previously. The land had been

maintained by the Council for a number of years; however no legal agreement had been in place. There had been concern that the land would not be maintained had the Council not purchased it.

It was anticipated that there may be interest in purchasing the land from residents adjacent to it.

The Board expressed thanks to Councillor Gill for his swift action in alerting the Council to the sale of the land at Gomer and acknowledged that an application had been submitted, rejected and was currently going through the appeals process for the construction of 3 houses on similar pieces of land on the estate. The Board recognised the importance of retaining the open spaces on the estates and welcomed the formalisation of the legal agreements.

RESOLVED: That:

- a) the acquisition of a number of small open space land parcels from Bilton Homes (as shown on the plans attached to the reports) under a Dedication Agreement for the Chark Farm Housing development be approved; and
- b) the report from the Chief Executive in paragraph 2.5 of the report of the Head of Property Services be noted.

22. ACQUISITION OF LAND AT NEWBROKE ROAD, GOSPORT

Consideration was given to a report of the Head of Property Services requesting authorisation of the acquisition of a number of small open space land parcels forming part of the housing development the Newbroke Road, Gosport.

Members were advised that the report dealt with formalising the ownership of land already maintained by the Council and that there would be no payment made for its acquisition. Members were advised that the land did not include the boundaries of the properties, or the perimeter wall of the car park.

Members were advised that the car park was leased to the users by Taylor Wimpey and that the perimeter fences either belonged to Taylor Wimpey or the home owners.

RESOLVED: That the acquisition of number of small open space land parcels from Taylor Wimpey (as shown on the plan attached to the report of the Head of Property Services) under a Dedication Agreement for the Newbroke Road housing development be approved.

23. LEASE OF THE FORMER FORTON RECREATION GROUND PUBLIC TOILETS, GOSPORT, TO Y SERVICES

Consideration was given to a report of the Head of Property Services seeking Board approval for the grant of a new lease of the disused Forton Recreation Ground public Convenience to Y Services.

Members felt that the proposal was an excellent use of the building and that the granting of the lease for 20 years was welcoming. Members also welcomed that Barclays had agreed to fund the redevelopment.

Members recognised that the proposal would benefit the young people in the area and that in conjunction with the recent pumping works the site would be much improved.

Members welcomed the regeneration of the building in this way and congratulated Y Services on the proposal and securing funding for the project.

RESOLVED: That the terms contained in the Report of the Head of Property Services be approved and that the Borough Solicitor and Deputy Chief Executive be authorised to enter into a new lease with the proposed tenant.

24. LEASE OF THE TOWN HALL OFFICES TO THE OFFICE OF THE POLICE AND CRIME COMMISSIONER FOR HAMPSHIRE

Consideration was given to the report of the Chief Executive seeking Board approval for the lease of office space within the Town Hall to the Office of the Police and Crime Commissioner for Hampshire.

Members recognised this formed part of the Hampshire Constabulary rationalising the public estate and that the current Police Station was largely empty. Members were advised that negotiations had been ongoing and that some of the operational details were yet to be finalised.

Members welcomed the retention of a Police Station in the Town Centre and recognised the importance of the facility being equipped with a secure, independently accessible reception area.

Members were advised that the Community Safety Team would also be relocating to the ground floor, adjacent to the allocated offices.

In answer to a Member's question the Board were advised that the Police had requested 8 car parking spaces, as highlighted in the plan, but negotiations were still ongoing surrounding this. Members were also advised that the existing disabled bays would be relocated.

Members welcomed the retention of a front line Police presence in Gosport following the closure of the custody suite and Magistrates Court and felt it was complimented by the patrol base on Fareham Reach.

In answer to a Member's question, the Board were advised that the utility charge had been set based on the square footage percentage of the Town Hall that the Police would be occupying.

RESOLVED: That the Council be authorised to enter into a ten year Lease with The Office of the Police and Crime Commissioner for the Hampshire Police Area (OPCC) to provide their office accommodation in part of the Town Hall, and that the Chief Executive and Borough Solicitor and Deputy Chief Executive be authorised, in conjunction with the Head of Property Services, to conclude negotiations.

25. ANY OTHER BUSINESS

There was none.

The meeting concluded at 6:46pm

CHAIRMAN

**A MEETING OF THE POLICY AND ORGANISATION BOARD
WAS HELD ON 23 SEPTEMBER 2015**

The Mayor (Councillor Farr) (ex-officio), Burgess (P), Chegwyn (P), Mrs Cully, Hicks (P), Hook (Chairman), Jessop (P), Langdon (P), Philpott (P), Ronayne (P), Mrs Wright (P)

It was reported that in accordance with Standing Order 2.3.6 Councillor Wright had been nominated to replace Councillor Mrs Cully for this meeting.

PART II

**21. TREASURY MANAGEMENT ANNUAL REVIEW 2014/15,
PROGRESS REPORT 2015/16, & PRUDENTIAL INDICATORS**

Consideration was given to a report of the Borough Treasurer detailing the annual treasury report. The report is a requirement of the Council's reporting procedures and covers the treasury activity for 2014/15 together with a review of 2015/16 to date. The report also includes the Prudential Indicators for 2014/15 in accordance with the requirements of the Prudential Code .

RESOLVED: That the report and the 2014/15 prudential indicators be noted.

22. BUDGET STRATEGY 2016/17

Consideration was given to the strategy for preparation of the General Fund budget and Capital Programme for the next financial year in the light of the Medium Term Financial Strategy 2015-2020 approved by the Board in July 2015 and the current national and local financial situation.

In answer to a Member's question, the Board we're advised that New Homes Grant was payable for premises conversions and the reuse of empty homes in the Borough.

In answer to a further question, the Board we advised that the effect of the introduction of a higher minimum wage would not be great in the first year, but would increase over the period of four years.

It was acknowledged that inflation was currently 0%, but that a figure of 2% had been included to protect against any potential increase as a result of the current uncertain international financial climate.

In answer to a Member's question regarding Council Tax, the Board were advised that there was no change to the Council's policy

Members commended Officers on the report,

RESOLVED That

- a) the Council's current financial position be noted; and

- b) the Budget Strategy set out in Section 2 and Appendix A that will be used in the preparation of the budget for the 2016/17 financial year be agreed.

23. EY – AUDIT RESULTS REPORT

Consideration was given to the report of Ernst and Young. The report summarises the findings from the 2014/15 audit which is substantially complete. It includes the messages arising to date from our audit of the financial statements and arrangements to secure value for money in use of resources.

The Board were advised that the report had already been discussed at the Standards and Governance Committee.

In answer to a Member's question, the Board were advised that the threshold for unreported audited differences had been reduced as the initial figure set is based on the previous year's audited financial statements at the planning stage, and then reassessed and reduced accordingly when the 2014/15 financial statements were received.

In answer to a further question, the Board were advised that the analysis of the correction of item 2 on appendix A arose from the posting of the adjustment through the financial statements and is linked to the balance held on the 'revaluation reserve' in respect of HRA Council Dwellings.

Members congratulated the team on a clean audit statement.

RESOLVED: That

- a) the conclusions to date set out in the Audit Results Report be reviewed and noted; and
- b) the letter of management representation (included with the Final Accounts 2014/15 agenda item) be approved.

24. FINAL ACCOUNTS 2014/15

Consideration was given to a report of the Borough Treasurer summarising the outturn position for the 2014/15 financial year and recommending the approval of the Statement of Accounts for 2014/15.

Members welcomed the report and that the accounts placed the Council in a good position.

RESOLVED: That;

- a) the accounting policies contained within the Statement of Accounts (Appendix G, page 18) be approved;
- b) the Statement of Accounts for 2014/15 at Appendix G be approved;
- c) the outturn position contained in the report and Appendices be noted

Policy and Organisation Board
23 September 2015

including

The capital programme slippage detailed in Appendix D

The write offs approved under delegated authority at Appendix E; and

d) the Letter of Representation at Appendix F be approved.

The meeting ended at 18.14

CHAIRMAN

AGENDA ITEM NO. 7

Board/Committee:	Council
Date of Meeting:	14 th October 2015
Title:	Gosport Borough Local Plan 2011-2029: Adoption
Author:	Borough Solicitor and Deputy Chief Executive
Status:	FOR DECISION

Purpose

The Council is required by legislation to prepare a development plan for its area. The Gosport Borough Local Plan 2011-2029 has been subject to an examination and the Inspector has found the Local Plan sound subject to two Main Modifications. The Council once it makes these modifications may adopt the Gosport Borough Local Plan 2011-2029 as the statutory development plan for its area.

Recommendation

1. That the Council on 14th October 2015 adopts the Gosport Borough Local Plan 2011-2029 with the two Main Modifications and other minor modifications (as set out in Appendix A);
2. That the Head of Planning Policy is authorised to publish, in accordance with the statutory requirements, an adoption notice and the adopted version of the Gosport Borough Local Plan 2011-2029.

1 Background

- 1.1 The Council as the local planning authority has a duty to prepare a development plan to provide the framework for the future planning of the Borough. The Gosport Borough Local Plan 2011-2029 has been prepared using a robust evidence base and has been subject to consultation. At its meeting on 23rd July 2014 the Council approved the Gosport Borough Local Plan 2011-2029: Publication Version ('the Draft Local Plan') for consultation.
- 1.2 The Draft Local Plan was made available for consultation for six weeks. Thirty two representations were made. These, together with the Draft Local Plan and its evidence base, were submitted to the Government for examination.
- 1.3 An inspector, Mr John Wilde CEng MICE, was appointed to examine the Draft Local Plan in terms of its 'soundness'. The tests of 'soundness' as defined in the National Planning Policy Framework

are that the local plan is positively prepared, justified, effective and consistent with national policy. The Inspector held examination hearing sessions in March 2015 where various matters were debated.

2 Report

- 2.1 The Inspector, in his Preliminary Findings letter which was received by the Council in May 2015, identified a number of required modifications in the Draft Local Plan which the Council could address through two Main Modifications. These Main Modifications included: firstly for clarity redrawing the boundary of the mixed use allocation at Haslar Regeneration Area to include the Gun Boat Yard within the mixed use allocation following its release from QinetiQ; and secondly further explanation of the Council's intention to review the Local Plan in light of the forthcoming PUSH South Hampshire Strategy review.
- 2.2 These Main Modifications were published for consultation for six weeks in accordance with the regulations and the Council's Statement of Community Involvement. In addition a schedule of minor modifications was published. These minor modifications did not relate to the soundness of the plan but were made for the purposes of correcting typographical errors, or to provide additional clarity to the Draft Local Plan. 10 responses to the modifications were received and these were sent to the Inspector together with a summary of responses and a request that the Main Modifications are made to the Draft Local Plan to make it sound and legally compliant.
- 2.3 The Inspector's final report was received by the Council on 7th September 2015 and in line with the regulations was placed on the Council's website. The Inspector considered the issues debated at the examination and representations made at the submission stage. The Inspector agreed with the Council's evidence that the former civil service ground at Brockhurst Gate, Stokesmead and the Munitions site at Priddy's Hard should all remain designated as open space. He considered that the Council's evidence on housing supply was sound recognising the severe land constraints that exist in Gosport. He recognised that there is considerable out commuting and that the Local Plan's strategy of promoting employment growth would not necessitate further housing development as there was a pool of skilled workers already living in the Borough. In conclusion the Inspector considered that subject to making two Main Modifications that the Local Plan was sound and capable of adoption.
- 2.4 A copy of the Inspector's report together with the Main Modifications is attached as Appendix B.
- 2.5 The Draft Local Plan has been amended to take into account the Main Modifications in the Inspector's report and the minor modifications set out in Appendix C. The proposed adoption version of the Gosport Borough Local Plan 2011-2029 together with the

Policies Map is included as Appendix A. This document will replace the Gosport Borough Local Plan Review (2006).

- 2.6 Following the adoption of the Gosport Borough Local Plan 2011-2029 the Council must make the adoption version of the Plan, together with an adoption statement and sustainability appraisal report available at the Council's offices and on its website. The adoption statement must be sent to all parties who asked to be notified of the adoption. It will set out that any person aggrieved by the Gosport Borough Local Plan 2011-2029, October 2015 may make an application to the High Court under Section 113 of the Planning and Compulsory Purchase Act 2004 on the grounds that the plan is not within the appropriate powers and/or a procedural requirement has not been complied with. This application must be made within 6 weeks of the date it was adopted by the Council.
- 2.7 If the Council adopts the Gosport Borough Local Plan 2011-2029 all decisions on planning applications will need to have regard to it unless material considerations which includes national planning guidance indicate otherwise.

3 Risk Assessment

- 3.1 If the Council does not adopt the Gosport Borough Local Plan 2011-2029 it must withdraw the Draft Local Plan. The Council will have no current policies against which it can determine planning applications. The Gosport Borough Local Plan Review (2006) will become out-dated and planning inspectors will attach little weight to it when dealing with planning appeals.

4 Conclusion

- 4.1 The Draft Local Plan has been subject to examination by an Inspector. The Inspector in his report has recommended that the Draft Local Plan is sound subject to the Main Modifications outlined in his report. The Draft Local Plan has been amended to take into account the modifications and is recommended for adoption by the Council.

Financial Services comments:	None
Legal Services comments:	Contained in the report
Crime and Disorder:	Policies in the Local Plan will through the appropriate design of new buildings will seek to minimise instances of crime and disorder.
Equality and Diversity:	The Local Plan will seek to address issues of equality and diversity.
Service Improvement Plan implications:	The preparation of a development plan is a key SIP measure.
Corporate Plan:	The preparation of a development plan

	meets all the Corporate priorities.
Risk Assessment:	See Paragraph 3.1
Background papers:	<p>Report to Council</p> <ul style="list-style-type: none"> - 23/7/2014 Gosport Borough Local Plan 2011-2029: Publication Version <p>Reports to Economic Development Board</p> <ul style="list-style-type: none"> - 12/12/12 Gosport Borough Local Plan 2011-2029 - 22/2/2012 Local Development Scheme 2012 - Inspector's Preliminary Findings dated 7th May 2015 - Inspector's report dated 7 September 2015
Appendices/Enclosures:	
Appendix 'A'	Gosport Borough Local Plan 2011-2029: Adoption Version (circulated separately)
Appendix 'B'	Inspector's report
Appendix 'C'	Schedule of minor modifications
Report author/ Lead Officer:	Chris Payne

Appendix A

Circulated Separately

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

Date: 7th September 2015

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

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

¹ Document LP/A4/5

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

green infrastructure, climate change and employment floorspace amongst others.

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 2014*³ (PPSFA). This 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.

³ LP/E9/3

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

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 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.

⁷ LP/E9/1

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 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 Newts 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.

⁸ LP/E9/1

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 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.

⁹ See para 7.10 of the GBLP (LP/A1/1)

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 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*

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

will be necessary to investigate how this shortfall should be best planned for¹¹. 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.

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

¹¹ Reference ID 3-027-20140306

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.

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.

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, 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 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.

¹³ 13,400 registered in the 2011 Census

2004 Act (as amended) and 2012 Regulations.	The Local Plan complies with the Act and the Regulations.
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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 ~~striketrough~~ 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/Haslar Gunboat Yard 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</p>

			NPPF) on certain parts of the site. Issues that need to be addressed by a Flood Risk Assessment include:
		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	The Blockhouse/ <u>Haslar Gunboat Yard</u> area 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.
		Paragraph 7.50	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.
		Paragraph 7.53	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> .
		Paragraph	The eastern part of the site is within the Haslar Conservation

		7.57	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 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>

Gosport Borough Local Plan 2011-2029

Schedule of Proposed Minor Modifications to the Publication Version:

October 2015



GOSPORT
Borough Council

This Schedule sets out a number of proposed minor modifications to the text and policies of the Publication version of the Local Plan and the reasons for the changes. These minor modifications do not relate to the soundness of the Local Plan but are included to improve clarity, correct typographical errors and where appropriate update factual points.

New text is shown as underlining. Deleted text is shown as ~~striketrough~~.

Schedule of Minor Modifications

Reference	Proposed modification	Reason
Chapter 1		
Paragraph 1.1 Add sentence	It was adopted by Gosport Borough Council on 14 th October 2015.	Setting out date of adoption.
Paragraph 1.2 -3 rd sentence and associated footnote	The Local Plan is a key component of the LDF. It is produced in accordance with the Government's National Planning Policy Framework (NPPF) (2012) and has had regard to the Marine <u>Policy Planning Statement</u> ² and the National Planning Practice Guidance (NPPG). https://www.gov.uk/government/policies/protecting-and-sustainably-using-the-marine-environment https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69322/pb3654-marine-policy-statement-110316.pdf	To refer to the relevant marine planning document
Paragraph 1.5	This Local Plan and its Policies Map, when adopted, <u>replaces all the Saved Policies in</u> the Gosport Borough Local Plan Review 2006 and its Proposals Map	To make it clear that in line with Regulation 8(5) of the Town & Country Planning (Local Planning) (England) Regulations 2012 as amended that all the saved policies in the GBLPR 2006 will be superseded.
Paragraph 1.6	Implementation and Monitoring Under implementation and monitoring bullet point, add sentence to the last bullet point. <u>The South Hampshire Strategy Review, following consultation, is likely to be approved by PUSH in mid 2016. This action will necessitate a review of this local plan and this is recognised in the latest version of the Local Development Scheme</u> ³ . www.gosport.gov.uk/ldf	To make it clear that an early review of the local plan will be undertaken once the Review of the South Hampshire Strategy has been approved by PUSH.
Chapter 2		
Paragraph 2.3 1 st sentence	Sustainable development is a cross local authority boundary issue and the Localism Act 2011 places a duty on local planning authorities to co-operate with each other	Correction of typographical error.

Reference	Proposed modification	Reason
	organisations in the planning of their area.	
Chapter 3		
Para 3.44	[2 nd sentence] The Borough also has numerous locations which contain <u>important habitats and species that are identified on the UK List of Priority Species and Habitats</u> and the Hampshire Biodiversity Action Plan priority species .	To ensure terminology is consistent with the Natural Environment and Rural Communities Act 2006.
Summary of Issues	Protect <u>and enhance</u> the Borough's built heritage	To reflect comment made by English Heritage
Chapter 6		
Table 6.2 footnote	Daedalus has a residential allocation of 30 <u>5</u> 0 dwellings in the emerging Local Plan	To correct a typing error as Policy LP5 refers correctly to 350 dwellings rather than 300 dwellings.
Chapter 7		
Paragraph 7.6 2 nd sentence	Amend 2nd sentence to read: The progress of all these sites will be updated in the Borough Council's Annual <u>Authority</u> Monitoring Reports.	To reflect the wording in the NPPG which has changed Annual Monitoring Report to Authority Monitoring Report.
Paragraph 7.24 2 nd sentence	Amend 2 nd sentence to read: It <u>in</u> terms of net additional floorspace it is anticipated that there will only be a marginal increase in floorspace but the premises will be more suited to modern business and that the reconfiguration of employment uses on the site will allow the development of other non class B type employment uses (such as retail, tourism and leisure) to be accommodated on the site.	Correct typographical error.
Paragraph 7.33 1 st sentence	Correct reference to Falklands Gardens	Correct typographical error.
Para 7.41	Last sentence. Early discussions with the Environment Agency and Hampshire County Council, as the Lead Local Flood Authority (LLFA), regarding development at the Waterfront will be necessary.	As the risk of flooding on this site is likely to be from coastal flooding. It is not necessary for early engagement with HCC on this matter.
Paragraph 7.49 1 st sentence	Proposals will need to respect its <u>the</u> attractive waterfront setting adjacent <u>to</u> Portsmouth Harbour	Improve clarity of sentence.
Para 7.57	It will be important to take opportunities to protect and enhance the biodiversity within the site particularly in relation to priority <u>habitats and species that are identified on the UK List of Priority Species and Habitats</u> and in the Hampshire Biodiversity Action Plan habitats and species .	To ensure terminology is consistent with the Natural Environment and Rural Communities Act 2006.

Reference	Proposed modification	Reason
Paragraph 7.65 1 st sentence	In March 2012 outline planning applications submitted by SEEDA were approved by Fareham and Gosport Borough Councils	Correct typographical error.
Paragraph 7.67 1 st sentence	Gosport and Fareham Borough Councils	Correct typographical error.
Paragraph 7.92 3 rd sentence	Amend sentence to read: In addition a l the recreational improvements within the Alver Valley	Correct typographical error.
Para 7.112 2 nd sentence	Amend 2 sentence There is also evidence of badgers, <u>roosting bats, reptiles</u> and nesting birds on-site the potential for bats and reptiles	To provide a factual update
Para 7.112 5 th sentence	Any proposal will need to include details of the on-going management of the site to protect and enhance the site's biodiversity particularly in relation to habitats and species included on the national <u>UK List of Priority Species and Habitats</u> and <u>within local Biodiversity Action Plans</u> .	To ensure terminology is consistent with the Natural Environment and Rural Communities Act 2006.
Para 7.112	Add new sentence to end <u>An Ecological Management Plan should be prepared and European Protected Species Mitigation licences will need to be sought from the statutory licencing authority where appropriate.</u>	To clarify requirements.
Paragraph 7.121 1 st sentence	The site which overlooks the Solent is approximately 23 hectares and has been designated as a Grade II Registered Park on English Heritage's <u>Historic England's</u> Register of Parks & Gardens of Special Historic Interest.	From 1 st April 2015 English Heritage is known as Historic England.
Para 7.127	It is anticipated that a limited retail need will arise as part of any development to meet the requirements of new residents. The floorspace of such provision should be restricted and serve the immediate residential/employment catchment for everyday and small-scale shopping needs, as suggested by the Borough Council's latest evidence. <u>Small scale in this instance is considered to be approximately 300sq.m (net) of convenience floorspace.</u> Depending on the nature of the rest of the development a small amount of specialist shops/services may also be appropriate on the site for example relating to health uses. Similarly food and drink uses are likely to be appropriate to serve the uses of the site including visitors to the Historic	To provide greater clarity on what is regarded as small scale retail needs in this instance. The Haslar Hospital site has recently been granted planning permission for 299 sq.m. (gross internal) retail convenience floorspace.

Reference	Proposed modification	Reason
	Park and promenade.	
Para 7.140	Add sentence to end of bullet point 3 <u>HSSC signed a new 25 year lease (2040) with the MOD in 2015 for the full use of Blockhouse 3 with an option to renew for a further 25 years (2065).</u>	To provide factual update
Paragraph 7.155 4 th sentence	The site is adjacent <u>to</u> internationally important habitats and consequently the relevant considerations (as set out in Policy (LP42) apply.	Correct typographical error.
Paragraph 7.159 last sentence	Borough and County Councils	Correct typographical error.
Policy LP9a Point d	d) accord with the principles set out in Policy LP45 on flooding including the requirements of a Flood Risk Assessment with the appropriate flood <u>risk management measures</u> defences and mitigation measures;	To provide consistency with the phrasing used elsewhere in the Local Plan which refers to a wider range of possible measures, as recommended by the Environment Agency.
Paragraph 7.202 last sentence	Amend title of the Coastal Flood and Erosion Risk Management Strategy to read: Proposals for flood risk management will need to contribute to the overall strategy for reducing flood risk to the existing community over the next 100 years, and that any proposals that come forward will need to contribute positively to the Portchester to Hamble Flood & Coastal Erosion Risk Management Strategy. <u>River Hamble to Portchester Coastal Flood and Erosion Risk Management Strategy.</u>	To clarify title of Coastal Flood and Erosion Risk Management Strategy.
Paragraph 7.206 2 nd sentence	New and/or improved local sewerage infrastructure will therefore be required to serve the development or the separation of surface water which currently drains to <u>a</u> combined system.	To improve clarity.
Paragraph 7.218 add new sentence	<u>Proposals for residential development should have regard to the provisions of Policy LP31.</u>	To provide a signpost for developers to have regard to policy LP31.
Chapter 8		
Policy LP11: Designated Heritage Assets including Listed Buildings, Scheduled Ancient Monuments	Criteria 1 will read: 1.The Borough Council will work with landowners, developers, English Heritage <u>Historic England</u> and other stakeholders to:	From 1 st April 2015 English Heritage is known as Historic England. References to English Heritage in the supporting text to policy LP11 have also been changed to reflect this updated position. (Paragraphs 8.41 and 8.52.)

Reference	Proposed modification	Reason
And Registered Historic Parks & Gardens		
Para 8.58	Replace reference to English Heritage with Historic England	From 1 st April 2015 English Heritage is known as Historic England
Para 8.70	Replace reference to English Heritage with Historic England	From 1 st April 2015 English Heritage is known as Historic England
Footnotes 134 and 139 pages 102 and 106	Amend weblinks to read: https://www.historicengland.org.uk/images-books/publications/enabling-development-and-the-conservation-of-significant-places/	From 1 st April 2015 English Heritage is known as Historic England.
Footnote 136 page 104	Amend footnote and weblink to read: ¹³⁶ Currently this is known as English Heritage's <u>Historic England's</u> 'PPS5 Historic Environment Planning Practice Guide' http://www.english-heritage.org.uk/professional/advice/government-planning-policy/pps-practice-guide/	From 1 st April 2015 English Heritage is known as Historic England.
Further Information box page 111	Amend weblink to replace English Heritage with Historic England to read: https://www.historicengland.org.uk/images-books/publications/enabling-development-and-the-conservation-of-significant-places/	From 1st April 2015 English Heritage is known as Historic England. As a result of this change, Historic England are rebranding all their documents. Advice on the Historic England website confirms that although this document refers to English Heritage it is still current advice and guidance and will be renamed in due course.
Chapter 9		
Para 9.24 2 nd sentence	However there may be exceptional <u>certain</u> circumstances where the development of dwellings on part of a site could be considered acceptable to the Council	To be consistent with Policy LP16.
Para 9.60 1 st sentence	Information and Communication Technologies (ICT) includes high speed broadband and 3rd and 4th generation telecommunication technology (often referred to as 3G and 4G) for laptops, wireless modems, smart phones and other mobile devices.	Typographical amendment
Chapter 10		
Policy LP21	1. The Borough Council will work with the	From 1 st April the Highways

Reference	Proposed modification	Reason
(1)	Highway Authority, the Highways Agency <u>England</u> , Fareham Borough Council, transport providers, developers and other stakeholders where necessary to promote and provide a transport system that supports development within the Borough and enables sustainable economic growth through a policy of reduce, manage and invest	Agency is known as Highways England.
Chapter 11		
LP24	Point 4: Delete in appropriate locations	To clarify point made by Hampshire CC. Appropriate locations will be determined by other policies in the plan.
Paragraph 11.15 1 st sentence	Affordable housing can be made met by a variety of formats...	Typographical amendment
Paragraph 11.20 2 nd sentence	Plan 10 in Section 10 <u>Plans in the Authority's Monitoring Reports</u> gives an indication of accessible areas within Gosport.	This plan was deleted from section 10 and has been included In the Authority's Monitoring Report so that it can be readily updated.
Paragraph 11.22 2 nd sentence	There will be growing demand for specialist types of housing in addition to those that are capable of adaption through the Lifetime Homes initiative.	To reflect the latest Government guidance set out in the Housing Standards Review.
LP26	Planning permission will be granted on land at Fareham Road (as shown on the Policies Map) to provide 4-pitch 1 site <u>1 site</u> for up to 3 caravans for Gypsies and Travellers.	HCC advise that a single pitch is likely to be too small for three caravans.
Paragraph 11.28	Amend 1 st sentence Policy LP26 allocates land at Fareham Road to provide for 1 permanent pitch site...	HCC advise that a single pitch is likely to be too small for three caravans.
Paragraph 11.36 2 nd sentence	Amend 2 nd sentence to read: The findings of this future work are not expected to be available until autumn 2014 <u>late 2015</u> .	To reflect latest timetable for this project.
LP29 (Point 1)	1. Proposals for new retail and other town centre uses outside of a centre will need to <u>undertake</u> meet the : a) the sequential test in accordance with the latest Government guidance; and b) <u>an</u> impact assessment in accordance with the latest Government guidance and locally set floorspace threshold.	To improve the clarity of the sentence.
Paragraph 11.69	... it was considered that a convenience store of just over <u>just over</u> 200 sq. m. net floorspace at Daedalus would <u>could</u>	To provide additional clarity in the text.

Reference	Proposed modification	Reason
	have an impact on the Lee-on-the-Solent District Centre.	
Paragraph 11.77	The key frontages have been identified on the Policies Map and are set out below (with detail definition included in Appendix 4).	The inclusion of the key frontage led to a lack of clarity on the Policies Map. Appendix provide more clarity.
LP34 Point 3b)	b) in particular circumstances off-site provision may be considered appropriate for sites of 50 dwellings or more provided a financial contribution is secured through a Section 106 Agreement. <u>Contributions will be directly related in scale and in-line to the proposed development to reflect the impact the development has on existing green infrastructure.</u> Such funds will be used to improve an existing facility normally within 800 metres of the development site to achieve the Council's 'Good' Standard;	As suggested by McCarthy and Stone this proposed modification would make explicit reference for the need that contributions are proportionate.
Chapter 12		
Policy LP38 Point 2	New development will be required to meet at least the relevant national standards for energy use and CO ₂ reduction. This should includes measures set out in the zero carbon hierarchy <u>as follows:</u> in that development should: a) be designed to maximise energy efficiency and design out the need for energy use by means of the scheme layout and the orientation and design of individual buildings; b) connect to existing combined heat and power (CHP) and District Heating/Cooling networks or contribute to their future development; c) use renewable energy technologies to produce required energy on-site; and d) make use of 'Allowable Solutions' to deal with any remaining CO ₂ emissions	To provide further clarity that the developer has a degree of choice in which measures can be used to reach the national standards.
Paragraph 12.24 1 st sentence	The Borough Council is proposing to introduce a local <u>will require new development to meet the water efficiency standard of 110 litres per person per day (including external water use) based on Government guidance in accordance with the provisions set out in the Government's National Planning Policy Guidance.</u> ^{FN220}	To update text to make reference to the latest Government revision to the National Planning Policy Guidance.
Paragraph 12.31	Proposals for SuDs also require approval from the SuDs approval Body (SAB) which	Paragraph no longer required in light of Government changes on

Reference	Proposed modification	Reason
Last sentence	in this case is Hampshire CC. The application to the SAB should be progressed at the same time as a planning application	SuDs.
Box 12.5 3 rd bullet point	<ul style="list-style-type: none"> • ‘The Forest of Bere Land Management initiative aims to takes a comprehensive...’ 	Minor typographical amendment
Paragraph 12.48	The Strategy identifies a number of strategic projects across the sub-region including within Gosport that relate to one or more of the above strategic initiatives (Box 12.3 <u>12.5</u>). These are which relate to a number of initiatives outlined below.	Include correct cross-reference and minor typological amendment.
Paragraph 12.50 4 th sentence	It is likely to attract local visitors and potentially reduce the need to travel to such facilities outside the Peninsula and potentially divert visitors away from internationally and nationally important habitats and other sensitive locations.	To improve sentence structure
Para 12.76	Consequently it will be a requirement of new residential development to contribute towards the measures identified by the Project and as well as other <u>measures</u> that may be considered appropriate. A broad level study ‘ <u>Towards an Avoidance and Mitigation Strategy</u> ’ has been produced as part of the SDMP and work is being undertaken to implement a package of interim measures which will form part of a longer term action plan. This could include the implementation of on-site measures as part of the development proposal and/or financial contributions to local and/or sub-regional projects. It has been recognised by the SDMP that an important of component of the mitigation measures will be the creation of the Alver Valley Country Park as a suitable alternative natural greenspace (SANG) to deflect pressure from sensitive parts of the coast. The package of measures could also include, coastal rangers, education initiatives particularly focussed at dog walkers, as well as various potential access management projects. The work is on-going and the latest information can be found on the relevant website. <u>The Solent Recreation Mitigation Partnership (SRMP), which includes Gosport Borough Council has been formed to implement a package of mitigation measures.</u> The Borough Council will produce a procedure note once an agreed approach has been	To update the text to reflect the formation of the Solent Recreation Mitigation Partnership.

Reference	Proposed modification	Reason
	<p>adopted- <u>has prepared a protocol^{fn} describing how 'in combination' effects can be mitigated by a financial contribution.</u></p> <p>fn http://www.gosport.gov.uk/sections/your-council/council-services/planning-section/pre-application-advice/</p>	
Para 12.76	<p>Add new Sentence to end of para. <u>Certain developments, due to the proximity to the SPA or their size may lead to significant effects alone, in which case additional avoidance and mitigation measures will be required</u></p>	To provide clarity on the mitigation measures required as requested by Natural England.
Policy LP44 (point 2)	<p>Development proposals should ensure that habitats and species in <u>on</u> the '<u>UK List of Priority Habitats and Species</u>' and <u>included within</u> Hampshire Biodiversity Action Plans are protected and populations strengthened</p>	To ensure terminology is consistent with the Natural Environment and Rural Communities Act 2006.
Paragraph 12.85	<p>[Title] <u>Priority Habitats and Species Biodiversity Action Plan Target Species and their Habitats</u> (point 2 of Policy LP44)</p> <p><u>Section 40 and 41 of the Natural Environment and Rural Communities Act 2006 Section 74 (2) of the Countryside and Rights of Way Act 2000</u> requires the Government to produce a list identifying habitats and species which are considered of principal importance for the conservation of biological diversity in England. This list forms the '<u>UK List of Priority Habitats and Species</u>' (BAP) UK Biodiversity Action Plan.^{FN} The Hampshire Biodiversity <u>Action</u> Plan has been prepared by...</p> <p>FN</p> <p>www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/prioritylist.aspx</p>	To ensure terminology is consistent with the Natural Environment and Rural Communities Act 2006 and other minor typographical changes.
Paragraph 12.86	<p>When determining planning applications the Borough Council will have regard to the '<u>UK List of Priority Habitats and Species</u>' and Hampshire Biodiversity Action Plans. Appropriate measures will be secured through the use of conditions and planning applications where applicable.</p>	To ensure terminology is consistent with the Natural Environment and Rural Communities Act 2006.
	<p>Duplication of paragraph numbering for 12.91 & 12.92</p>	Renumber paragraphs from 12.92
Policy LP45 Point 3	<p>A site specific Flood Risk Assessment (FRA) will be required for development</p>	To clarify that a flood warning and evacuation plan will be

Reference	Proposed modification	Reason
	proposals on those sites which are 1 hectare or more in Flood Zone 1 and for all development on land within Flood Zones 2 and 3. The FRA must also clearly demonstrate that any residual risks can be safely managed. The development proposal must demonstrate safe access and egress to and from the site. In exceptional circumstances should this not be possible to achieve then clear and detailed justification as to why this is the case will be required. In such cases, the developer will be required to provide an appropriate standard of safe refuge(s) and associated facilities within the development. <u>In these circumstances a robust flood warning and evacuation plan would need to be submitted with the development proposal.</u>	required in particular circumstances as recommended by the Environment Agency.
Paragraph 12.99	In addition to the above, proposals for development must show safe access and egress to and from the site during the occurrence of a flood event. This must be shown in a site specific FRA which will accompany a planning application. There may be some exceptional circumstances where it may not be possible to provide a safe access route. The Borough Council consider such occasions where this is the case to be very rare. However, where it is clearly and robustly demonstrated by the developer through a site-specific FRA that it would not be possible to deliver a safe access to and from the site then alternative measures will be considered. This could include the provision of an appropriate safe refuge(s) and associated facilities within the development for those people who are unable to leave if a flooding emergency were to occur. <u>In such instances it will be necessary for the developer to prepare a robust flood warning and evacuation plan.</u> It is recommended that advice relating to the arrangements for these matters is sought at the pre-application stage.	To clarify that a flood warning and evacuation plan will be required in particular circumstances as recommended by the Environment Agency.
Para 12.101	Add new sentence at end of para. <u>When considering major developments, (10 or more houses, or sites larger than 1ha), the Borough Council will consult Hampshire County Council, as Lead Local Flood Authority, on the management of surface water drainage.</u>	To clarify HCC's role in this matter.

Reference	Proposed modification	Reason
Paragraph 12.100 Delete whole paragraph	Hampshire County Council is currently preparing Surface Water Management Plans (SWMPs) across Hampshire. A SWMP assesses the potential risks posed by surface water flooding and includes an action plan of how the risks can be managed and includes information about funding and delivery of identified improvements. It is anticipated that countywide coverage at district council level for these plans will be completed by 2015 and will help to identify surface water 'hot spot' areas and will be able to assist in identifying flood risk issues in more detail in order to avoid increasing the surface water run-off rates within these areas.	To reflect comments made by Hampshire County Council who are now considering an alternative approach.
Paragraph 12.102 Last 2 sentences	Proposals for SuDs also require approval from the SuDs approval Body (SAB) which in this case is Hampshire CC. The application to the SAB should be progressed at the same time as a planning application	The SuDs approval body does not exist yet so text should be amended particularly in light of Government consultation document on future of SuDs
Paragraph 12.109 3 rd sentence	The accompanying Habitats Regulations Assessment to the SMP indicated the extent of habitat losses anticipated as a result of implementing SMP policy and that these losses will be compensated by the Region Habitat Creation Programme (RHCP).	Amendment of spelling
Chapter 13		
Paragraph 13.3	Amend Partnership Working box to read: <u>Highways Agency England</u>	From 1 st April 2015 the Highways Agency is known as Highways England.
Paragraph 13.3	Amend Partnership Working box to read: <u>English Heritage Historic England</u>	From 1 st April 2015 English Heritage is known as Historic England.
Paragraph 13.12	Replace <u>Annual</u> with <u>Authority's</u> in the first sentence.	To reflect the wording in the NPPG which has changed Annual Monitoring Report to Authority Monitoring Report.
Appendices		
Appendices contents page 223	Include the Glossary to the Appendices section.	For ease of reference.
Appendix 2: 1 st Paragraph 2 nd bullet point	Parks and Gardens of <u>Local</u> Historic Interest	To provide the correct phrase for these historic assets
Appendix 2: Local List of Heritage	Replace reference to English Heritage with Historic England	From 1 st April 2015 English Heritage is known as Historic England.

Reference	Proposed modification	Reason
Assets Criteria		
Footnote 256 Page 226	Change weblink to Historic England to read: https://www.historicengland.org.uk/images-books/publications/good-practice-local-heritage-listing/	To update weblink following change of name to Historic England from English Heritage.
Appendix 4: Centres and Commercial Frontages	Amend the frontages in Gosport Town Centre (Principal Centre) for Morrisons and units within the existing Bus Station. (See Appendix A of this Schedule)	To provide a more accurate interpretation of the active frontage.
Appendix 4: Centres and Commercial Frontages	Amend the frontages in Stoke Road District Centre. (See Appendix A of this Schedule)	To provide a more accurate interpretation of the active frontage.
Appendix 4: Centres and Commercial Frontages	Amend the frontages in Dartmouth Court, Priddy's Hard Neighbourhood Centre. (See Appendix A of this Schedule)	To provide a more accurate interpretation of the active frontage.
Appendix 4: Centres and Commercial Frontages	Amend the frontages in Elson Road Neighbourhood Centre. (See Appendix A of this Schedule)	To provide a more accurate interpretation of the active frontage following extensive redevelopment within the Elson Road Neighbourhood Centre.
Glossary		
Buildings at Risk	Amend reference to English Heritage and weblink to read Historic England The Register, published annually, brings together information on all Grade I and II* listed buildings, and Scheduled Ancient Monuments (structures rather than earthworks), known to English Heritage <u>Historic England</u> to be 'at risk' through neglect and decay, or vulnerable to becoming so. http://www.historicengland.org.uk/advice/heritage-at-risk	From 1st April 2015 English Heritage is known as Historic England.
<u>Comparison</u>	Add definition to read: <u>Retail items such as electrical goods, clothing, furniture and household equipment which are not purchased on a regular basis.</u>	To provide consistency with footnote 40, page 13 of GBLP.
<u>Convenience</u>	Add definition to read: <u>Goods purchased on a regular basis such as food, toiletries and other grocery items.</u>	To provide consistency with footnote 40, page 13 of GBLP.
English	Amend subtitle to read:	From 1st April 2015 English

Reference	Proposed modification	Reason
Heritage	<p>English Heritage <u>Historic England</u></p> <p>Amend weblink to read:</p> <p>http://www.english-heritage.org.uk/</p> <p>http://www.historicengland.org.uk/</p>	Heritage is known as Historic England.
Local Development Framework (LDF)	<p>Amend 2nd sentence to read:</p> <p>It consists of Development Plan Documents, Supplementary Planning Documents, a Statement of Community Involvement, the Local Development Scheme and Annual Authority <u>Authority</u> Monitoring Reports.</p>	To reflect wording in the NPPG and Regulation 34 of The Town and Country Planning (Local Planning) (England) Regulations 2012.
Safeguarding area/zone	An area defined in Circular 01/03: Safeguarding aerodromes, technical sites and military explosives storage areas, to safeguard such sites.	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Scheduled Ancient Monument (SAM)	<p>Nationally important archaeological sites included in the Schedule of Ancient Monuments maintained by the Secretary of State under Ancient Monument and Archaeological Areas Act 1979.</p> <p>http://www.english-heritage.org.uk/caring/listing/scheduled-monuments/</p> <p>http://www.culture.gov.uk/what_we_do/historic_environment/4171.aspx/</p> <p>http://www.gosport.gov.uk/sections/your-council/council-services/planning-section/conservation/conservation-guide/scheduled-ancient-monuments/</p> <p>Amend weblink to read:</p> <p>http://www.english-heritage.org.uk/caring/listing/scheduled-monuments/</p> <p>https://www.historicengland.org.uk/listing/the-list</p>	To provide consistency with the submitted copy of the GBLP sent to PINS. From 1st April 2015 English Heritage is known as Historic England.
Schools Organisation Plan (SOP)	This is a statutory document which all Local Education Authorities should produce. In Gosport's case, this is Hampshire County Council. SOPs provide a position statement on policies guiding the provision of school places and are a	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.

Reference	Proposed modification	Reason
	valuable planning tool to respond to new developments and the need to review surplus places. http://www3.hants.gov.uk/education/schools/school-places.htm	
Secondary Shopping Frontages	A retailing area, secondary to the primary shopping frontage, that provides greater opportunities for a diversity of uses.	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Section 106 Agreement	A legal agreement under section 106 of the 1990 Town & Country Planning Act. Section 106 agreements are legal agreements between a planning authority and a developer, or undertakings offered unilaterally by a developer, that ensure that certain extra works related to a development are undertaken.	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Settlement Gap	Settlement Gaps define the identity of individual settlements, preventing them from merging into one continuous urban area.	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Shared Ownership	New or existing dwelling that is sold on a part-rent/part-sale basis.	To provide consistency with the submitted copy of the GBLP sent to PINS.
Site of Importance for Nature Conservation (SINC)	Sites within Hampshire that are of particular importance for nature conservation, containing habitats or features which are effectively irreplaceable (excluding statutory designated sites). Designated by Hampshire County Council in liaison with the Hampshire and Isle of Wight Wildlife Trust. http://www.gosport.gov.uk/sections/your-council/council-services/planning-section/nature-conservation/local-sites/	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Site of Special Scientific Interest (SSSI)	Site of Special Scientific Interest as designated by English Nature under the Wildlife and Countryside Act 1981 to afford protection to flora, fauna, geological or physiological features of special interest being of national importance. http://www.sssi.naturalengland.org.uk/Special/sssi/index.cfm http://www.gosport.gov.uk/sections/your-council/council-services/planning-section/nature-conservation/national-sites/	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Social-Rented Housing	Rented housing owned by Local Authorities and private registered providers for which guideline target rents	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web

Reference	Proposed modification	Reason
	are determined through the national rent regime.	version which omitted parts of the glossary.
Solent Transport Strategy	This sets out the broad strategy within which Hampshire County Council, Isle of Wight Council, Portsmouth City Council and Southampton City Council aim to manage the transportation challenges and opportunities that the South Hampshire Sub-Region will face over the next 20 years. http://www3.hants.gov.uk/tfsh/ http://www3.hants.gov.uk/transport/local-transport-plan.htm	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Special Area of Conservation (SAC)	This is a site designated under the European Community Habitats Directive, to protect internationally important natural habitats and species. http://www.jncc.gov.uk/page-23 http://www.gosport.gov.uk/sections/your-council/council-services/planning-section/nature-conservation/international-sites/	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Special Protection Area (SPA)	This is designated by the Government under the European Community Directive on Wild Birds to protect internationally important bird species. http://www.jncc.gov.uk/page-162 http://www.gosport.gov.uk/sections/your-council/council-services/planning-section/nature-conservation/international-sites/	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Strategic Housing Land Availability Assessment (SHLAA)	Strategic Housing Land Availability Assessment is a document that aims to identify the sources of residential supply, identifies the opportunities, assesses the likely housing yield on sites, estimates the likely level of windfall and analyses constraints on sites. Gosport Borough Council's SHLAA can be viewed at: http://www.gosport.gov.uk/shlaa	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Strategic Housing Market Assessment (SHMA)	A Strategic Housing Market Assessment (SHMA) is a framework to analyse the supply/demand dynamic at the sub-regional level. The scale of the SHMA is not prescribed, however, it is anticipated it will cover more than one local authority boundary. Gosport is included in a SHMA which covers the PUSH authorities in South Hampshire.	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Supplementa	Supplementary Planning Documents may	To provide consistency with the

Reference	Proposed modification	Reason
ry Planning Documents (SPDs)	cover a range of issues, both thematic and site specific, which may expand policy or provide further detail to policies in a Development Plan Document. http://www.gosport.gov.uk/sections/your-council/council-services/planning-section/local-development-framework/supplementary-planning-documents/	submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Supported Housing	Housing schemes for client groups who need additional support or care such as frail elderly or people with learning difficulties.	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Sustainable Development	Sustainable Development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs (Bruntland Commission 1987). http://www2.defra.gov.uk/environment/economy/sustainable/ http://www.sd-commission.org.uk/	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Sustainable Drainage Systems (SUDs)	Sustainable Drainage Systems are a range of management practices and control mechanisms that drain surface water in a way that mimics natural drainage and reduces the adverse impacts on river regimes and the risk of erosion, flooding and ecological drainage. http://www.susdrain.org/	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Sustainability	Sustainability, as defined by the government, is 'enabling everyone in the world to satisfy their basic needs and enjoy a better quality of life without compromising the quality of life of future generations'. That means considering three aspects: <ul style="list-style-type: none"> • living within environmental limits, protecting limited natural resources and limiting climate change; • stimulating strong, healthy communities and a just society; and • building a strong, stable economy. 	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Sustainability Appraisal (SA)	The purpose of a Sustainability Appraisal (SA) is to promote sustainable development through the integration of social, economic and environmental considerations into the preparation of new or revised Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs).	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.

Reference	Proposed modification	Reason
Travel Plan	A long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives through action and is articulated in a document that is regularly reviewed.	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Tree Preservation Order	A mechanism for securing the preservation of single or groups of trees of acknowledged amenity value. A tree subject to a tree preservation order may not normally be topped, lopped or felled without the consent of the local planning authority.	To provide consistency with the submitted copy of the GBLP sent to PINS.
Urban Fringe	The urban fringe is the transitional area between urban areas and the countryside. It can provide a valuable resource for the provision of sport and recreation, particularly in situations where there is an absence of land within urban areas to meet provision.	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Use Classes Order	The Town and Country Planning (Use Classes) Order 1987 puts uses of land and buildings into various categories. Planning permission is not needed for changes of use within the same use class.	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Windfall Site	Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available.	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Zero carbon	The UK government's target is to make all new homes zero carbon from 2016, demanding that all emissions from the house and the activities that take place within it must be net zero over the course of a year. The precise definition is subject to change. For further explanation http://www.zerocarbonhub.org/definition.aspx	To provide consistency with the submitted copy of the GBLP sent to PINS as opposed to the web version which omitted parts of the glossary.
Policies Map		
Polices Map	Amend Residential allocation in Royal Clarence Yard (see Appendix B of this Schedule)	To reflect the remaining unbuilt part of the extant planning permission.
Policies Map	Amend boundary of Anglesey Conservation (see Appendix C of this Schedule)	To correct cartographic offsetting error.
Policies Map	Delete the 'Existing Community and Built Leisure Facilities' designation from the Middlecroft Hall site (see Appendix D of this Schedule)	This site now has planning permission for residential development and the policy criteria relating to community facilities having been considered by the Council's Regulatory Board no longer apply.
Policies Map	Delete the 'Existing Community and Built	This site now has planning

Reference	Proposed modification	Reason
	Leisure Facilities' designation from 69 Bury Road (see Appendix D of this Schedule)	permission for residential development and has been built.
Policies Map	Show new proposed boundary change to the northern boundary of the Alver Valley Country Park (see Appendix E of this Schedule)	To clarify the boundary in this part of the Country Park. Plans 3 and 8 on pages 37 and 76 of the GBLP will also be amended to reflect the modification to the Policies Map.
Policies Map	Show new SINC off Aerodrome Road (see Appendix F of this Schedule)	The SINC Panel have confirmed that this site meets the relevant criteria and should therefore be designated as a SINC following recent ecological surveys. The Hampshire Biodiversity Information Centre (HBIC) has advised the landowner accordingly. Paragraph 12.79 of the GBLP explains that further sites may be identified as SINC's during the Plan period.
Policies Map	Amend existing SINC boundary at Priddy's Hard (see Appendix F of this Schedule)	The SINC Panel have recently confirmed that the SINC at Priddy's Hard should be amended to include additional criteria relating the assemblage of species on the site (criterion 6C). Following consultation with the landowners, HBIC have considered that the Cordite Store buildings themselves are not habitat in their own right and therefore should not be included as part of the SINC itself.
Policies Map	Amend existing SINC boundary within the Alver Valley (see Appendix F of this Schedule)	The SINC Panel have confirmed that following recent ecological surveys the boundary of this existing SINC should be amended to reflect the ecological interest on the site. HBIC has advised the landowner accordingly. Plans 3 and 8 on pages 37 and 76 of the GBLP will also be amended to reflect the modification to the Policies Map

APPENDICES

Appendix A: Proposed Modifications to Centres and Commercial Frontages

- Gosport Town Centre (Principal Centre)
- Stoke Road (District Centre)
- Elson Road (Neighbourhood Centre)
- Dartmouth Court, Priddy's Hard (Neighbourhood Centre)

Appendix B: Proposed Modification to Policies Map – Royal Clarence Yard

Appendix C: Proposed Modification to Policies Map – Anglesey Conservation Area

Appendix D: Proposed Modification to Policies Map – Middlecroft Hall, Middlecroft Lane, Gosport and 69 Bury Road, Gosport

Appendix E: Proposed Modification to the northern boundary of the Alver Valley Country Park

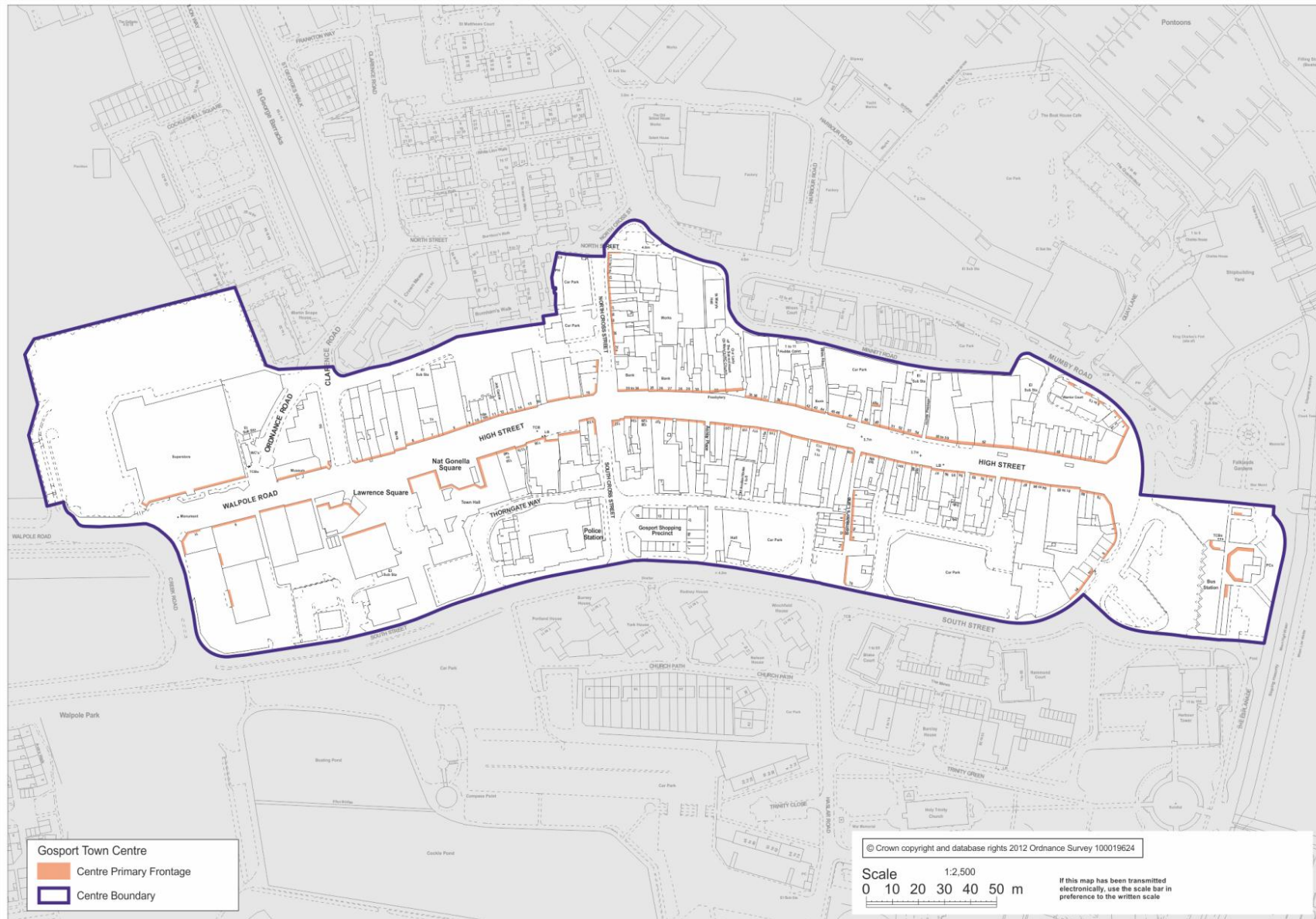
Appendix F: Proposed additional and amended Sites of Importance for Nature Conservation (SINCS)

- GO0038 Land off Aerodrome Road
- GO0015 Priddy's Hard
- GO0007 West of the River Alver

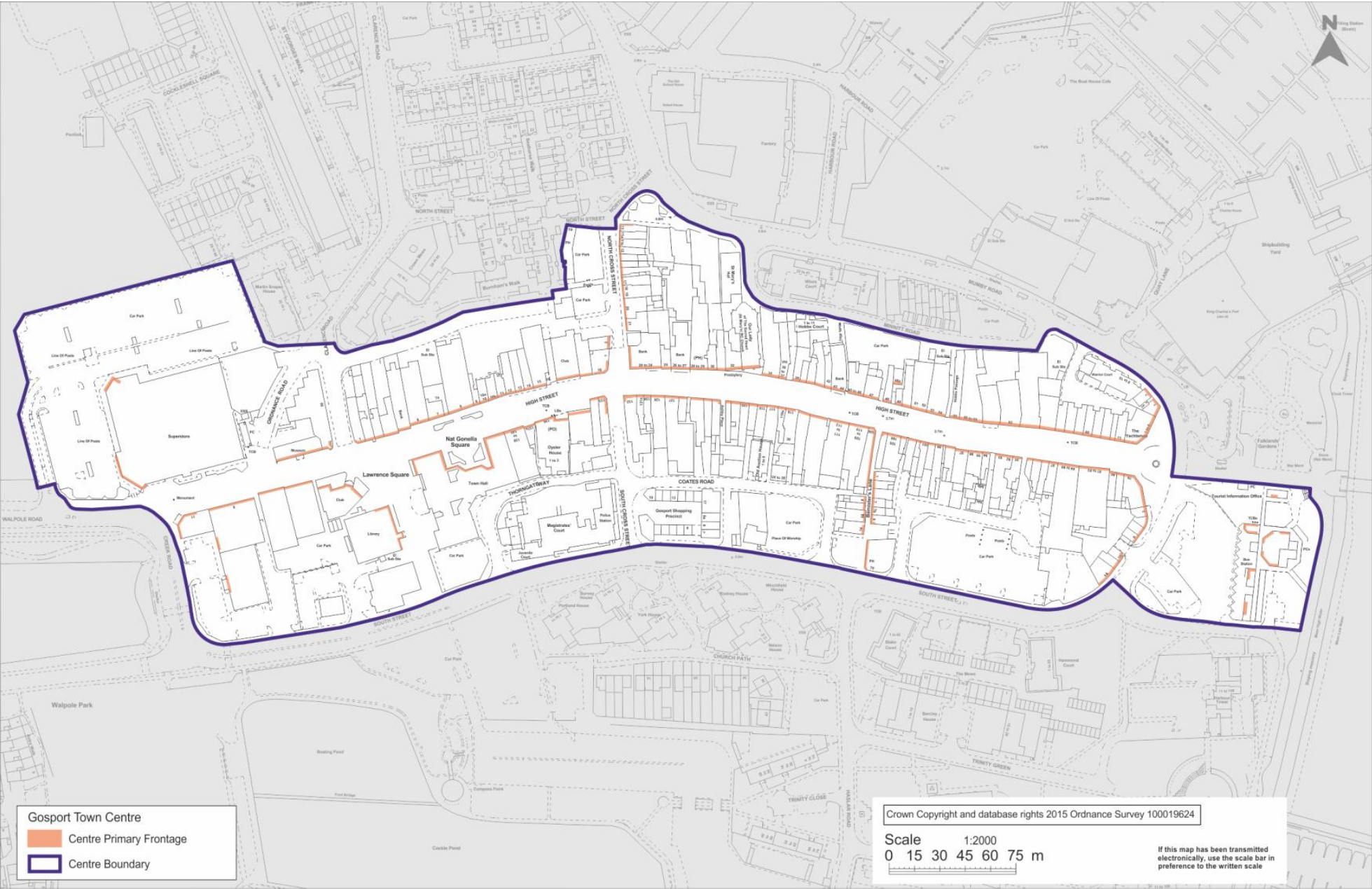
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APPENDIX A: Proposed Modification to Centres and Commercial Frontages – Gosport Town Centre: Principal Centre

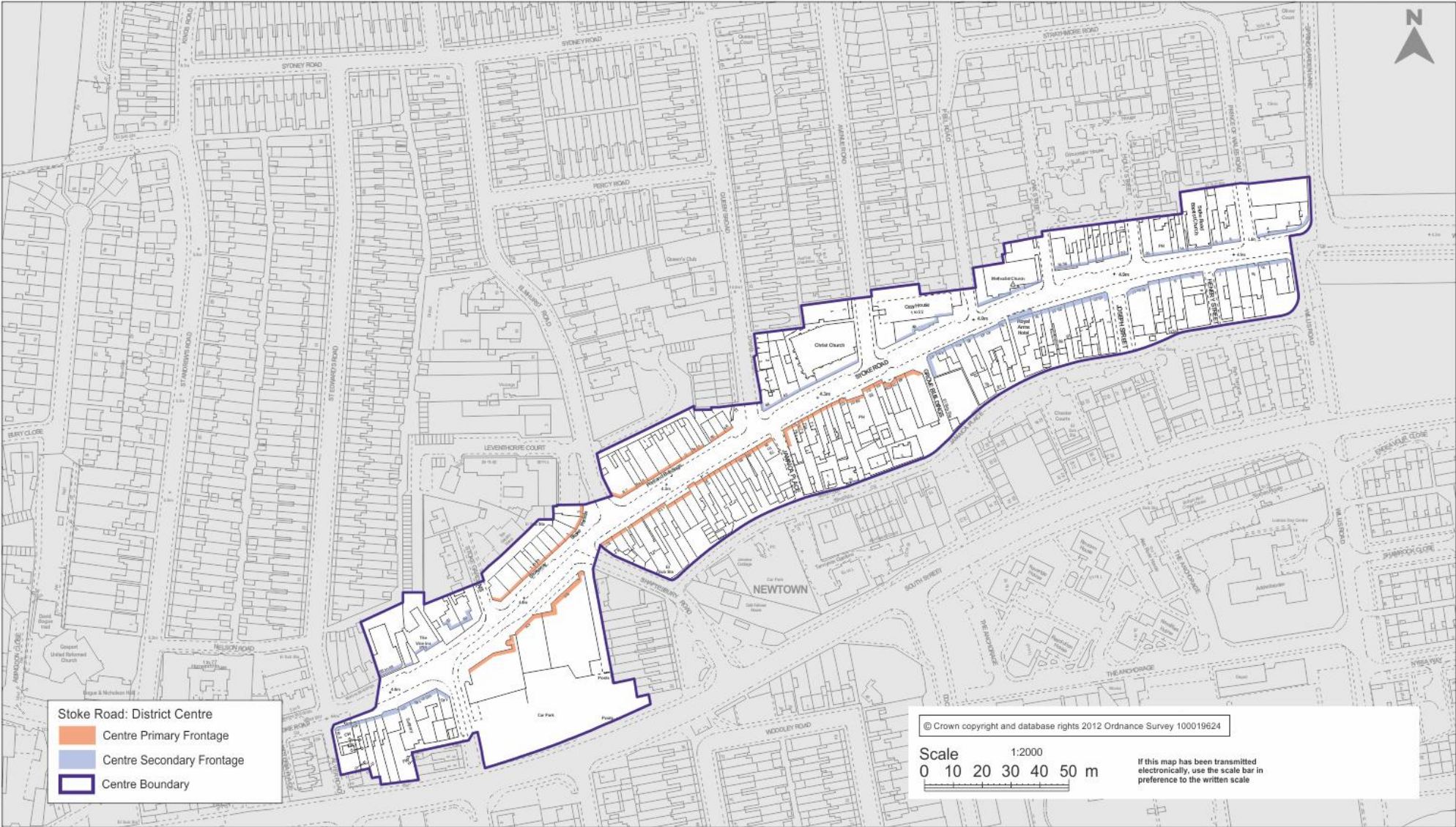
Frontages in publication version



Proposed changes



Stoke Road: District Centre
Frontages in publication version

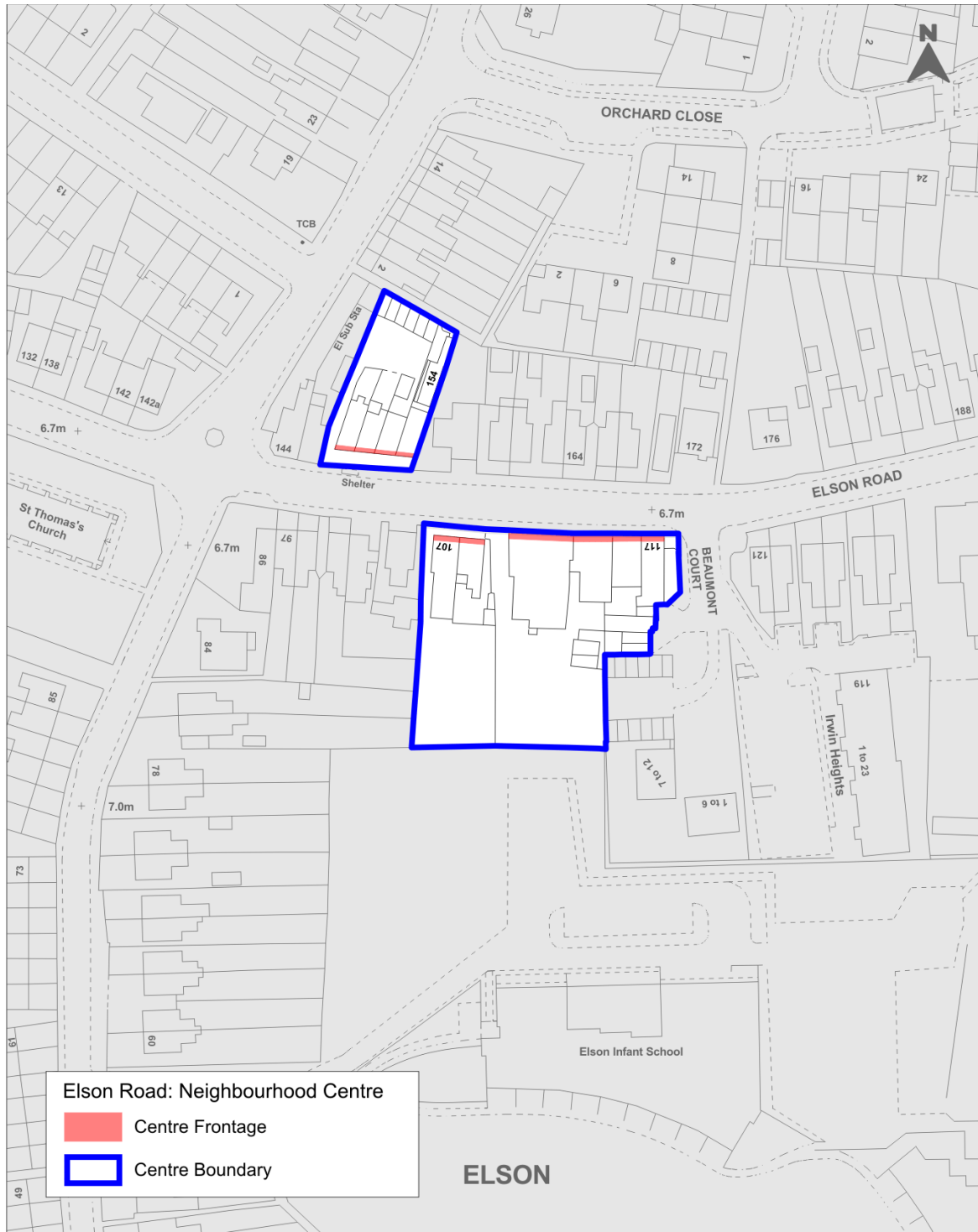


Proposed changes



Elson Road: Neighbourhood Centre

Frontages in publication version

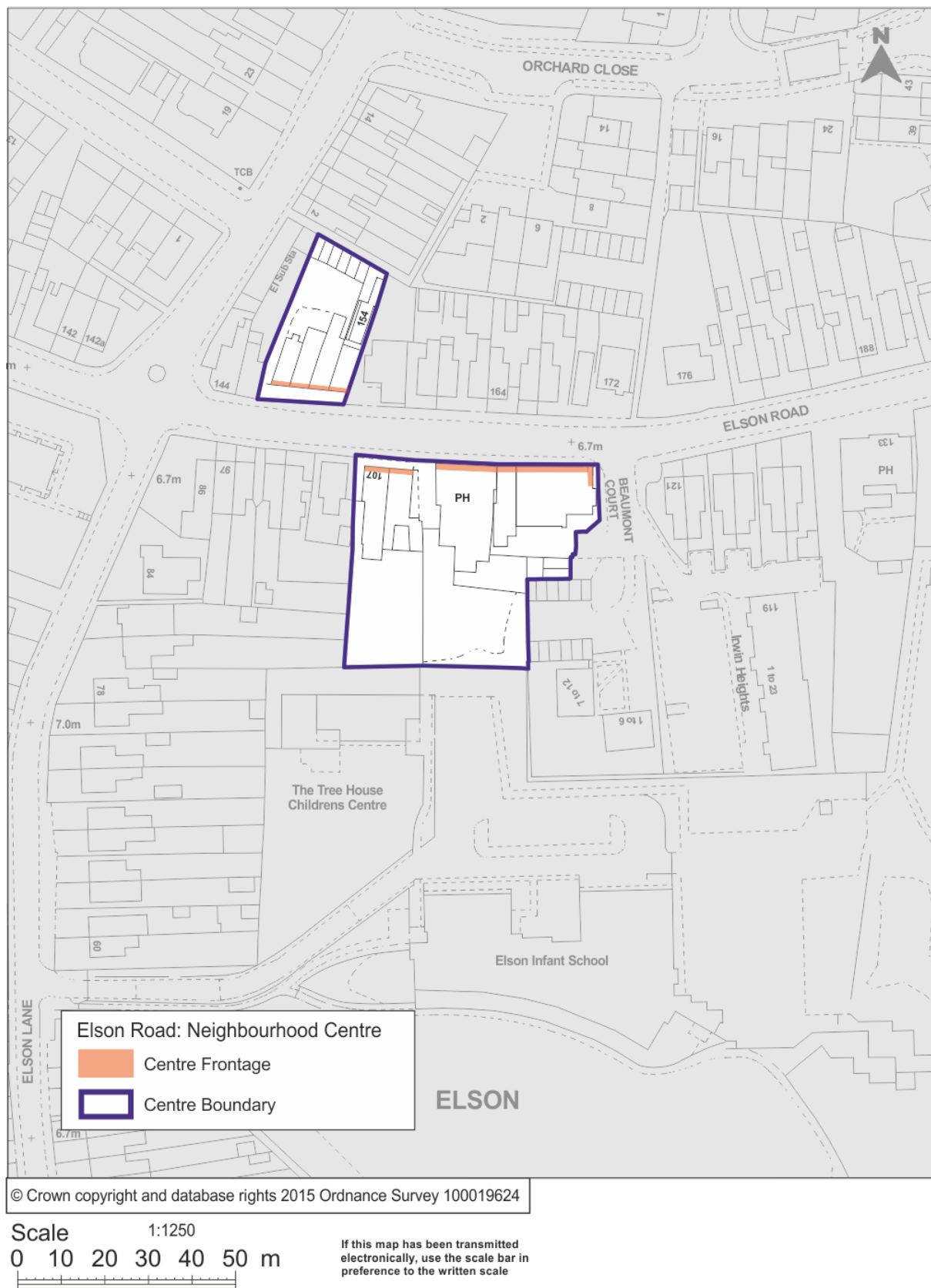


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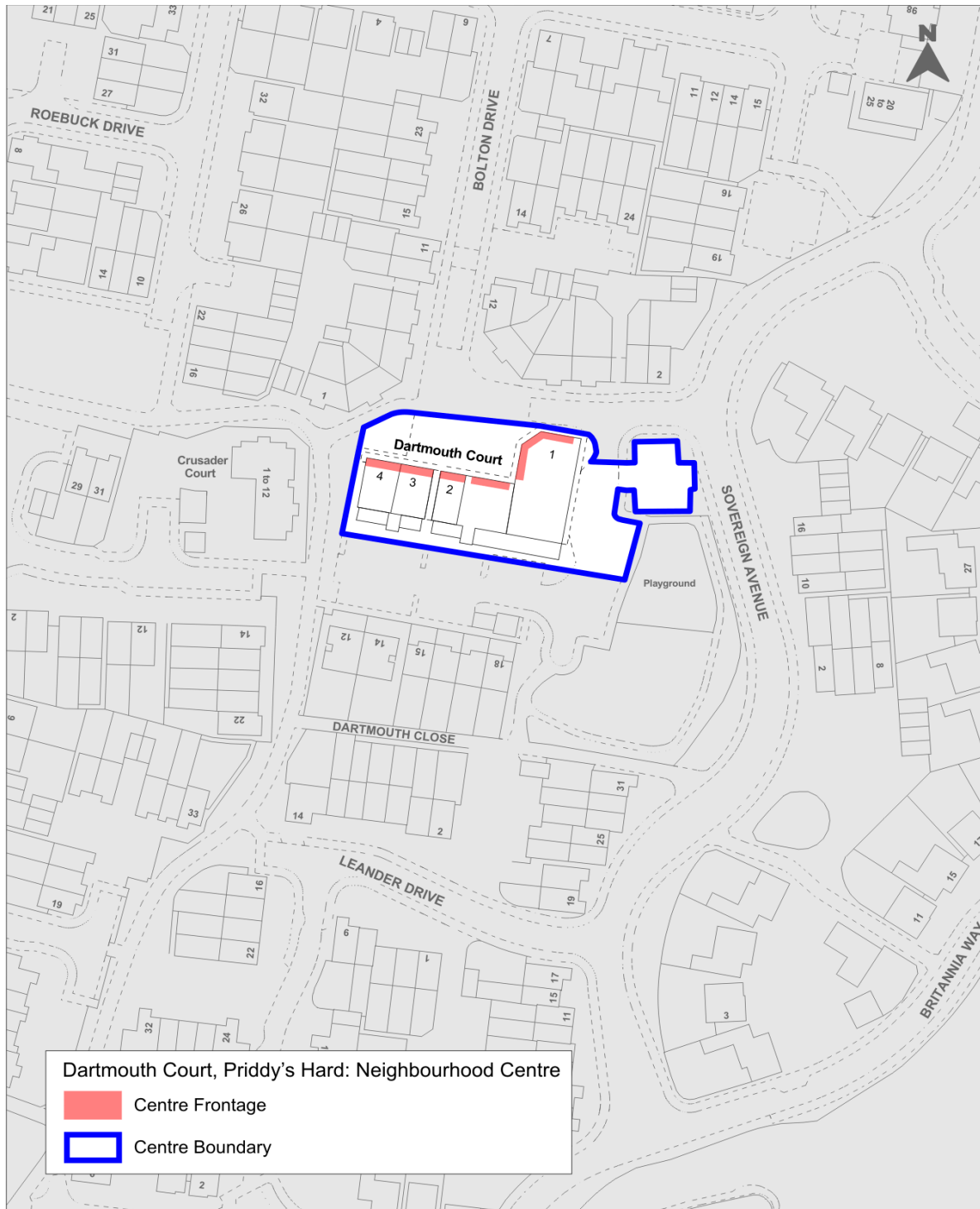
If this map has been transmitted electronically, use the scale bar in preference to the written scale

Proposed changes



Dartmouth Court: Priddy's Hard Neighbourhood Centre

Frontages in publication version

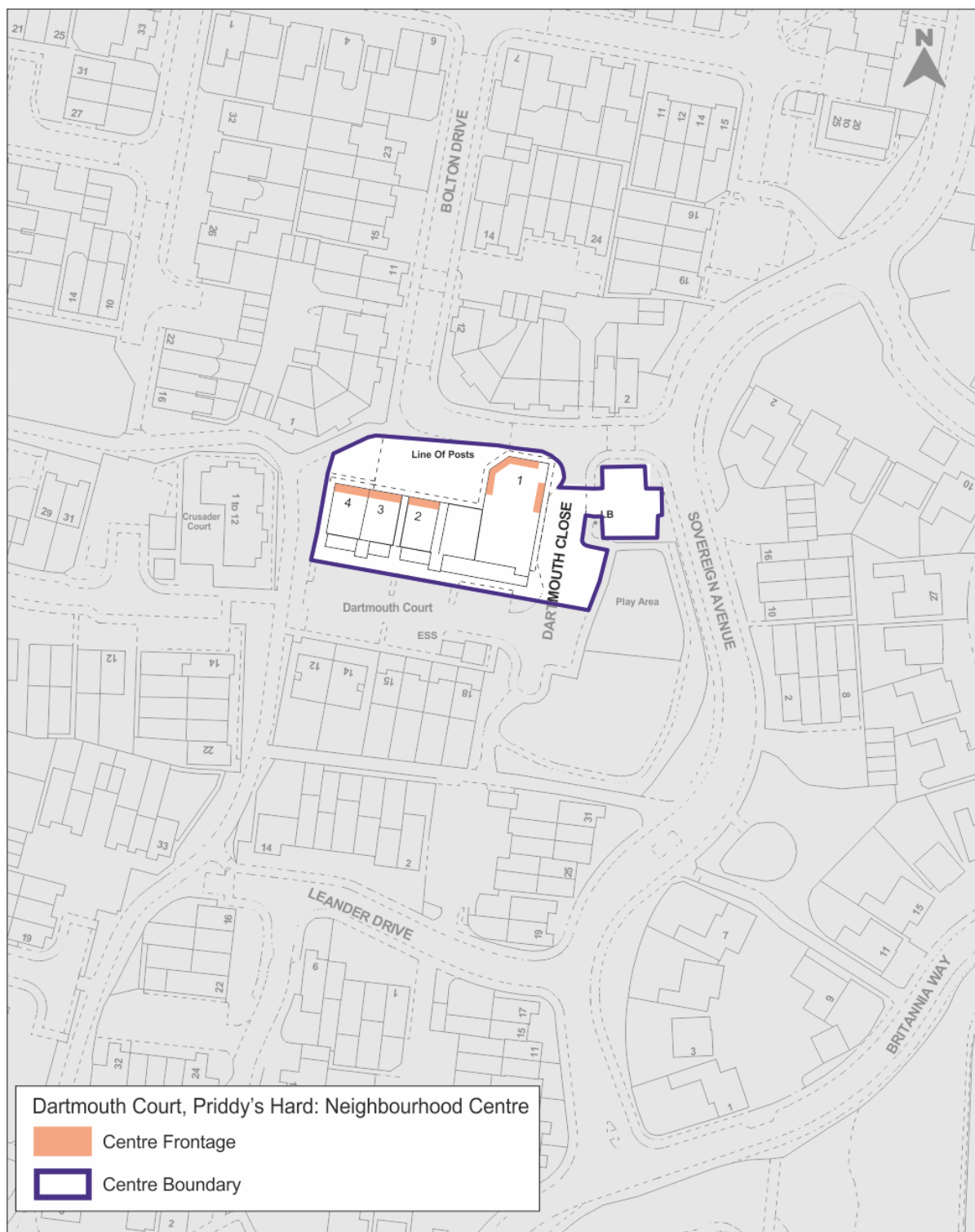


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Scale 1:1250
0 10 20 30 40 50 m

If this map has been transmitted electronically, use the scale bar in preference to the written scale

Proposed changes



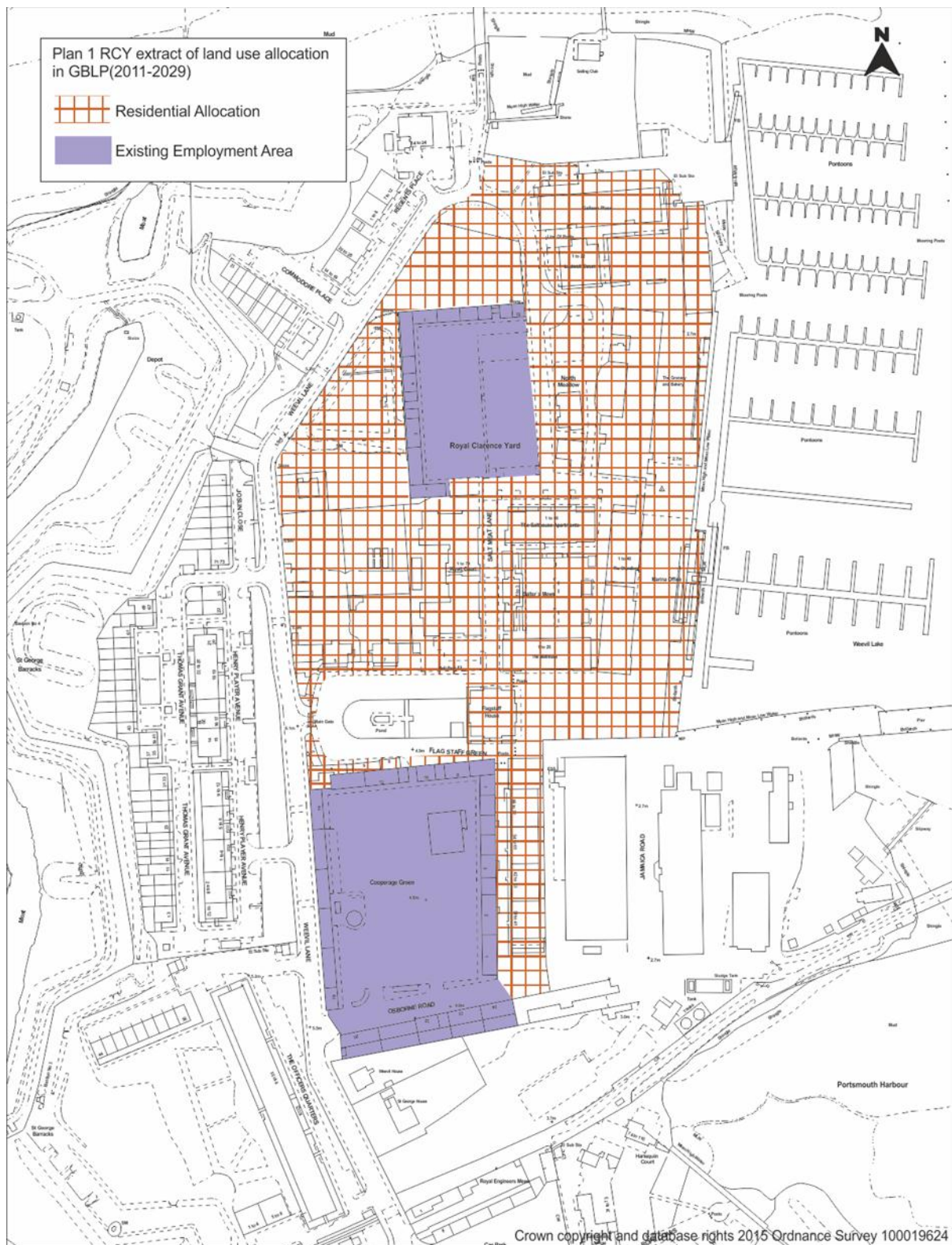
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Scale 1:1250
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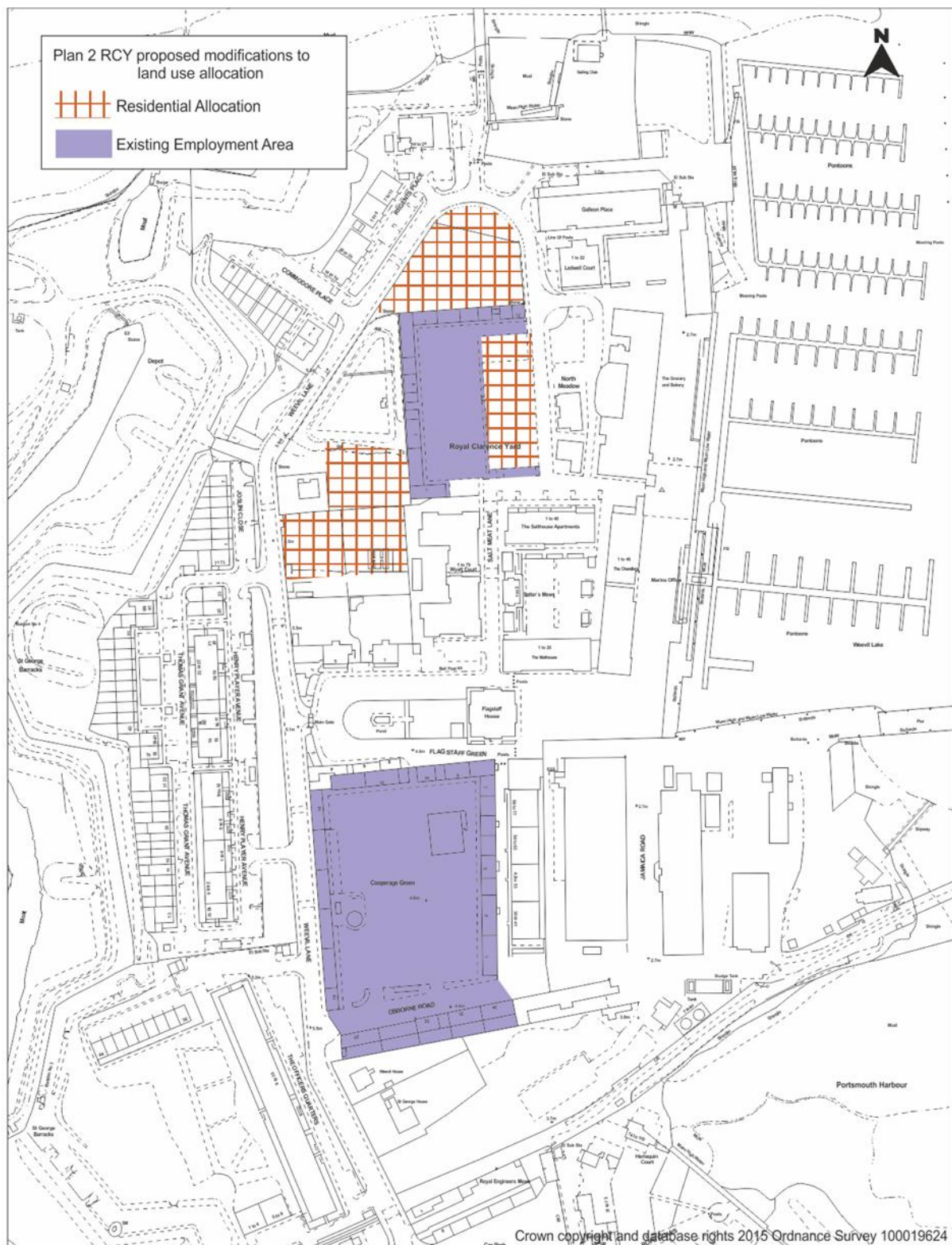
If this map has been transmitted electronically, use the scale bar in preference to the written scale

APPENDIX B: Proposed Modification to Policies Map – Royal Clarence Yard

Plan 1: RCY Land use allocation in GBLP 2011-2029

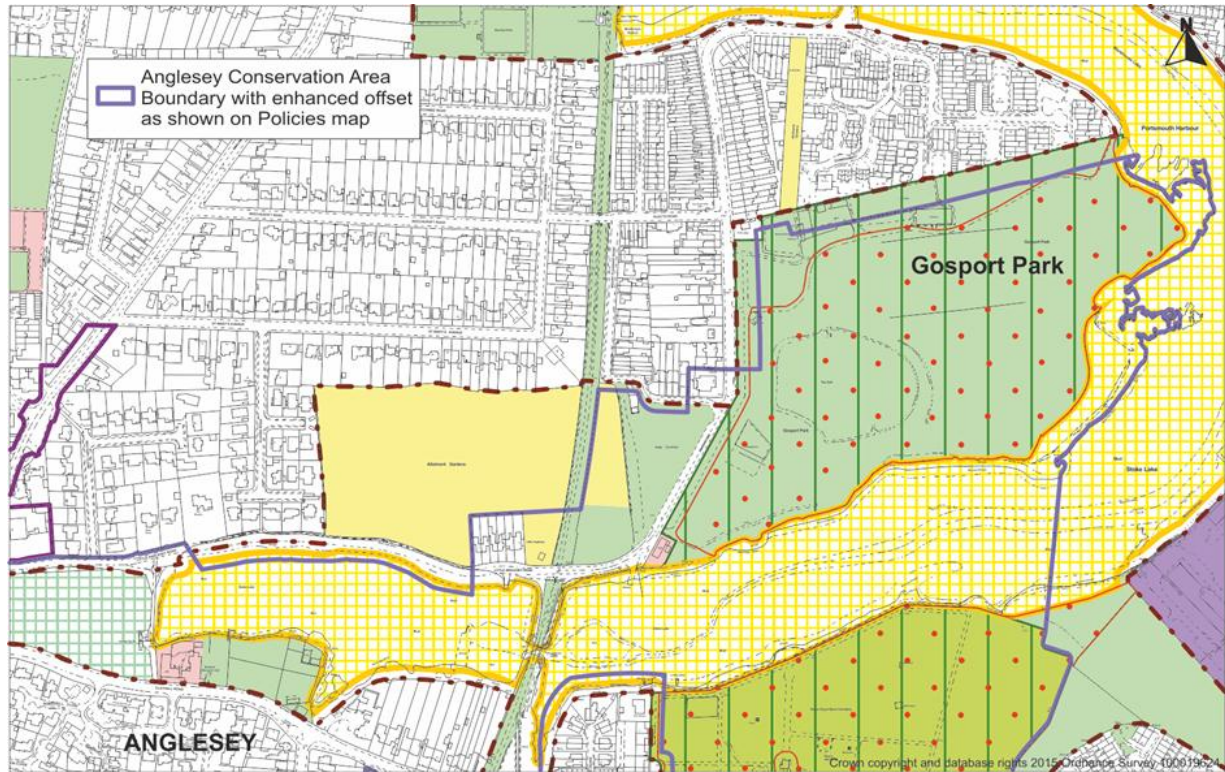


Plan 2: RCY- Proposed modifications to land use allocations

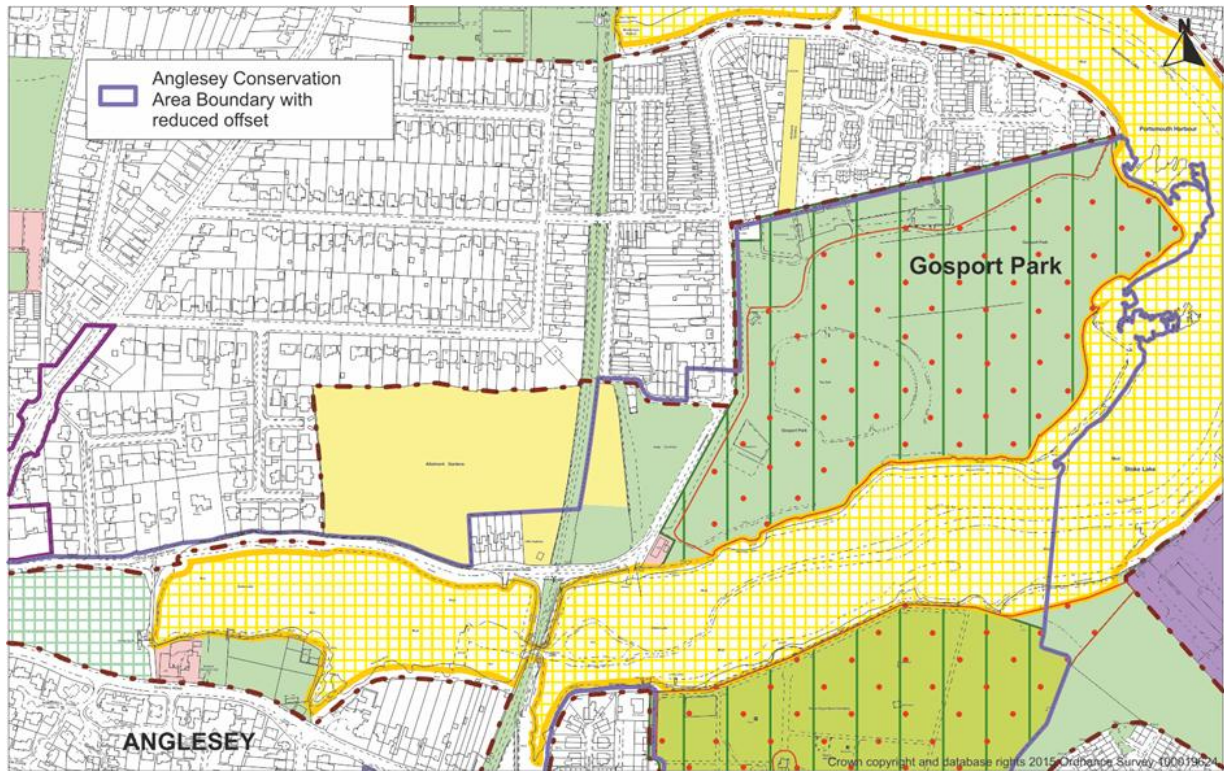


APPENDIX C: Proposed Modification to Policies Map – Anglesey Conservation Area

Plan 1: Policies Map in Publication Version

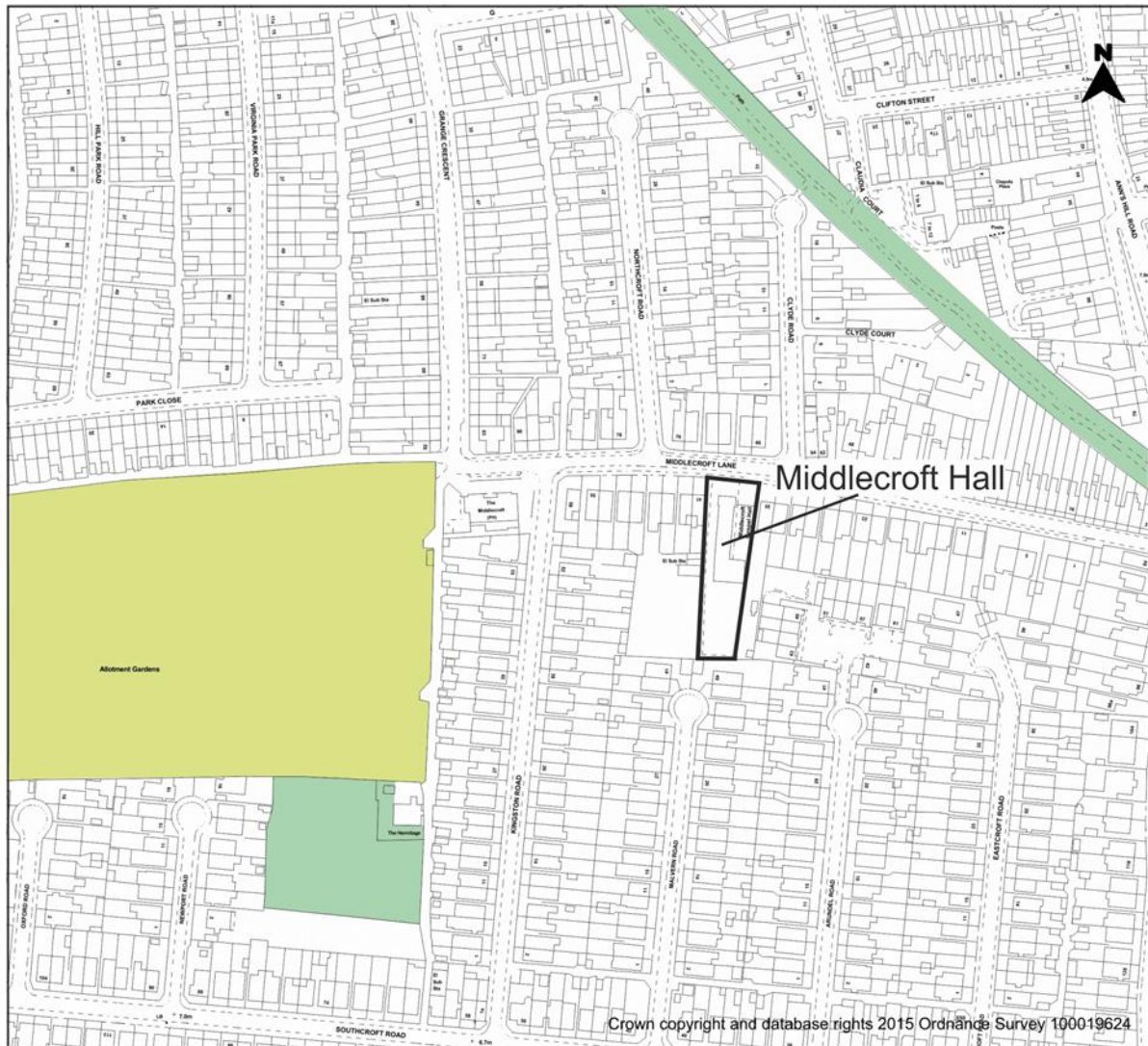


Plan 2: Proposed Modification



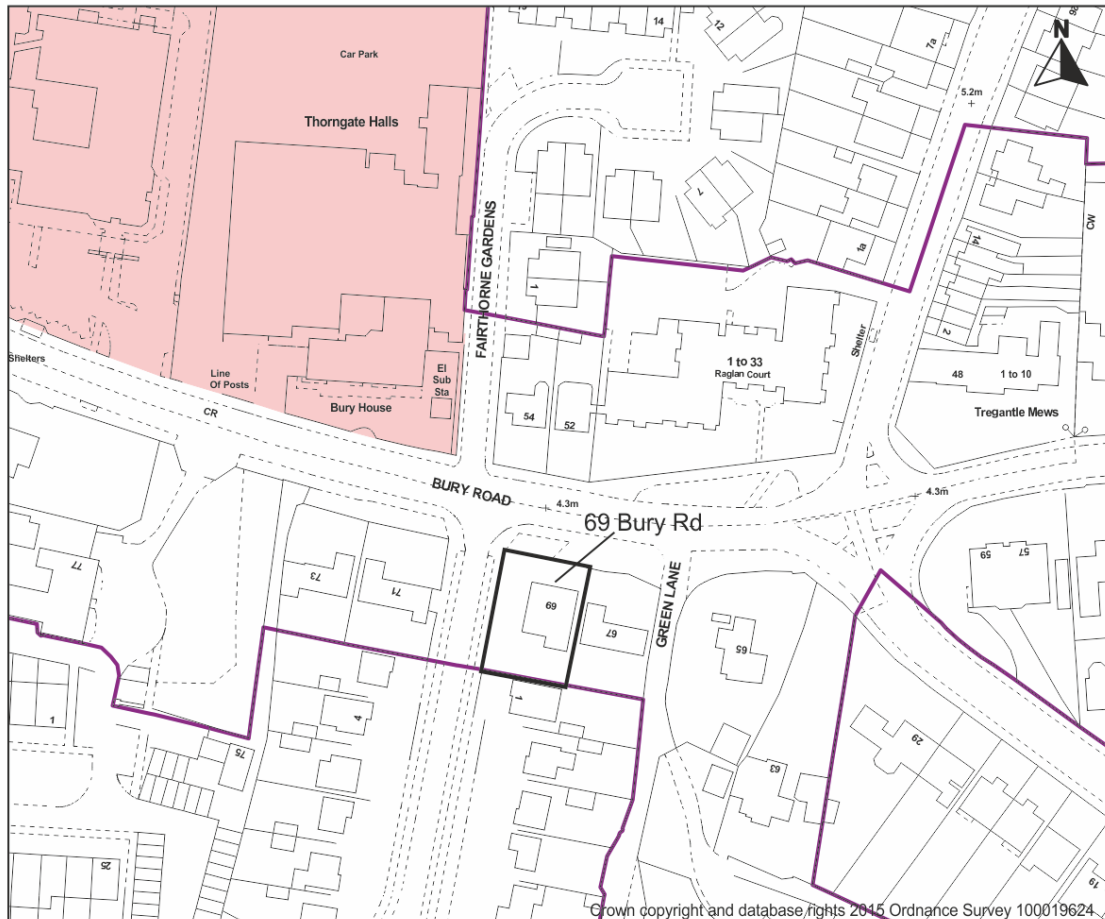
APPENDIX D: Proposed Modification to Policies Map – Middlecroft Hall, Middlecroft Lane, Gosport

Proposed modification Middlecroft Hall - deletion of Existing Community and Built Leisure Facilities designation

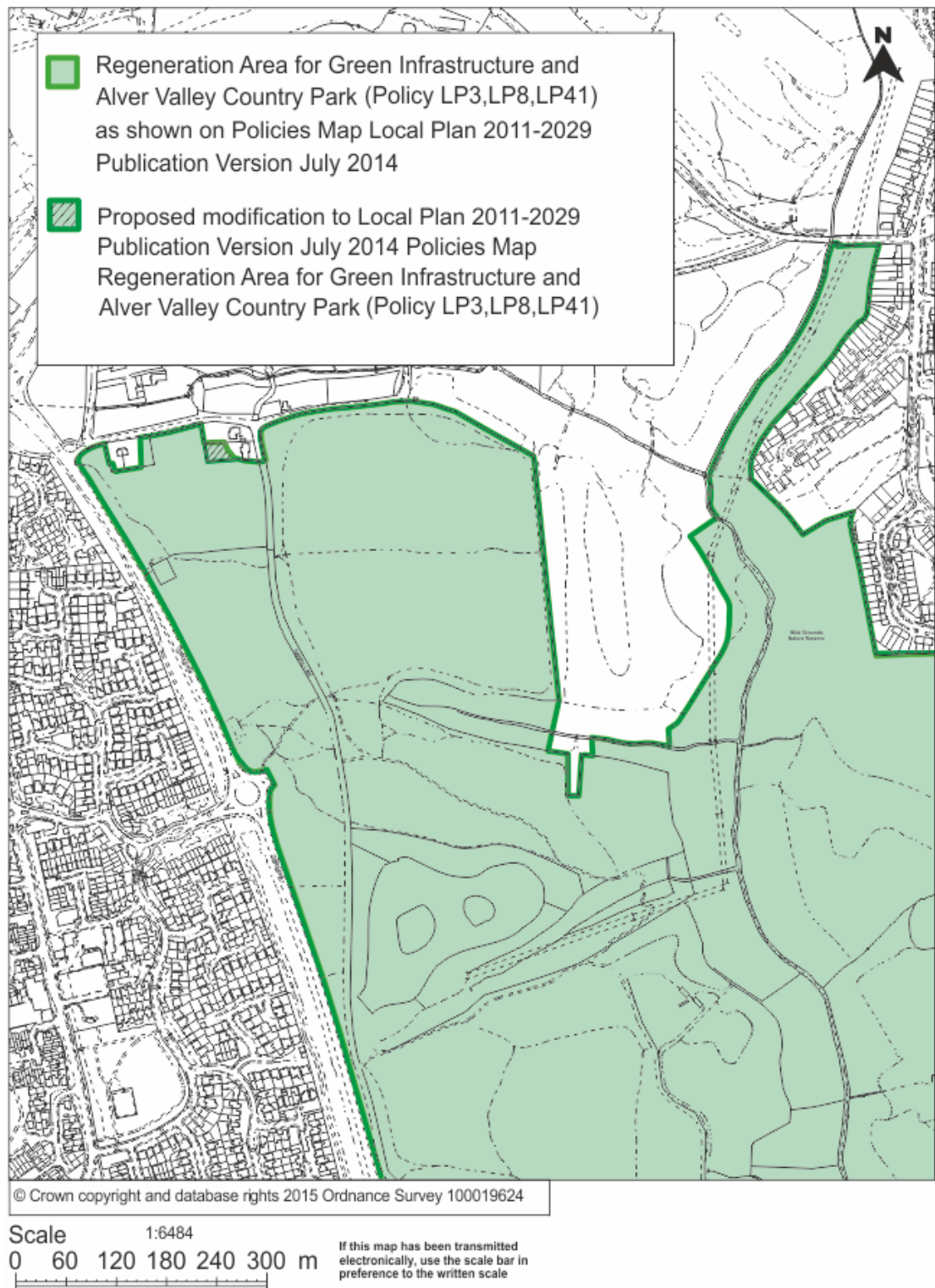


APPENDIX D: Proposed Modification to Policies Map –69 Bury Road, Gosport

Proposed modification 69 Bury Road- deletion of Existing Community and Built Leisure Facilities designation



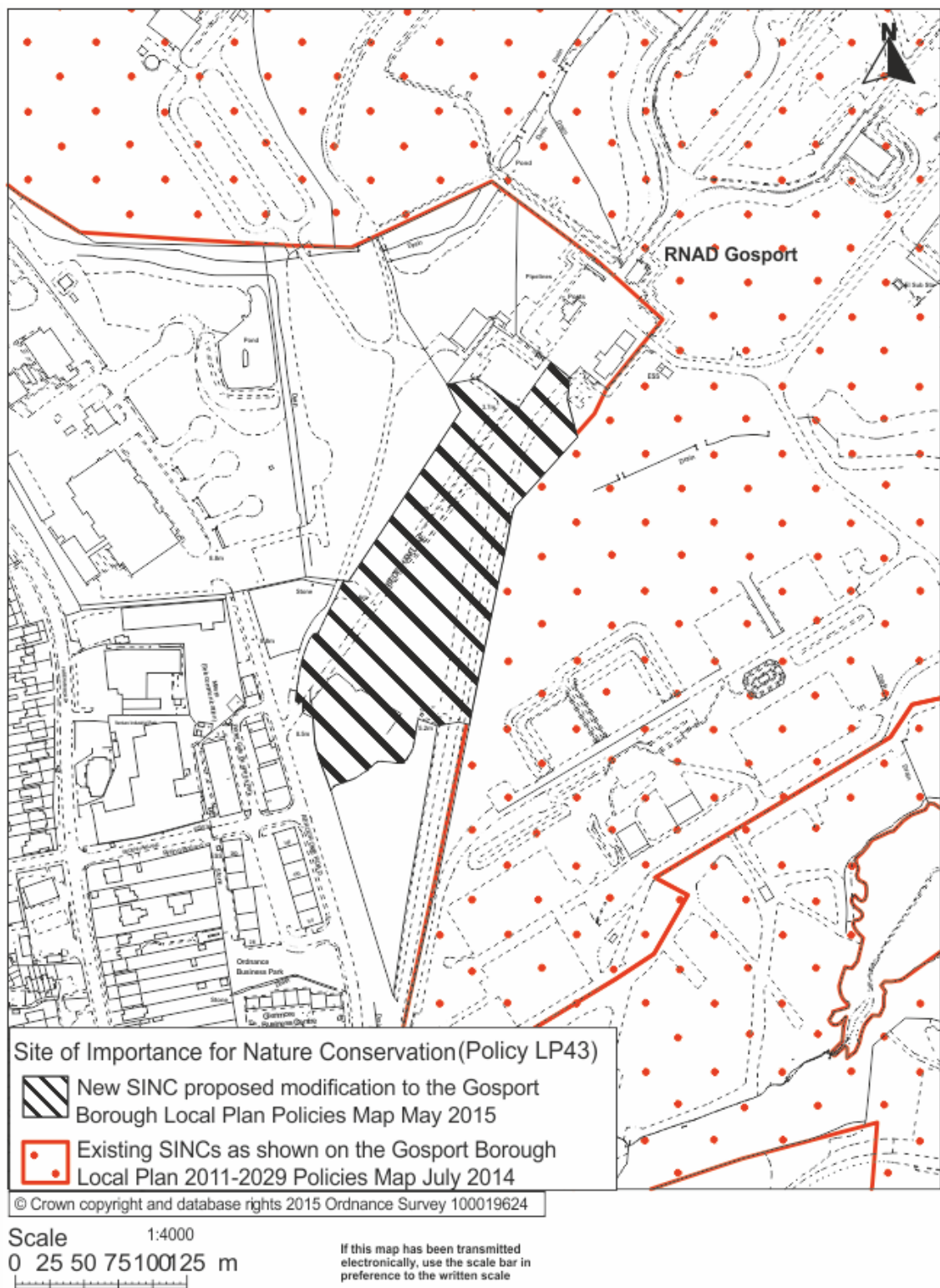
Appendix E: Proposed Modification to the northern boundary of the Alver Valley Country Park



Appendix F: Proposed additional and amended Sites of Importance for Nature Conservation (SINCS)

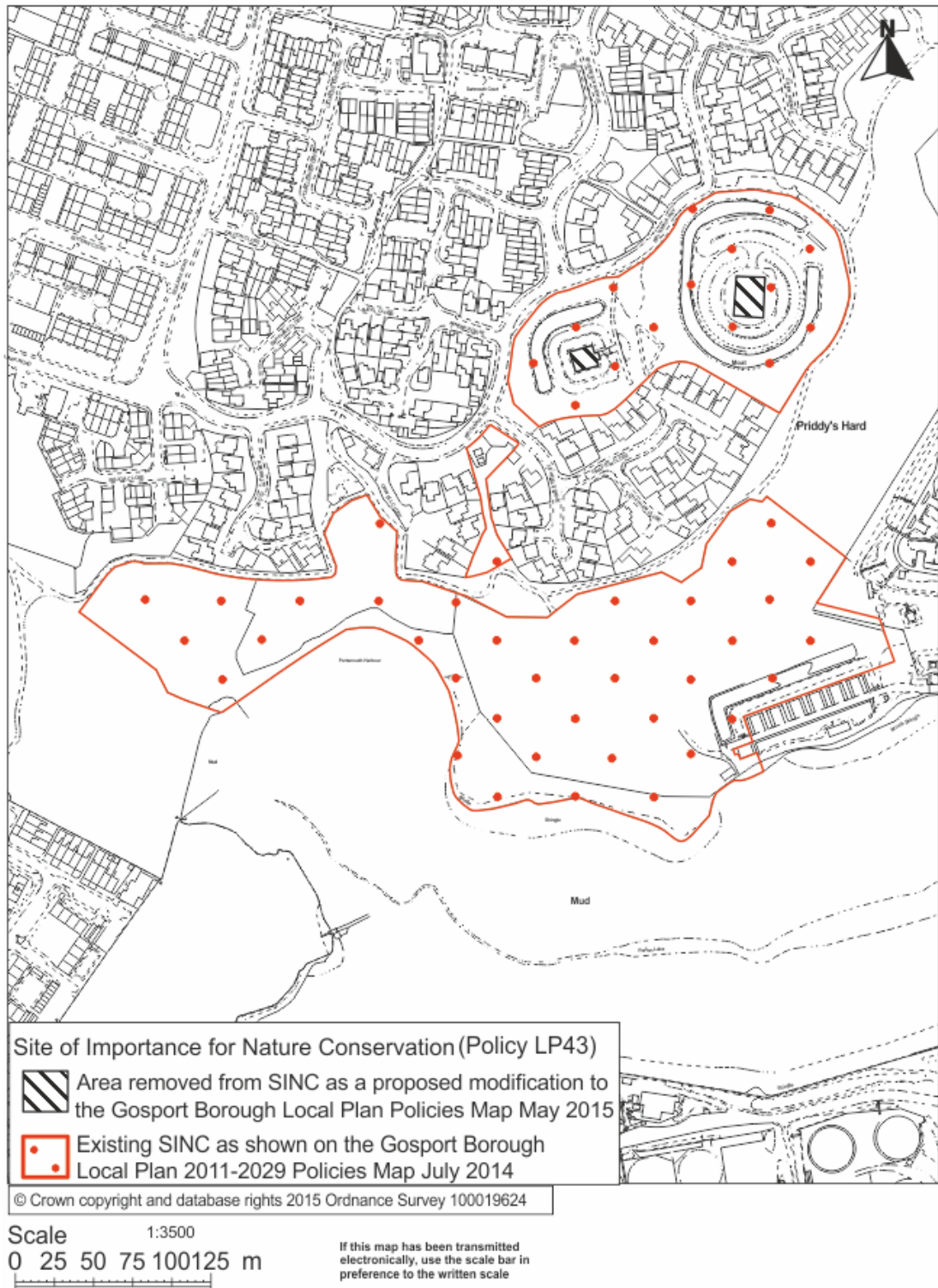
The following site has been added to the Gosport Borough Local Plan 2011-2029:

GO0038 Land off Aerodrome Road

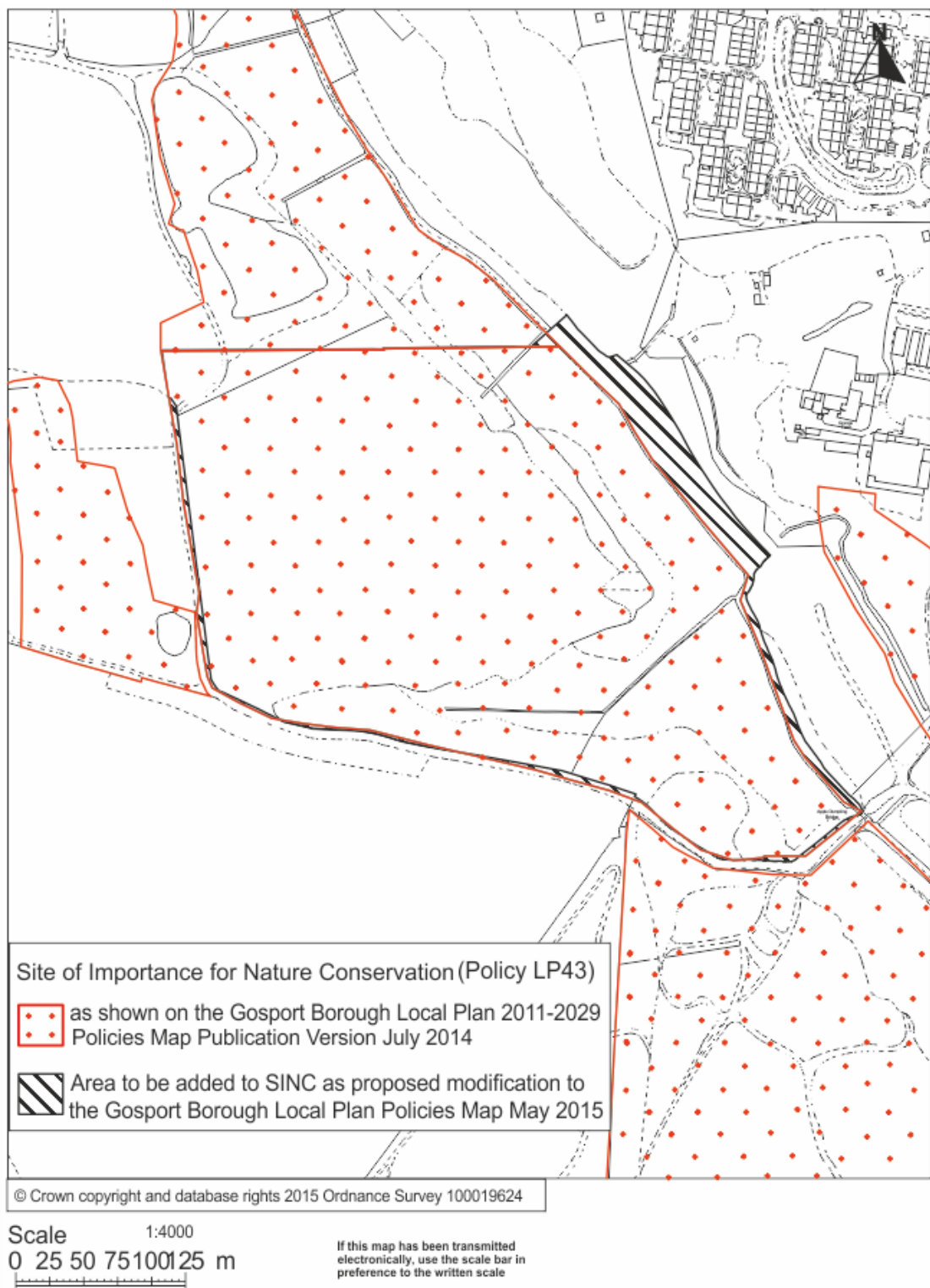


The following SINC sites have been amended in the Gosport Borough Local Plan 2011-2029:

GO0015 Priddy's Hard



GO0007 West of the River Alver



AGENDA ITEM NO.8

Board/Committee:	Council
Date of Meeting:	14 th October 2015
Title:	Community Infrastructure Levy – Adoption of Charging Schedule
Author:	Borough Solicitor and Deputy Chief Executive
Status:	FOR DECISION

Purpose

This report seeks approval for the adoption of the Community Infrastructure Levy (CIL) Charging Schedule with a view to collecting CIL on liable new developments in the Borough.

Recommendation

1. That the Council adopts the Gosport CIL Charging Schedule (Appendix B) and
2. That the Council agrees to accept payment of CIL by instalments as set out in Appendix C and in kind payments of Land and Infrastructure as set out in Appendix D;
3. That the Council brings the Community Infrastructure Levy into effect in relation to development which is liable to be charged on or after 1st February 2016;
4. That the Council agrees the amendments to the Constitution set out in Appendix E.

1 Background

- 1.1 It was reported at the Economic Development Board on 17th September 2014 that in the future the scope to negotiate and then use Section 106 developer contributions will be more limited. In most cases it will no longer be possible to accumulate Section 106 funds and where it is this will be limited to just five different developments for the same infrastructure projects. This restriction on the use of Section 106 funds came into force in April 2015. These contributions are replaced by the Community Infrastructure Levy.
- 1.2 At that Economic Development Board approval was given to consult on a Draft Charging Schedule with the purpose of introducing a Community Infrastructure Levy (CIL) in the Borough. It also approved a Regulation 123 List which specifies the types of infrastructure for which the Council intends to use CIL. The infrastructure to be funded by the levy is needed to support the development envisaged by the Gosport Borough Local Plan 2011-2029.

- 1.3 The Draft Charging Schedule and its supporting evidence were made available for consultation for six weeks during September and October 2014. A total of 13 representations were received in response to the consultation. These representations together with the Draft Charging Schedule and its supporting evidence were submitted to the Government for examination. An examiner was appointed, Mr John Wilde CEng MICE, to check that the Draft Charging Schedule complied with the requirements of legislation, regulations and Government guidance. Accordingly, he held hearing sessions in March 2015 to debate matters arising from the representations.

2 Report

Examiners Report

- 2.1 The Examiner considered the evidence put before him at the examination and issued his report on 7th September 2015. This has been published in line with the regulations on the Council's website. It is attached as Appendix A. The Examiner concluded that the Charging Schedule is an appropriate basis for the collection of CIL in the Borough. In coming to this conclusion he considered that the Council had provided sufficient evidence to support the schedule and can show that the levy is set at a level that will not put the overall development of the area at risk.
- 2.2 The Examiner confirmed the Council can charge the levy for residential developments and retail warehouses and supermarkets. The charges are set out in the table below. The geographical location of the charging zones is shown in the Charging Schedule (Appendix B).

Development Type	CIL charge £ per m²
1. Residential:¹	
Developments with less than 10 dwellings or units	
Charging Zone 1	£60
Charging Zone 2	£100
Charging Zone 3	£100
Developments with 10 or more dwellings or units	
Charging Zone 1	£0
Charging Zone 2	£80
Charging Zone 3	£100
2. Non Residential:	
Retail warehouses and supermarkets ²	£60
Other non-residential	£0
3. Gosport Waterfront site	
All Residential	£40

Retail warehouses and supermarkets	£60
Other non-residential uses	£0

1. Defined as all development within the three categories of Class C3 (Dwelling House) of the Use Classes Order 2010, except public sector Sheltered Housing, public sector Extra Care facilities or other public sector specialist housing providing care to meet the needs of older people or adults with disabilities.
2. A simple definition of a Supermarket for this purpose is a food based, self-service, retail unit greater than 280 square metres and governed by the Sunday Trading Act 1994. A retail warehouse can be defined as a large store, typically on one level, that specialises in the sale of bulky goods such as carpets, furniture, electrical goods or DIY items.

Commencement Date

- 2.3 There is no legal requirement as to when the Charging Schedule is brought into effect, provided it has been properly approved and notice has been given of its publication. In practice most authorities that have implemented CIL have allowed several months between the approval of the Charging Schedule and its introduction, both to allow for the necessary administrative processes to be established and to give applicants good advance notice of the introduction of CIL. Accordingly it is recommended that the Council brings the CIL Charging Schedule into effect on 1 February 2016. The CIL charge would apply to all liable development from that date.

Payment by Instalments

- 2.4 The CIL Regulations include provisions for the charging authority to operate an instalments policy to allow staged payments of CIL. This is a means of ensuring that developers are not faced with unreasonably high up-front CIL charges at the commencement of a major project which may result in delay or in some cases jeopardise the implementation of the project. In line with other charging authorities' policies it is proposed to allow payment by instalment above a threshold amount of CIL with longer periods being allowed for the larger the amount of CIL payable. The proposed instalments policy is included in Appendix C. In order for the instalments policy to become effective it must be published on the Council's website in accordance with CIL Regulations 69B.

In Kind Payments

- 2.5 Under sections 73, 73A&B and 74 of the CIL Regulations the charging authority can determine to accept payment 'in kind' by reason of land or infrastructure. For example, where an authority has already planned to invest levy receipts in a project there may be time, cost and efficiency benefits in accepting completed infrastructure from the party liable for the payment of the levy. There may be an instance where the Council would prefer to accept payments in kind and therefore it is proposed that the Council gives notice, under the Regulations, that it will accept such payments in kind. A copy of this notice to enable this option is included in Appendix D.

- 2.6 As the amount to be paid is determined by the development approved

by the Council as Local Planning Authority it is necessary to make some minor amendments to Part 3 Schedule 9 and 10 of the Constitution, as set out in Appendix E so that any decisions regarding CIL on a particular application are made at the same time as the application is determined.

3 Risk Assessment

- 3.1 Under CIL Regulations the Council is not able to pool developer contributions from more than five section 106 planning obligations for a specific infrastructure project or type of infrastructure. The introduction of CIL will enable the Council to pool developer contributions.

4 Conclusion

- 4.1 The CIL Charging Schedule has been examined and the Examiner concluded that it provides an appropriate basis for collection CIL within the Borough. It is therefore proposed to introduce a CIL Infrastructure Levy in the Borough as detailed in the Charging Schedule taking effect on 1st February 2016.

Financial Services comments:	Contained in the report
Legal Services comments:	Contained in the report
Crime and Disorder:	No direct issues, but the use of money collected through CIL could be used for measures to reduce local crime and disorder.
Equality and Diversity:	The collection of CIL will enable the provision of additional infrastructure which will improve quality of life for all members of the community.
Service Improvement Plan implications:	This preparation of a CIL charging schedule directly relates to other components of the Local Plan.
Corporate Plan:	The collection of CIL will support the provision of infrastructure that will be in line with the aims of the corporate plan.
Risk Assessment:	see paragraph 3.1
Background papers:	Reports to Economic Development Board - 17 th September 2014 - 9 th October 2013
Appendices/Enclosures:	
Appendix 'A'	Examiner's Report
Appendix 'B'	CIL Charging Schedule
Appendix 'C'	Instalments Policy
Appendix 'D'	Notice to Accept In Kind Payments
Appendix 'E'	Amendments to the Constitution
Report author/ Lead Officer:	Chris Payne



Report to Gosport Borough Council

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

an Examiner appointed by the Council

Date: 7th September 2015

PLANNING ACT 2008 (AS AMENDED)

SECTION 212(2)

REPORT ON THE EXAMINATION OF THE DRAFT GOSPORT BOROUGH COUNCIL COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE

Charging Schedule submitted for examination on 28 November 2014

Examination hearing held on 17 March 2015

File Ref: PINS/J1725/429/5

Non-Technical Summary

This report concludes that the Gosport Borough Council Community Infrastructure Levy Charging Schedule provides an appropriate basis for the collection of the levy within the Borough. The Council has sufficient evidence to support the schedule and can show that the levy is set at a level that will not put the overall development of the area at risk.

One minor modification is needed to the Schedule for clarity and to achieve consistency with the Gosport Borough Local Plan 2011 – 2029. This is as follows:

- Add a footnote clarifying residential development to Table 2 of the Draft Charging Schedule as follows: *Defined as all development within the three categories of Class C3 (dwelling house) of the Use Classes Order 2010, except public sector sheltered housing, public sector extra care facilities or other public sector specialist housing providing care to meet the needs of older people or adults with disabilities.*

This modification is based on a recommendation by the Council during the Examination process and does not alter the basis of the Council's overall evidence or the outcome of this Examination.

Introduction

1. This report contains my assessment of the Gosport Borough Council Community Infrastructure Levy (CIL) Charging Schedule in terms of Section 212 of the Planning Act 2008. It considers whether the schedule is compliant in legal terms and whether it is economically viable as well as reasonable, realistic and consistent with national guidance (Community Infrastructure Levy Guidance –June 2014).
2. To comply with the relevant legislation the local charging authority has to submit a charging schedule which sets an appropriate balance between helping to fund necessary new infrastructure and the potential effects on the economic viability of development across the district. The basis for the examination, on which hearing sessions were held on 17 March 2015, is the submitted schedule of September 2014, published for public consultation on 19 September 2014.
3. The Council propose four charging zones for residential development with CIL rates ranging from £40 per sqm to £100 per sqm. A rate of £60 per sqm would apply to retail warehouses and supermarkets across the Borough. All other non- residential development would be zero rated.

Is the charging schedule supported by background documents containing

appropriate available evidence?

Infrastructure planning evidence

4. The Gosport Borough Local Plan (LP) has been examined alongside the charging schedule. This sets out the main elements of growth that will need to be supported by further infrastructure in the Borough.
5. The LPs evidence base included a detailed Infrastructure Assessment Report and Infrastructure Delivery Plan (IDP). The IDP, which is dated June 2014, identifies funding gaps relating to various infrastructure categories. The total funding gap is estimated to be in the region of £17m with an as yet further significant, but not yet quantified, gap relating to coastal defences. The charging schedule is therefore supported by documents containing appropriate available evidence and the figures demonstrate the need to levy CIL. I will now deal with various aspects that underpin the proposed CIL Charge for residential and commercial development in two separate sections.

Residential

Economic viability evidence - residential

6. The Council commissioned a CIL Viability Report, (CVR) dated July 2013¹. The report was updated and added to by an Addendum Report dated July 2014². Both documents referred to both residential and non-residential development. The Addendum report responded to various matters raised during the consultation process. The Draft Charging Schedule³ effectively shows four charging zones for residential development. These are based on the identification of differing levels of sales values that would be applicable to different locations within the borough. The lowest sales value and hence lowest CIL rate would be applicable to locations mainly in the north of the borough, the medium sales value and CIL rate would be applicable to locations mainly in the centre and some parts of the north of the borough, and the highest sales value and CIL rate would be applicable to locations in the south and west of the borough. The Waterfront site is treated as a small separate zone. These locations are shown on the map contained within Appendix 1 of the Charging Schedule.
7. The assessment uses a residual valuation approach using reasonable standard assumptions for a range of factors such as building costs, profit levels, fees and finance costs. The assessment looked at a range of existing site uses including residential, greenfield, industrial, and former MoD land and also considered various affordable housing and sustainability scenarios. The methodology is described in detail in section B2 of the CVR, and I have been given no reason to question the overall approach.

¹ CIL-5

² CIL-6

³ CIL-1

Is the residential charging rate informed by and consistent with the evidence?

8. During the consultation process respondents questioned various appraisal inputs and I will deal with these in order of the questions tabled at the Examination Hearing.

Sales and marketing costs and professional fees

9. The sales and marketing costs for residential development are shown in the CVR as being 3%. This issue was given consideration in the Addendum Report which noted that three other consultants use the same or similar percentages in CIL viability reports to other authorities. The Addendum Report also looked at a 5% rate for sales and marketing costs, and concluded that even with an £80 CIL charge and affordable housing at 40%, the resulting land value still exceeded the greenfield, garage court and MoD existing use values, implying that the application of a 5% sales and marketing rate would not put the strategic land supply at risk.
10. I also note that the 3% applies to the revenue from affordable homes as well as market ones. As affordable homes are often simply transferred from the developer to a registered provider with no marketing involved, the effective allowance for sales and marketing fee percentage for the market homes would rise beyond 3%. The Addendum Report concluded that a change to the recommended CIL rates was not merited. Whilst one respondent considered that a 6% rate would be more appropriate, I have been given no substantial evidence to support that contention.
11. In terms of professional fees the CVR allows 7% for architect and consultants fees with allowances also made for insurances, land survey costs and planning application costs. The total percentages for all of these ranges between 10.3% and 11.2%. This is commensurate with the professional fees used by several other consultants in CIL viability reports as shown in figure 1 of the Addendum Report. Once again I have been supplied with no substantial evidence to support the use of a different percentage to that used in the CVR.

Mix of house types

12. The mix of house types used in the residential appraisals in the CVR resulted from initial discussions with the Council and included a range of mixes from 100% flats to 100% 3 and 4 bedroom houses. Nothing contained in correspondence from respondents leads me to conclude that the appraisals are flawed with respect to the mix of house types.

Developers profit for affordable housing

13. The CVR assumes a developer's profit for market housing of 20% and for affordable housing 6%. The rationale for this is that a developer's profit is based on the risk taken. Generally in the case of affordable housing the developer sells the units to a registered provider at a pre-agreed price. The risk incurred is therefore greatly reduced compared to market housing where the price could in theory reduce during the construction phase. I note that

the Homes and Communities Agency's development appraisal toolkit states that the return on affordable homes should be *moderate* to reflect the low level of risk attached to affordable housing development and I also note that 6% is a figure commonly used in other CIL viability assessments. It seems to me therefore, that in the absence of significant evidence to the contrary, the figure of 6% is justified.

Other matters

14. The Council made clear in answer to questions put to them at the Hearing that the Draft Charging Schedule is one of a suite of documents that will include protocols giving details of (i) discretionary relief available in exceptional circumstances (ii) payment in kind and (iii) the phasing of payments. The future publication of these documents is also indicated in paragraph 12.1 of the Draft Charging Schedule.
15. The setting of differential CIL rates is done to ensure the viability of development in differing geographical locations that have different sales values. This is not therefore a scenario that would result in the engagement of State Aid.
16. The IDP does not include all of the recommendations included in the Playing Pitches and Sports Facilities Assessment. However, it does include those schemes that are required as part of a major development or where there is a firm commitment by the infrastructure provider to deliver it. This seems to me to be an appropriate and proportionate approach and I also note that the IDP will be updated annually as part of the Annual Monitoring Report process.
17. One respondent commented upon the lack of clarity relating to the definition of residential development. In response to this the Council propose to add a footnote to Table 2 of the Draft Charging Schedule. The footnote would define residential as follows: *Defined as all development within the three categories of Class C3 (dwelling house) of the Use Classes Order 2010, except public sector sheltered housing, public sector extra care facilities or other public sector specialist housing providing care to meet the needs of older people or adults with disabilities.*
18. Several other matters were brought to my attention by respondents. These have been adequately commented upon by the Council and none are of such significance that they cause me to consider that the evidence which supports the Draft Charging Schedule is not reasonable.

Conclusion - residential

19. Overall, I am satisfied that the inputs and general methodology of the CVR and the Addendum in respect of residential development are realistic and that therefore the proposed CIL rates for residential development are appropriate and are informed by and consistent with the evidence.
20. It should be noted at this point that the CIL Charging Schedule shows two categories of residential development, these being *developments with less than 10 dwellings or units* and *developments with 10 or more dwellings or*

units. Following the Written Ministerial Statement (WMS) of 28 November 2014 these parameters should have been changed to *less than 11 dwellings* and *11 or more dwellings* respectively. However, in light of the High Court Judgement of 31 July 2015⁴, which effectively reversed the implications of the WMS, the original parameters are in line with current guidance.

Commercial

Economic viability evidence – commercial

21. The CVR and the Addendum used a residual valuation approach to examine the viability of a variety of non-residential development including offices, retail, residential care homes and industrial/warehousing. The modelling involved firstly assessing the Gross Development Value (GDV) based on an assumed size of building. From this value the purchaser's costs of acquiring the completed development are deducted. The next step is to assess the Gross Development Costs (GDC) incurred in the construction of the new building. This value included the CIL amount and also allowed for a standard developers profit of 20%. The amount left when the GDC is subtracted from the GDV and purchasing costs are factored in is the surplus left to acquire the site. This is then tested against the notional threshold value to establish the viability in the form of what the reports call a *Surplus to fund CIL*. The sensitivity of the surplus to fund CIL is then tested against different levels of assumed yield and rent.
22. The CVR makes clear that there is very limited evidence of non-residential land transactions in the Borough and therefore the threshold site values have been arrived at by comparing evidence from local market data, published reports and discussions with local agents. The only categories that the reports considered would support a CIL charge were retail warehouses and supermarkets. For both of these a CIL rate of £60 per square metre was identified. Several respondents challenged the assumptions and evidence contained within the CVR and I will now consider these in more detail.

Is the commercial charging rate informed by and consistent with the evidence?

Existing site values

23. To obtain an existing site value for either retail warehouses or supermarkets the CVR assumed the existing commercial space to be 50% of the proposed development. This was accepted by the Council at the Hearing as being a somewhat crude assessment. I acknowledge that the Planning Practice Guidance (PPG) requires that a charging authority should draw on available existing data and an appropriate sample of sites across the administrative area. However, in the absence of such data it seems to me that a starting point for the estimation of the existing land value has to be made somewhere, and using an assessment of 50% is not unreasonable provided that sensitivity testing shows that there is sufficient latitude for development scenarios either side of the assumed percentage.

⁴ West Berkshire District Council and Reading Borough Council v SSCLG

Rental levels (supermarkets)

24. The Development Appraisal assumes a rental value for a supermarket of £162 per square metre. This was considered too much by one respondent who considered £151 per square metre to be a more realistic figure. However, other than an opinion with selected examples from a property firm no substantial evidence was presented to justify a lower figure. Whilst I acknowledge that not all of the Council's evidence to justify their figure is published in the CVR, appendix 13 of that document gives samples of the research that has been undertaken. I also note that rental levels for supermarkets are complex in that they may well be linked to a wide range of terms including rent free periods, stepped rental deals and capital contributions. Furthermore, the CVRs sensitivity testing uses a low rental figure of £152 per square metre and this still shows a surplus for yields of 5.25% or greater. Consequently I consider the Council's assumptions to be valid and the assumed rental levels to be reasonable.

Yield values (supermarkets)

25. The Development Appraisal assumes a yield value of 5.5% for a supermarket and this was questioned by one respondent who considered 5.75% to be a more realistic figure. However, the data to support the assumed 5.5% rate is taken from an overview of appropriate and available evidence from a variety of sources including agent's marketing particulars and documents such as the UK Supermarket Investment Report 2014. This latter document shows average yields yearly from 2010 to 2014, and none are less than 4.79%. It also shows a sample of supermarket transactions during 2014 with their respective yields. The lowest was 5.0% and the highest was 3.85%. It seems to me therefore that 5.5% is an appropriate and reasonable rate.

Size of likely supermarkets

26. The sizes of likely supermarkets was also questioned by one respondent who noted that due to the lack of demand within Gosport by the major four supermarket brands then a smaller discount store would be the most likely development option. The Council subsequently provided an appraisal for a smaller (1700sqm) supermarket that showed that at an assumed 5.5% yield and rental of £162 per sqm there would be an adequate surplus to fund CIL at £60/sqm. Given my findings regarding rental levels and yield rates above I am therefore satisfied that a smaller discount type store would be viable.

Building and external works costs (retail warehousing)

27. The Development Appraisal for a retail warehouse in the CVR draws the building and external works costs from the Building Cost Information Service (BCIS) produced by the Royal Institution of Chartered Surveyors. This is a widely used index drawn from data collected from the market place and geographically adjusted. Whilst one respondent considered the building and external works costs to be too low, I have been supplied with little substantial evidence to lead me to conclude that the Council's evidence is not well founded.

Development duration (retail warehousing)

28. The CVR assumes a development duration of 24 months for a retail warehouse scheme. This is based on an assumption that construction will begin 2-3 months after the expiry of a Judicial Review period following the grant of planning permission. The actual construction period would therefore be about eighteen months. Retail warehouses are generally relatively simple steel structures, and whilst one respondent considered that a development duration of 36 months would be more appropriate, I have been supplied with no substantial evidence to justify the longer period.

Other matters

29. One respondent questioned whether there was sufficient clarity to show when a development would be subject to a Section 106 Agreement and whether any such agreement, when combined with the CIL Charge, could result in a supermarket development becoming unviable. The Council recognise that, more often or not, a Section 106 or 278 Agreement is required for supermarket developments, and point to the addition of 'planning costs' in the development costs section of the development appraisals for both supermarkets and retail warehouses. This would go some way to covering the costs of a Section 106 or 278 Agreement and the buffer afforded by virtue of the sensitivity test would also come into play to ensure that any additional costs would not cause a supermarket development to become unviable.
30. The viability of development schemes involving the conversion of existing premises was also questioned. These would however be likely to incur less development costs than a new development on a greenfield site and the revenues likely to be achieved would be similar to those achieved from a new build scheme. It follows that conversion schemes would not be prejudiced by the proposed CIL charge.
31. The proposed CIL Charge of £60 per square metre is half that imposed in the nearby Councils of Winchester and Eastleigh. The CVR looked at CIL rates up to £120 per square metre on retail warehouse and supermarket developments and found that these were potentially sustainable. However, the CVR also acknowledged that minor changes to rent levels or yields could result in significant changes to viability. Overall, I conclude that an appropriate balance has been struck between the desirability of funding infrastructure and the potential impact upon the economic viability of supermarkets and retail warehouses.

Conclusion - commercial

32. I consider that the background economic viability evidence that has been used for commercial development is reasonable, robust and proportionate. As a result the CIL charge is appropriate.

Does the evidence demonstrate that the proposed charge rate would not put the overall development of the area at serious risk?

33. The Council's decision to set varying rates for different areas is based on reasonable assumptions about development values and likely costs. The

evidence suggests that residential and commercial development will remain viable across most of the area if the charge is applied. Only if development sales values are at the lowest end of the predicted spectrum would development in some parts of the Borough be at risk.

Conclusion

34. In setting the CIL charging rate the Council has had regard to detailed evidence on infrastructure planning and the economic viability evidence of the development market in Gosport. The Council has tried to be realistic in terms of achieving a reasonable level of income to address an acknowledged gap in infrastructure funding, while ensuring that a range of development remains viable across the Gosport area. The Gosport Local Plan 2011-2029 has just been examined and should be adopted during 2015. It may be an appropriate time to consider any revision to the charge after it has been in place for two years.

LEGAL REQUIREMENTS	
National Policy/Guidance	The Charging Schedule complies with national policy/guidance.
2008 Planning Act and 2010 Regulations (as amended)	The Charging Schedule complies with the Act and the Regulations, including in respect of the statutory processes and public consultation, consistency with the Local Plan I have examined and Infrastructure Delivery Plan and is supported by an adequate financial appraisal.

35. I conclude that subject to the modification set out in the above summary the Gosport Community Infrastructure Levy Charging Schedule satisfies the requirements of Section 212 of the 2008 Act and meets the criteria for viability in the 2010 Regulations (as amended). I therefore recommend that the Charging Schedule be approved.

John Wilde

Examiner

Community Infrastructure Levy

Gosport Borough Council Charging Schedule

Adopted 14th October 2015

(to be brought into effect 1st February 2016)



The Charging Authority

The Charging authority is Gosport Borough Council.

The Collecting Authority

The collecting authority will be Gosport Borough Council. Depending on the location and nature of the development, part of the Community Infrastructure Levy may be passed on to Hampshire County Council or other relevant infrastructure providers.

Date of Approval

This Charging Schedule was approved by the Council on 14th October 2015. The Charging Schedule has been approved and published in accordance with the Community Infrastructure Regulations 2010 (as amended) and part 11 of the Planning Act 2008.

Date of Effect

The Charging Schedule will become effective on 1st February 2016.

The CIL Rate

The amount to be charged for each development will be calculated in accordance with Regulation 40 of the community Infrastructure Levy Regulations 2010, as amended. CIL applies to the gross internal area of the net increase in development. The charging rates set out below have been subject to public examination and will form the basis of calculating CIL liabilities.

The charging rates will be updated in accordance with the Royal Institution of Chartered Surveyors 'All-in-Tender Price Index'. The index figure for a given year is the 1st of November of the preceding year. In the event that the All-in Tender Index ceases to be published, the index used will be the Retail Price Index.

Table 1 overleaf sets out the Charge Rates and Map 1 shows the Charging Zones.

Further information see www.gosport.gov.uk/cil

Table 1: Charge Rates

Development Type	CIL charge £ per m²
1. Residential:¹	
Developments with less than 10 dwellings or units	
Charging Zone 1	£60
Charging Zone 2	£100
Charging Zone 3	£100
Developments with 10 or more dwellings or units	
Charging Zone 1	£0
Charging Zone 2	£80
Charging Zone 3	£100
2. Non Residential:	
Retail warehouses and supermarkets ²	£60
Other non-residential	£0
3. Gosport Waterfront site	
All Residential	£40
Retail warehouses and supermarkets	£60
Other non-residential uses	£0

1. Defined as all development within the three categories of Class C3 (Dwelling House) of the Use Classes Order 2010, except public sector Sheltered Housing, public sector Extra Care facilities or other public sector specialist housing providing care to meet the needs of older people or adults with disabilities.
2. A simple definition of a Supermarket for this purpose is a food based, self-service, retail unit greater than 280 square metres and governed by the Sunday Trading Act 1994. A retail warehouse can be defined as a large store, typically on one level, that specialises in the sale of bulky goods such as carpets, furniture, electrical goods or DIY items.

105000N

104000N

103000N

102000N

101000N

100000N

099000N

098000N

097000N

096000N

456000E

457000E

458000E

459000E

460000E

461000E

462000E

Fareham Road

Carisbrooke Road

Rowmer Road

Grange Road

Military Road

Gosport Road

Heritage Way

Elson Road

Backhouse Road

The Crossways

Forde Road

Mumby Road

South Street

Wimborne Road

Amis Hill Road

Privett Road

Gomer Lane

Jelliffe Avenue

Andreas Road

Hastler Road

Portsmouth Road

Browdown

Alver Valley

Lee-on-the-Solent

Marine Parade West

Marine Parade East

Cherque Way

Fareham Road

Portsmouth Harbour

Gosport

The Solent

Stokes Bay

GOSPORT

N

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- GOSPORT**
Borough Council

Appendix C:

Gosport Borough Council CIL Instalments Policy

Total Amount of CIL Liability	Number of Instalments	Payment period and proportion of CIL due			
		1st instalment	2 nd instalment	3 rd instalment	4 th instalment
Less than £20,000	1	Full payment within 60 days of commencement of development			
£20,000 to £100,000	2	Half to paid within 60 days of commencement of development	Second half to paid within 180 days of commencement of development		
£100,001 to £250,000	3	One third to be paid within 60 days of commencement of development	Second third to be paid within 180 days of commencement of development	Final third to be paid within 270 days of commencement of development	
Over £250,000	4	One quarter to be paid within 60 days of commencement of development	Second quarter to be paid within 180 days of commencement of development	Third quarter to be paid within 270 days of commencement of development	Final quarter to be paid within 360 days of commencement of development

Appendix D:

PLANNING ACT 2008

NOTICE THAT LAND AND INFRASTRUCTURE PAYMENT IN KIND IS AVAILABLE UNDER REGULATIONS 73, 73A, 73B AND 74 OF THE COMMUNITY INFRASTRUCTURE LEVY REGULATIONS 2010 (AS AMENDED)

The Community Infrastructure Levy (CIL) Regulations 2010 (as amended) offer Local Authorities the discretion to accept full or part payment of a CIL liability by way of the transfer of land to the Council. The Council may also enter into agreements to receive infrastructure as payment. The infrastructure to be provided must be related to the provision of those projects listed in the Council's Regulation 123 List.

This notice is made under Regulations 73, 73A, 73B and 74 of the Community Infrastructure Levy Regulations 2010 (as amended) that Gosport Borough Council will consider requests for the payment of CIL by land payments or infrastructure payments, effective from the date that the Charging Schedule took effect until further notice. Such requests will be considered on their individual merits and the Council will retain discretion as to whether or not such requests will be accepted.

Dated: 14th October 2015

Appendix E:

AMENDMENTS TO THE CONSTITUTION

PART 3

Schedule 9 Annex 4

Amend the Regulatory Board Terms of Reference as set out in bold below:-

- 3.1 Discharge of the Council's functions under the Town and Country Planning Act 1990, the Planning (Listed Building and Conservation Areas) Act 1990 **and Planning Act 2008** and any regulations made thereunder (other than those matters delegated to the Economic Development Board) including:-
- (i) the control of development;
 - (ii) enforcement measures
 - (iii) the conservation and enhancement of buildings and areas of historic/architectural interest.
 - (iv) tree preservation orders

Schedule 10

Amend paragraph 7.1.7 of the delegations to the Head of Development Management as set out in bold below:-

- 7.1.7 Authority to enter into agreements or obligations **or determine matters in relation to the Community Infrastructure Levy** which arise from applications decided under delegated powers and power to discharge or modify such agreements or obligations in consultation with the Borough Solicitor.

GOSPORT BOROUGH COUNCIL

BOARD:	COUNCIL
DATE OF MEETING:	14 OCTOBER 2015
TITLE:	FEES AND CHARGES
AUTHOR:	BOROUGH TREASURER
STATUS:	FOR APPROVAL

Purpose

To consider and approve the amended fees & charges contained in this report and appendix.

Recommendation

That the Council approve the fees and charges referred to in the report and appendix for implementation from 1 January 2016 unless stated otherwise.

1.0 Background

- 1.1 Policy & Organisation Board received a report on the Budget Strategy for 2016/17 at the meeting on 23 September 2015.
- 1.2 Fees and charges were last reviewed and updated at the Council meeting on 15 October 2014.

2.0 Report

- 2.1 Fees and charges are an important source of revenue that are largely within the Council's control and reduce the burden falling on the general fund and council tax payers.
- 2.2 As part of the budget process for 2016/17, and against the backdrop of the Budget Strategy report and earlier Medium Term Financial Strategy, a fees and charges review has been undertaken.
- 2.3 The proposed fees and charges are set out in the appendix to this report.

- 2.4 It is proposed that the new charges are to be implemented on 1 January 2016 unless otherwise stated in the appendix.

3.0 Risk Assessment

- 3.1 There is a risk to future service provision and the delivery of capital programme projects if the Council does not seek to maintain an appropriate level of income by reviewing its fees and charges.

4.0 Conclusion

- 4.1 Fees and Charges have been reviewed and the draft amended schedule is appended to this report.

Financial Implications	As set out in the report
Legal Implications	The Council has power to charge for the services set out in this report.
Crime and Disorder	N/A
Equality and Diversity	N/A
Service Improvement Plan	N/A
Corporate Plan:	N/A
Risk Assessment:	Section 3 of the report
Background papers:	N/A
Appendix	Draft Fees and Charges booklet
Lead Officer	Julian Bowcher

GOSPORT

BOROUGH COUNCIL

FEES AND CHARGES

2016

Fees and charges are effective from 1st January 2016 unless otherwise stated

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VAT FOREWORD

- 1 All charges include VAT where applicable. The VAT Code is per the list below.
S – Standard rate
O – Non business
E – Exempt
Z – Zero rated
The Standard Rated VAT charge changed from the 1st January 2011 to a rate of 20.0%.
- 2 All charges are effective from 1st January 2016 unless otherwise stated

VAT - LICENCES TO OCCUPY LAND; LETTING OF SPORTS FACILITIES

Exemption from VAT may be applicable under the following circumstances:

A **Single lets**

Each single let is for a continuous period of over 24 hours to the same person, the person to whom they are let having exclusive control of the facilities throughout the let.

OR

B **Series of Lets**

All of the following criteria must be satisfied before exemption can apply:

The series consists of 10 or more individual sessions of the same sport or activity, each session being in the same place, and the interval between each session is at least a day and not more than 14 days

The series is to be paid for as a whole, and there is clear evidence of this, whether or not the right to use the facility for any specific session is actually exercised, a formal agreement, exchange of letters, or an invoice issued in advance requiring payment for the sessions specified on the invoice would be sufficient evidence.

Refund for the non-availability of the facility by the Council would not invalidate this condition but provision for a refund in other circumstances would; and the facilities are let out to a school, club, association or organisation representing affiliated clubs or constituent associations; and the person to whom the facilities are let has exclusive use of them during the sessions.

It is not necessary to book the same pitch to qualify for exemption, provided it is within the same recreation ground. Any further bookings in addition to those specified in the formal agreement will be standard-rated and subject to VAT.

VAT on Organised School Visits

The letting of facilities to a local education authority school falls within these rules of exemption and is not outside the scope of VAT under the provisions of the Local Authorities (Goods and Services) Act 1970.

<u>ABANDONED / UNWANTED VEHICLES</u>		Fee £	VAT
Removal of Unwanted Vehicles		80.00	S
Removal of Commercial Vehicles		At Cost	S
Removal of Caravans and Trailers		150.00	S
Storage of Unwanted Vehicle - per day		25.00	S
Statutory Charges for Abandoned Vehicles - Example			
Removal of Abandoned Vehicle (Table 1 Regulation 4 - 2.2)		150.00	O
Storage of Abandoned Vehicle - per day (Table 2 Regulation 5 - 2.2)		20.00	O
Fee type: Statutory - Removal, Storage & Disposal of Vehicle (Prescribed Sums & Charges) Regulations 2008 as amended.			
A full schedule of charges for each different vehicle type can be found at the Office of Public Sector Information Website www.opsi.gov.uk .			

<u>ALLOTMENTS</u>	2016 Fee £	2017 Fee £	VAT
Annual charge per square metre	£0.22	£0.22	O
A square rod is equal to 25.29 square metres - which equates to approximately £5.60 per square rod (ie a 5 rod plot is therefore approximately £28)			
Deposit - per plot refundable on termination of tenancy - subject to plot being left clean and tidy with all deleterious material removed	50.00	50.00	O
Key deposit (refundable)	25.00	25.00	O

<u>BEACH HUT RENTAL - GOSPORT RESIDENTS ONLY</u>		Fee £	VAT
Annual Charge	Full Rate	820.00	S
	Other Concessions (Over 60's)	620.00	S
	Disabled	520.00	S
Weekly Charge	Disabled Residents only	18.00	S
One hut is available for weekly hire at Stokes Bay.			
<u>BEACH HUT SITE RENTAL - GOSPORT RESIDENTS ONLY</u>			
Annual Charge	Full Rate	300.00	S
	Other Concessions (Over 60's)	195.00	S
	Disabled	160.00	S
The site rental is for the last 3 remaining private beach huts at Lee on the Solent			

<u>PUBLIC CONVENIENCES</u>		Fee £	VAT
Radar Key	For disabled public conveniences	5.00	O

<u>CAR PARKS</u>		Fee £	VAT
<u>PAY AND DISPLAY CHARGES</u>			
Mumby Road (Bus Station)			
	Per hour	1.00	O
	Over 5 hours (per day)	6.00	O
Trailers and Parking Permits (other than Medical Permits) are not allowed			
Motor Vehicles:			
Long Stay (Town Centre, Lee-on-Solent, Stokes Bay, Hardway Slipway and Alver Valley)			
	Per hour	0.80	O
	Over 5 hours (per day)	5.00	O
Two Hour Car Parks (Town Centre and Lee-on-Solent)			
	30 Minutes (Coates Road Car Park only)	0.20	O
	First hour	0.40	O
	Up to 2 hours	0.80	O
Trailers and Parking Permits (other than Medical Permits) are not allowed			
Three Hour Car Park (Lee-on-Solent)			
	Per hour Marine Parade No 1 & 2	0.70	O
Trailers (where permitted) - same charge as motor vehicle.			
Coaches - per hour	Only permitted in prescribed car parks	4.00	O
Motorcycles		Free	
Commercial Vehicles (over 3.5 tonnes GVW) parked in Mumby Road Lorry Park		Free	
Parking Charge Notices	Payment within 7days	45.00	O
	Payment after 7 days	65.00	O
<u>PERMITS</u>			
General Public			
	Annual Permit	450.00	O
	6 Month Permit	250.00	O
	3 Month Permit	130.00	O
	1 Month Permit	45.00	O
Gosport & Lee Town Centre Residents Permits		70.00	O
Available only to residents living in specific areas of the town centres and for use in the specified only long stay car parks only			
Medical (Local Surgeries)		10.00	O
Seafront and Alver Valley		70.00	O
Bay House School - No. 2 Battery East (term time only)		1,200.00	O
<u>Notes</u>			
1. All drivers of vehicles with a trailer will be responsible for the payment of the trailer charge.			

<u>ANN'S HILL CEMETERY</u>	Fee £	VAT
<u>EXCLUSIVE RIGHTS OF BURIAL IN EARTHEN GRAVES** - GOSPORT RESIDENT</u>		
Provision of new grave (Post 01/04/1992) - obligatory	450.00	O
Interment into Existing Site (Pre 01/04/1992) - obligatory	85.00	O
Provision of a Cremated Remains Plot (Post 01/04/1992) - obligatory	85.00	O
Provision of Grave for child	No Charge	
<u>INTERMENTS</u>		
The fees for interment include the digging of the grave to a depth sufficient for two interments and re-turfing after burial.		
For the Interment		
(i) of the body of a still born child, or of a child whose age at the time of death did not exceed 12 years	No Charge	
(ii) of the body of a person whose age at the time of death exceeded 12 years	493.00	O
For any interment in a walled grave or vault	At Cost	O
Interment - Cremated Remains (subject to depth not exceeding 91.4cm (3ft) otherwise normal interment charge will apply, no charge for a child)	152.00	O
<u>MONUMENTS, GRAVESTONES, TABLETS AND MONUMENTAL INSCRIPTIONS</u>		
For the right to erect or place on a grave or vault a headstone not exceeding 91.4cm (3ft) in height by 91.4cm (3ft) in width by 30.4cm (1ft) in depth or 76.2cm (2ft 6in) x 60.9cm (2ft) x 30.4cm (1ft)		
Adult	136.00	O
Child	No Charge	
For the right to erect or place on a grave or vault in respect of which the exclusive right of burial has been granted - kerbstones or flatstones		
(a) enclosing a space not exceeding 2.1m by 91.4cm (7ft by 3ft)	152.00	O
(b) enclosing a space not exceeding 2.1m by 1.8m (7ft by 6ft)	305.00	O
(c) tablets not exceeding 350mm x 450mm x 25mm	39.00	O
The fees indicated in this section include the first inscription.		
For each inscription after the first a fee is payable	26.50	S
Annual Maintenance		
Trimming Grass	57.00	O
Planting and Trimming Grass	74.00	O
Planting (Spring and Summer only)	64.00	O
Miscellaneous Items		
Search in Burial Register (per burial entry)	8.00	O
Certificate of Burial	16.00	O
Use of Chapel	70.00	O
Exhumations	At Cost	S
<u>Notes</u>		
** The fees indicated above include the Deed of Grant and all the expenses thereof		
Imperial to metric conversions are approximate		

<u>DOG CONTROL</u>		Fee £	VAT
Collection of stray dog - Statutory charge	per dog	25.00	O
Kennelling fees	up to 7 days	105.00	O
Microchipping of dogs	per dog	10.00	S
	each additional dog at the same address	5.00	S
Dog Bags	per packet of 60	2.50	S
<u>Notes</u>			
1. Statutory charge is as per the 'Environmental Protection (Stray Dog) Regulations 1992' and is payable before the dog is released.			
2. Additional fees may be charged for costs incurred by the Council including legal fees incurred due to non-payment.			

<u>ENVIRONMENTAL HEALTH SERVICES</u>		Fee £	VAT
Food Premises Register			
Single Entry		2.10	S
Single Premises category, e.g. butchers		50.00	S
Whole Register		217.00	S
Export Certificate Fee		45.00	S
LAPC/IPPC Register enquiries (authorised industrial processes)		39.00	O
Contaminated Land - Solicitor's and Commercial enquiries		78.00	O
Immigration Service Assessment of Premises Condition		79.00	S
House in Multiple Occupation Licence			
	5 persons	770.00	O
	6-10 persons	960.00	O
	11-15 persons	1,150.00	O
	16-20 persons	1,340.00	O
	Over 20 persons	1,530.00	O

<u>PUBLICATIONS</u>		Fee £	VAT
Statement of Accounts		20.00	O
Budget Book		20.00	O

<u>STOKES BAY MOBILE HOME PARK</u>		Fee £	VAT
All Homes - weekly rent (exclusive of rates and water charges) - 48 weeks	Statutory increase will be applied		O

<u>GARAGES</u>		Fee £	VAT
Existing garages	Per week	8.33	O #
New garages	Per week	9.46	O #
# above charges are for Council tenants - if garage is let to private client then vat is chargeable			
<u>Notes</u>			
Charges to be reviewed as part of the Council budget in January / February 2016			

<u>HOUSING</u>		Fee £	VAT
Copy of highlighted plans, dwelling account enquiries, prospective private purchaser enquiries (Solicitor, mortgage lender and/or owner occupier of former Council property)		60.00	O
Prior/Retrospective permissions for alterations (Solicitor, and/or owner occupier of former Council property)		25.00	O
Notice of Sublet of leasehold property (Solicitor, and/or owner occupier of former Council property)		15.00	O
Registration of Notice of Transfer Assignment underlease Notice of Charge (charges as stated in lease)		£5/£25	O
Rent Account/debt reference (Mortgage provider/Loan companies)		25.00	O
Replacement dwelling keys to communal entrances (residents of the block of flats only – no third parties)		7.50	S

<u>REFUSE COLLECTIONS</u>		Fee £	VAT
Special Collections			
Collection, loading and disposal (per hour)		**	
** To be negotiated by the Council with the contractor (plus administration costs)			
Domestic Clinical Waste Collection	Provide and disposal of yellow bags	No charge	
Provide 'Sharps' and disposal	4 litre capacity	No charge	
	7 litre capacity	No charge	
Removal of Bulk Refuse	1 Item	25.00	O
	2 Items	40.00	O
	3 to 5 Items	60.00	O
	Over 5 items	By Arrangement	O
	Residents receiving benefit (Note 1)	50% of above	O
Garden Refuse	per green sack	1.70	O
	per green sack - OAP	1.30	O
Replacement wheeled bin (note 2)		27.00	O
Roll of 10 replacement black sacks		1.60	O
Reusable Recycling Bags		2.00	O
<u>Notes</u>			
1. Resident in receipt of Personal Independence Payments, Universal Credit or equivalent, State pension			
2. Unless the replacement is for a bin which has been stolen and a Crime Reference Number is provided.			
3. The fee stated is for a 240 litre wheeled bin (or smaller) only. Larger 660 and 1100 litre bins are replaced at cost plus administration			

<u>CASUAL LETTINGS OF LAND</u>			Fee £	VAT
<u>USE OF COUNCIL LEISURE LAND</u>				
		<u>Damage Deposit</u>	<u>Per day</u>	
<i>For events up to 2,500 persons - per day</i>				
Commercial	(note 1)	600	600	E
Non-commercial and Community		230	230	E
Charitable Organisations	(note 2)	115	0	E
<i>For events above 2,500 persons - per day</i>				
Commercial	(note 1)	1,200	1,200	E
Non-commercial and Community		460	460	E
Charitable Organisations	(note 2)	230	0	
Camping	Caravan/Motor home	per night	9.20	S
	Tent	per night	5.25	S
Trailer (with Boat)			4.40	S
<u>Notes</u>				
1. Price includes access to water. Electricity is available on request at a number of locations.				
2. No charge for Charitable Organisations except, where appropriate, for costs incurred by the Council and for a Damage Deposit				
3. Damage deposits are refundable after any works and land reinstatement costs incurred by the Council have been deducted.				
4. Other relevant sites by negotiation with the Head of Economic Prosperity, Tourism and Culture.				
5. Charges for casual lettings of land are generally exempt from VAT unless a specific option to tax has been exercised on the land in question. In the latter case, where the letting is for charitable purposes VAT would not apply.				
6. Hirers of 2 days or more will be granted (if required) set-up and breakdown days of 1 day for each day hired.				
7. Bookings will be taken between 1st April and 31st October subject to land conditions, for enquires out of these dates contact the Head of Economic Prosperity, Tourism and Culture.				
<u>USE OF TOWN CENTRE/RETAIL AREAS</u>				
<u>For promotional and public entertainment activities in Gosport High Street</u>				
Commercial/promotional activities	Per metre (minimum 5 metres charge applies)		7.50	
Non-Commercial activities	Per metre (minimum 5 metres charge applies)		3.00	

<u>LICENCES AND REGISTRATIONS</u>		Fee £	VAT
Sex Establishment			
	New	2,950.00	O
	Renewal	1,950.00	O
	Transfer	1,950.00	O
Scrap Metal Dealer			
	New	237.00	O
	Renewal/Variation	131.50	O
	Certified Copy	11.00	O
Scrap Metal Mobile Collector			
	New/Variation	131.50	O
	Renewal	94.50	O
	Replacement Licence	21.00	O
<i>Scrap metal charges are effective from 16th October 2013</i>			
Tattooing, Acupuncture, Ear/Body Piercing, Electrolysis			
	Premises	79.00	O
	Person	68.00	O
Riding Establishments per Horse (Note 1)		128.00	O
Pet Shop		128.00	O
Animal Boarding Establishment (Note 1)		128.00	O
Dangerous Wild Animals Registration (Note 1)		128.00	O
Dog Breeding Establishments (Note 1)		128.00	O
Street Collections		No Charge	
House to House Collections		No Charge	
Caravan Site Licence		No Charge	
Zoo Licence		On Request	
Tables and Chairs			
	New	290.00	O
	Renewal	180.00	O
<u>Notes</u>			
1. Plus any Veterinarian Inspection costs			

<u>LICENSING ACT 2003 AND GAMBLING ACT 2005 PUBLIC REGISTERS</u>	Fee £	VAT
Single Entry copy of a Premises Licence	5.30	O
Single Copy of an Application Form for a Premises Licence	13.75	O
Single Premises Category (eg Takeaways)	65.00	O
Whole Register of each single Act, e.g. Licensing Act 2003	212.00	O

LICENSING ACT 2003 (STATUTORY FEES)				Fee £	VAT
Premises / Club Applications / Variations					
The fees are based on rateable values of properties					
Rateable Value	Band	Initial Licence Fee	Annual Fee		
£0 - £4,300	A	100.00	70.00	O	
£4,301 - £33,000	B	190.00	180.00	O	
£33,001 - £87,000	C	315.00	295.00	O	
£87,001 - £125,000	D	450.00	320.00	O	
£125,001 and over	E	635.00	350.00	O	
A multiplier is applied to premises in Bands D and E where they are used exclusively or primarily for the supply of alcohol for consumption on the premises					
Rateable Value	Band	Initial Licence Fee	Annual Fee		
£87,001 - £125,000	D	900.00	640.00	O	
£125,001 and over	E	1,905.00	1050.00	O	
There are additional fees for premises licence applications, and the annual fee for exceptionally large scale events (5,000+), unless certain conditions apply. Please consult the Licensing Department.					
Personal Licences, Temporary Events and Other Fees (Statutory)					
Application for the grant or renewal of a personal licence			37.00	O	
Temporary event notice			21.00	O	
Replacement of stolen, lost, etc. licence or summary			10.50	O	
Application for a provisional statement where premises being built etc.			315.00	O	
Notification of change of name or address			10.50	O	
Application to vary licence to specify individual as premises supervisor			23.00	O	
Application for transfer of premises licence			23.00	O	
Interim authority notice following death etc. of licence holder			23.00	O	
Replacement of stolen, lost, etc., certificate or summary			10.50	O	
Notification of change of name or alteration of rules of club			10.50	O	
Change of relevant registered address of club			10.50	O	
Replacement of stolen, lost, etc., Temporary Event Notice			10.50	O	
Replacement of stolen, lost, etc., Personal Licence			10.50	O	
Notification change of name or address			10.50	O	
Right of freeholder to be notified of licensing matters			21.00	O	
Minor Variations			89.00	O	

GAMBLING ACT 2005 (STATUTORY FEES)
VAT
PREMISES LICENCES

	New Application £	Annual Fee £	Variation £	Transfer £	Re- Instatement £	
Existing Casinos	N/A	N/A	2,000.00	1,350.00	1,350.00	O
New Small Casino	8,000.00	5,000.00	4,000.00	1,800.00	1,800.00	O
New Large Casino	10,000.00	10,000.00	5,000.00	2,150.00	2,150.00	O
Regional Casino	15,000.00	15,000.00	7,500.00	6,500.00	6,500.00	O
Bingo Club	3,500.00	1,000.00	1,750.00	1,200.00	1,200.00	O
Betting Premises (excluding tracks)	3,000.00	600.00	1,500.00	1,200.00	1,200.00	O
Tracks	2,500.00	1,000.00	1,250.00	950.00	950.00	O
Family Entertainment	2,000.00	750.00	1,000.00	950.00	950.00	O
Adult Gaming	2,000.00	1,000.00	1,000.00	1,200.00	1,200.00	O

	Application for Provisional Statement £	Licence Application (provisional Statement holders) £	Copy Licence £	Notification of Change £	
Existing Casinos	N/A	N/A	25.00	50.00	O
New Small Casino	8,000.00	3,000.00	25.00	50.00	O
New Large Casino	10,000.00	5,000.00	25.00	50.00	O
Regional Casino	15,000.00	8,000.00	25.00	50.00	O
Bingo Club	3,500.00	1,200.00	25.00	50.00	O
Betting Premises (excluding tracks)	3,000.00	1,200.00	25.00	50.00	O
Tracks	2,500.00	950.00	25.00	50.00	O
Family Entertainment Centres	2,000.00	950.00	25.00	50.00	O
Adult Gaming Centres	2,000.00	1,200.00	25.00	50.00	O

PERMITS

	Application Fee £	Transitional Application Fee £	Renewal Fee £	Annual Fee £	
Family Entertainment Centre					
Gaming Machine	300.00	100.00	300.00	N/A	O
Prize Gaming	300.00	100.00	300.00	N/A	O
Alcohol Licenced Premises - Notification of 2 or less machines	50.00	N/A	N/A	N/A	O
Alcohol Licenced Premises - Notification of more than 2 machines	150.00	100.00	N/A	50.00	O
Club Gaming Permit	200.00	100.00	200.00	50.00	O
Club Gaming Machine Permit	200.00	100.00	200.00	50.00	O
Club Fast-Track for Gaming Permit or Gaming Machine Permit	100.00	100.00	100.00	50.00	O
Small Society Lottery Registration	40.00	N/A	N/A	20.00	O

	Change of Name £	Copy of Permit £	Variation £	Transfer £	
Family Entertainment Centre Permits	25.00	15.00	N/A	N/A	O
Prize Gaming Permits	25.00	15.00	N/A	N/A	O
Alcohol Licenced Premises - Notification of 2 or less machines	N/A	N/A	N/A	N/A	O
Alcohol Licenced Premises - Notification of 2 or less machines	25.00	15.00	100.00	25.00	O
Club Gaming Permit	N/A	15.00	100.00	N/A	O
Club Gaming Machine Permit	N/A	15.00	100.00	N/A	O
Small Society Lottery Registration	N/A	N/A	N/A	N/A	O

<u>PRIVATE HIRE / HACKNEY CARRIAGE</u>		Fee £	VAT
Hackney Carriage Knowledge Test		21.00	O
Private Hire	Operator - 1 Year Licence	260.00	O
	Operator - 3 Year Licence [Note 1]	620.00	O
	Operator - 5 Year Licence [Note 1]	1,050.00	O
	Vehicle	260.00	O
	Driver - 1 Year Licence	95.00	O
	Driver - 3 Year Licence	230.00	O
Hackney Carriage	Vehicle	260.00	O
	Driver - 1 Year Licence	95.00	O
	Driver - 3 Year Licence	230.00	O
Private Hire & Hackney Carriage driver (both licences)		130.00	O
Private Hire & Hackney Driver - 3 Year Licence		330.00	O
Driver and Vehicle Licensing Agency check		5.75	O
(annual licence holders to coincide with triennial criminal record check) [Note 2]			
Hackney Carriage/Private Hire Driver's 2nd Licence		35.00	O
Criminal record check - paid to GBC [Note 2]		44.00	O
Issue of a replacement Hackney Carriage or Private Hire:			
	Driver's Photo Badge	17.00	O
	Vehicle Windscreen Badge	22.00	O
	Vehicle External Plate	22.00	O
<u>Notes</u>			
1. Following new legislation effective from 01 October 2015. Changes to taxi fees have to be advertised and any responses considered.			
2. Amount charged by the external agency to the Council, and may be subject to revision during the year.			

<u>MARKETS</u>		Fee £	Fee £	VAT
	<u>Frontage</u>	<u>Regular</u>	<u>Casual</u>	
Gosport Market Tuesday	Per 30cm (1ft) Minimum charge 4.6m (15ft)	1.00	1.50	E
Gosport Market Saturday	Up to 3m (10ft) pitch	27.50	35.00	E
	4.6m (15ft) pitch	41.50	49.00	E
	6m (20ft) pitch	55.00	65.00	E
	9.1m (30ft) pitch	75.00	90.00	E
	12.2m (40ft) pitch	90.00	110.00	E
A 20% upwards tolerance in length is permitted Saturdays				
Speciality Markets	Per 30cm (1ft) Minimum 3m (10ft) pitch		1.00	E
(inc. Craft, Food & Drink, Farmer's Markets, Christmas Markets)				
<u>Notes</u>				
Imperial to metric conversions are approximate				

<u>STREET TRADING CONSENTS</u>			Fee £	VAT
Annual Consent	7 Days/week	Food Stalls/Vehicle/Trailer	1,150.00	O
		Non-Food Stalls/Vehicle/Trailer	820.00	O
	Up to 3 Days/week	Food Stalls/Vehicle/Trailer	585.00	O
		Non-Food Stalls/Vehicle/Trailer	430.00	O
	1 Day/week	Food Stalls/Vehicle/Trailer	330.00	O
		Non-Food Stalls/Vehicle/Trailer	290.00	O
Six Month Consent	7 days/week	Food Stalls/Vehicle/Trailer	600.00	O
		Non-Food Stalls/Vehicle/Trailer	425.00	O
Daily Consent	Per 30cm (1ft)		2.50	O
	Minimum charge 4.6m (15ft)			
<u>Notes</u>				
Imperial to metric conversions are approximate				

<u>PEST CONTROL</u>		Concession £	Fee £	VAT
<u>DOMESTIC PREMISES</u>				
Fleas, Carpet Beetles and Carpet Moths				
	1, 2 or 3-bedroomed property	50.00	67.00	S
	4-bedroomed property	55.00	73.00	S
	5-bedroomed property	63.00	84.00	S
	over 5 bedrooms	Quote on request		S
Bedbugs All Properties		86.25	115.00	S
All Other Insects (including wasps)		50.00	67.00	S
<u>Concessions:</u>				
Household in receipt of Personal Independence Payments, Universal Credit or equivalent, State pension NB - Officers must be shown documentary evidence of entitlement by at least one member of household				
Rodent control treatment & advice		No Charge		
Missed appointment fee (applies when customer is not present for a prearranged appointment but does not cancel in advance).			12.00	O
<u>PEST CONTROL: COMMERCIAL PREMISES</u>				
Rodents and insects for up to the first 15 minutes			73.00	S
Charge for each additional 15 minutes or part thereof			16.00	S
<u>Notes</u>				
1. Charges include cost of materials and all rates quoted include VAT				
2. Charges are subject to payment being made to the pest control officer prior to treatment.				
3. If paying by cheque, cheque card number required.				
4. That no responsibility can be accepted for any loss or damage, however caused, through treatment being carried out.				
5. Invoices are not as a general rule issued, but when issued there is a 15% administrative charge in addition to the above charges.				
6. Contracts available on request.				

<u>SPORTS</u>		Concession	Fee	VAT
		£	£	
<u>BOWLS</u>				
Per player per hour	Adult	3.40	4.20	S
Bowls and Slip Hire			3.20	S
<u>CRICKET</u>				
Privett No 1	Adult	50.00	70.00	S
	Weekdays after 6 pm	35.00	55.00	S
Other Sites	Adult	40.00	65.00	S
	Weekdays after 6 pm	30.00	50.00	S
Synthetic Wicket (Gosport Park)	Adult	30.00	50.00	S
	Weekdays after 6 pm	25.00	35.00	S
<u>FOOTBALL</u>				
Privett Park Enclosure*	Gosport Clubs	75.00	120.00	S
	Outside Users	110.00	175.00	S
	Use of Floodlights	40.00	62.00	S
* To book, please contact Gosport Borough Football Club direct				
All Other Sites		35.00	55.00	S
Sites without shower facilities		30.00	45.00	S
Sites without changing facilities		25.00	35.00	S
Training Pitch / Dressing Rooms			21.00	S
Net Pins			0.75	S
9v9 Pitches			20.00	S
<u>MINI SOCCER</u>				
Per match			17.00	S
Half day per pitch			36.00	S
<u>RUGBY</u>				
Gosport Park	Adult	35.00	55.00	S
Dressing Rooms (separate use)			22.00	S
Refreshment Rooms (separate use)			12.00	S
<u>Notes</u>				
1. The above hire charges include use of dressing rooms where these are available				
2. Double Banked football hire will be 150% of the normal hire charge				
3. VAT exemption for Seasonal Hires complying with Customs & Excise conditions				
4. Concessionary rates apply for the disabled, over 60's and under 18's				
5. Charges for tournaments to be by negotiation with the Head of Streetscene Services				

<u>WILDGROUNDS NATURE RESERVE</u>		Fee £	VAT
<u>PERMIT ACCESS</u>			
Day Ticket	Adult	2.00	S
	Concessions (Disabled, Over 60's & under 18's)	1.50	S
Monthly Permit *	Adult	5.00	S
	Concessions (Disabled, Over 60's & under 18's)	3.50	S
* 150 permits per month March to October 300 permits per month July to August			
School Parties	Non-Gosport	30.00	E
	Gosport	No Charge	
Guided Walks as advertised	Adult	2.50	E
	Concessions (Disabled, Over 60's & under 18's)	2.00	E
	Family - 2 Adults & up to 3 children	10.00	E
	Groups & Organisations (Groups up to 20 people)	35.00	E
<u>Notes</u>			
1. Children under the age of 5 are admitted free.			

<u>LAND CHARGES</u>		Fee £	VAT
Per search	Submitted through NLIS	118.00	O
	Not submitted through NLIS	140.00	O
	E-Mail Searches	118.00	O
Part 2 optional questions		7.00	O
Additional enquiries		7.00	O
Personal Searches		Free	
<u>Notes</u>			
The above are currently the maximum charges that will be collected. In accordance with the relevant Regulations, the charges are based on cost recovery and will be reviewed throughout the year. They may therefore increase or decrease as time spent on them and search volumes fluctuate. There may also be requests for separate components that make up the search, which will mean the full charge will not be recovered in all cases.			

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Effective from 2nd February 2016. For the schedule of charges please refer to [Planning homepage](#)

ANTI SOCIAL BEHAVIOUR ACT 2003

	Fee £	VAT
High Hedges Application	600.00	O

POSTAL NAMING AND NUMBERING

	Fee £	VAT
New Development of 1 - 5 plots	200.00	O
New Development/phases of 5-20 plots	200.00 + £10.00 per property	O
New Development/phases of 21-100 plots	400.00 + £5.00 per property	O
New Development/phases of 100+ plots	950.00 + £5.00 per property	O
Naming of new block of flats/building	200.00 + £10.00 per property	O
New postal address for an individual property	100.00	O
Change to new addresses due to the development changing after the schedule has been issued	15.00 per property	O
Research archive for address history	100.00	O
Renaming an existing Street	200.00 + £5.00 per property	O

Notes

At the discretion of the Building Control Manager, the Council, may not require a charge to be paid for the renaming/renumbering of roads where there has been a historical problem with existing road naming/numbering scheme.

PLANNING PRE-APPLICATIONS			Fee £	VAT
General Advice				
General enquiries and advice on planning procedures			Free	
Permitted Development Enquiry				
All submissions for informal opinion on requirement for planning permission	Householders Others		Free 35.00	S
Pre-Application Submissions - advice on the likelihood of planning permission being granted prior to the submission of a planning application				
Minor residential:	1 - 3 dwellings	See also Note 1	120.00	S
	4 + dwellings	See also Note 1	240.00	S
Major residential:	10 - 49 dwellings	See also Note 2	600.00	S
	50 - 100 dwellings	See also Note 2	960.00	S
Minor industrial/commercial:	under 1000m ²	See also Note 1	96.00	S
Major industrial/commercial:	1000 - 5000m ²	See also Note 2	600.00	S
	5000 + m ²	See also Note 2	960.00	S
Others: e.g. Change of use of property or land / Adverts / Telecommunication Masts			120.00	S
Other major / very large scale / mixed proposals:		Fee will be hourly rate x no. of hours of officers dealing with the matter		S
Householder Development (development which relates to the extension, improvement or alteration of an existing residential dwelling):			Free	
Community uses which are non-profitting			Free	
Proposals made by Local Councils			Free	
Works to trees			Free	
Notes:				
1. Where a fee is payable and the proposal affects a Listed Building or its setting or is located within a Conservation Area an additional charge of £80 will be levied				
2. Where a fee is payable and the proposal affects a Listed Building or its setting or is located within a Conservation Area an additional charge of £200 will be levied				
3. Where a consultee charges the Borough Council for advice provided this will be payable by the applicant in addition to the pre-application fee payable.				
4. Proposals for large and/or mixed use development or where no floorspace or dwellings specified, fee will be calculated by reference to hourly rate x no. of hours of officers dealing with the matter.				
5. A response on minor and other applications will constitute one written response and/or one meeting (max 2 hrs). A response on a major application will constitute one written response and/or 3 meetings (6 hrs max in total). Any follow up written responses or meetings required based on the same proposal or an amendment to it will be calculated by reference to the hourly rate x no. of hours of officers dealing with the matter and this will be payable before the advice is provided. All new submissions will require a new fee.				

PLANNING PRE-APPLICATIONS (CONTINUED)

6. Each pre-application request can only relate to one site and only one proposal will be accepted for each site. If you would like us to give advice on more than one layout or proposal for the same site then a separate request will need to be made for each scheme along with a further fee for each proposal.

7. There will be no reduction in fee where the application would be exempt from a fee because it had previously been withdrawn, refused or approved.

8. The fee is payable on submission, before the Council undertakes any work on the proposal or provides any advice.

9. The choice of who is the appropriate officer to deal with a particular case will be at the discretion of Gosport Borough Council.

10. Hourly Rate - £60.00

Other Charges

Section 106 - Planning Officer costs in negotiating agreement

Section 106 - Compliance Checks where applicants/prospective purchaser seeks confirmation that the terms of a legal agreement have been complied with

Fee will be calculated with reference to complexity of individual agreements and the time required to deal with the request at the hourly rate

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BUILDING REGULATIONS APPLICATIONS

Gosport Building Control, operating in partnership with Fareham Building Control under the name 'Building Control Partnership' have prepared a scheme of charges in accordance with The Building (Local Authority Charges) Regulations 2010

For full details of charges applicable for the Building Regulations control functions please contact the Building Control Partnership on 01329 824823.