



Proposed Residential Development
Land to the South of Funtley Road, Funtley

**Rebuttal to Proof of Evidence Prepared by
Mr Stephen Jupp**

For

Reside Developments Ltd and Atherfold
Investments Ltd

Document Control Sheet

Proposed Residential Development

Land to the South of Funtley Road, Funtley

Reside Developments Ltd and Atherfold Investments Ltd

This document has been issued and amended as follows:

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1.0 Introduction

- 1.1 This report provides a rebuttal to a Proof of Evidence prepared on behalf of Fareham Borough Council (FBC) in relation to an appeal by Reside Developments Ltd and Atherfold Investments Ltd in respect of land to the south of Funtley Road, Funtley (the " appeal site").
- 1.2 The appeal has been submitted following the Local Planning Authority's (FBC) failure to determine an outline application (ref: P/20/1168/OA) for residential development on the Appeal Site within the agreed time period.
- 1.3 FBC has appointed Mr Stephen Jupp to prepare a Proof of Evidence in respect of planning and accessibility matters. This rebuttal seeks to clarify elements of Mr Jupp's Proof of Evidence where it is considered necessary to inform the Inspector in advance of the Inquiry.

2.0 Rebuttal to Mr Jupp's Proof of Evidence

- 2.1 Paragraph 9.4 of Mr Jupp's Evidence states the following in respect of the Non-Motorised User (NMU) Audit undertaken by the appellant as part of the planning application process:

"The assessment does not consider the actual walking or cycling distances to any of the facilities."

- 2.2 The above is correct, as the principle aim of the NMU Audit is to establish the suitability of any walking or cycling route. The NMU Audit does not reference policy or guidance in respect of acceptable distances to facilities. It comments on the following elements:

- ▶ Directness;
- ▶ Width;
- ▶ Gradient;
- ▶ Lighting;
- ▶ Surveillance;
- ▶ Environment; and
- ▶ Crossing provision.

- 2.3 The structure of the NMU Audit and indeed the findings of the Audit have been accepted by Hampshire County Council (HCC) as the highway authority. This is addressed within the Agreed Statement on Transport Matters with HCC.

- 2.4 Paragraph 9.40 of Mr Jupp's Proof states the following in respect of the NMU Audit:

"It also appears to me that the distance given in table 4a for the route to the school of 1.4km is not the full distance, but looking at the table appears to start at the end of the bridge on the south side of the M27. If I am correct in this regard it means that the NMU Audit fails to consider the suitability of the first stretch of the route to the school."

- 2.5 Paragraph 9.41 continues by stating:

"Moreover, as many residents have pointed out, and also from my own experience on the site visit, the route up to the M27 pedestrian bridge will involve a relatively steep incline to the extent that I consider it would not be a practical or attractive option for some users, such as the elderly or infirm."

- 2.6 The existing route connecting the appeal site with the M27 bridge is a 'Permissive' Path, which is only intended to be in place for a temporary period until such time as an adoptable Public Right of Way is provided to connect the appeal site with the M27 bridge. The Public Right of Way would be adopted by HCC, and adhere to appropriate standards in respect of gradient, width, and material.

- 2.7 The need to upgrade the above route was secured via a Section 106 Agreement associated with a previous planning consent on the appeal site for 55 residential units (ref: P/18/0067/OA). The need for the upgraded route would also be secured via a Section 106 Agreement for this appeal proposal if granted planning consent.

- 2.8 It was considered inappropriate to assess the suitability of the Permissive Path as part of the NMU Audit when it was already known that the route would be upgraded through the appeal proposal. The suitability of any revised route will require detailed consideration with HCC as the highway authority at the appropriate time to ensure it is accessible to all users.

- 2.9 Ultimately the suitability of the Permissive Path in encouraging sustainable travel from the appeal site should not be a material consideration as part of this appeal proposal.

2.10 Paragraph 9.52 continues to reference the suitability of the NMU Audit by stating:

"... it appears to me that the NMU Audit fails to assess the suitability of the first stretch of the route from the appeal site up to the M27 bridge. Even if the route is suitable for some cyclists in my view the gradient would be a deterrent to others and therefore this must reduce the sustainability of the site in terms of using this route by cycling to the south."

2.11 In concluding, paragraph 9.57 states that:

"...no assessment has been undertaken of the impact of the gradient from the appeal site up to the M27 bridge would have on the suitability and extent of usage of this route by pedestrians and cyclists."

2.12 Again, for the avoidance of doubt, the existing Permissive Path will be upgraded. Therefore any commentary within Mr Jupp's Proof in respect of gradient of the existing route is misleading, and will not be a deterrent to future residents navigating south from the appeal site either on foot or by cycle.

2.13 Paragraph 9.36 of Mr Jupp's Proof states the following:

"...providing a satisfactory width of footway is important to enable pedestrians who walk at their chosen speed, to escort children, to walk in groups, and to pass others safely. It is clear that the narrowness of the footway at the bridge cannot be improved and accordingly I consider it will be a deterrent to some users."

2.14 The appeal proposal includes footway widening directly east and west of the railway bridge. Furthermore, the bridge operates with a single lane of traffic flow controlled via traffic signals. Vehicle speeds are low. A short narrowing is not considered to be a deterrent to pedestrians utilising this route into Funtley.

3.0 Summary

- 3.1 This report provides a rebuttal to a Proof of Evidence prepared on behalf of FBC in relation to an appeal by Reside Developments Ltd and Atherfold Investments Ltd in respect of land to the south of Funtley Road, Funtley (the " appeal site").
- 3.2 This rebuttal seeks to clarify elements of Mr Jupp's Proof of Evidence where it is considered necessary to inform the Inspector in advance of the Inquiry.