

**P/15/0717/CC**

HAMPSHIRE COUNTY COUNCIL

**STUBBINGTON**

AGENT: HAMPSHIRE COUNTY  
COUNCIL

CONSTRUCTION OF A NEW SOUTHERN SECTION OF NEWGATE LANE TO PROVIDE A NEW CONNECTION FROM NEWGATE LANE TO PEEL COMMON ROUNDABOUT TOGETHER WITH THE CONSTRUCTION OF A JUNCTION AND LINK ROAD TO ACCESS THE EXISTING ROUTE OF NEWGATE LANE

NEWGATE LANE FAREHAM HAMPSHIRE

***Report By***

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***Introduction***

This item is a consultation from Hampshire County (HCC) on the proposed new route for the southern section of Newgate Lane.

The views of Fareham Borough Council are being sought as the Local Planning Authority, with HCC being the actual determining body.

***Site Description***

The application site comprises of a north to south corridor of land to the east side of Newgate Lane, between HMS Collingwood and the Peel Common Roundabout. The land is primarily flat and used for agriculture with the exception of the northern and southern most sections which are recreation grounds.

***Description of Proposal***

The application seeks full planning permission for a new 1.5km (approximately 0.9 miles) long single carriageway road measuring 7.3 metre wide with grass verges. The detailed elements of the proposal are:

- 1) A new signal controlled connection on the north eastern side of Peel Common Roundabout to link the new road to the existing highway network. There is to be a two lane flared approach to the new arm onto the roundabout and this will widen to three lanes approximately 100 metres from the roundabout.
- 2) A new staggered toucan crossing is proposed to the north of the roundabout to enable pedestrians and cyclists to be able to cross the north and south bound carriageways
- 3) The existing route of Newgate Lane will be stopped up just north of the roundabout with through access for pedestrians and cyclists only.
- 4) From the Peel Common Roundabout the road heads northwards along the western side of the Brookers Playing Fields towards the eastern end of Woodcote Lane. The route of the road strays out of the administrative boundary of Fareham at this point and into the Borough of Gosport.
- 5) At the eastern end of Woodcote Lane, and back into Fareham, the road will incorporate an uncontrolled crossing with an island refuge to facilitate the east to west movement of pedestrians and cyclists along Woodcote Lane and Brookers Lane. Two new bus stops are

also proposed in this location. Acoustic fencing and landscape bunds are proposed in this location adjacent to residential properties.

6) The road alignment tracks westwards slightly as it continues north. A new ghost island priority junction will be built to connect the new link road to the existing route of Newgate Lane.

7) As the road approaches its connection with Newgate Lane an uncontrolled crossing point with refuge island is proposed, approximately 100 metres south of Tanners Lane.

8) The new road will transition to the existing Newgate Lane just to the south of HMS Collingwood to tie in with the ongoing improvements to the northern section of the road.

9) The existing Newgate Lane will then be stopped up just north of Newgate Cottage.

The application is supported with a Planning Statement, Design & Access Statement, Transport Assessment and an Environmental Statement (ES). The ES considers the environmental impacts of the scheme alone and also in combination with other projects such as the proposed Stubbington Bypass.

### ***Policies***

The following policies and guidance apply to this application:

The National Planning Policy Framework (NPPF)

### **Approved Fareham Borough Core Strategy**

CS5 - Transport Strategy and Infrastructure

CS14 - Development Outside Settlements

CS21 - Protection and Provision of Open Space

CS22 - Development in Strategic Gaps

### **Development Sites and Policies**

DSP49 - Improvements to the Strategic Road Network

### ***Representations***

Publicity and neighbour notification has been carried out by Hampshire County Council. The County Council has written to all properties within 500 metres of the application site.

An exhibition was held on 3rd September where the County Council Officers were available to assist members of the public. The scheme was also presented to the public at the Stubbington Community Action Team (CAT) meeting on the same day.

The Borough Council has assisted the County by facilitating the CAT meeting and exhibition as well as displaying the drawings for the proposal in the main reception of the Civic Offices.

The Borough Council has received one letter directly and this has been sent on to HCC:

- Woodcote Lane is really going to be affected by this.
- Woodcote Lane/Brooks Lane Footpath, is an ancient highway. Ancient oak trees protected by tree preservation orders are going to have to be felled in order to build this road. The natural habitat in Brookers Field, where wildlife has been thriving, is going to be lost.

- The detention basin in Woodcote Lane is going to be unsightly. Maintenance vehicles used to maintain the detention basin, are going to be a nuisance and intolerable for residents of Woodcote Lane.
- The noise of the traffic on the new section of road is going to be unbearable even with the noise reduction
- The character and charm of Woodcote Lane is going to be destroyed, just because the council won't widen the existing Newgate Lane, which is feasible and logical.
- The new road isn't going to make much difference to the traffic. Buses are still going to have to be over taken, as a layby isn't being built for them.
- Woodcote Lane residents are not going to be considered. Even the offer of a flatter road is only so that the maintenance vehicles will be able to drive down it.
- Its going to put another 2 miles onto Woodcote Lane residents' journeys going to school

### ***Consultations***

Director of Planning & Development (Highways):

No objection is raised to the application, although there are a number of improvements that could be made. These points have been raised with the County Council and any response will be provided through the update paper.

Director of Community (Environmental Health - Pollution):

No objection in terms of air quality. Final comments on noise are awaited

Director of Community (Environmental Health - Contamination):

No objection subject to conditions

Hampshire County Council (Ecology):

Response Awaited

### ***Planning Considerations - Key Issues***

The main planning considerations in the determination of the application are:

- Background
- The principle of the development
- Landscape impact and the strategic gap
- Recreation Provision
- The historic environment
- Noise
- Air quality
- Transport implications
- Ecology
- Drainage

### **BACKGROUND:**

Traffic related issues have existed on the Gosport peninsula for a number of years and have to an extent been exacerbated by the closure of MOD premises and sites.

The proposed scheme forms one element of a wider package of access improvements to the Gosport and Fareham area. The purpose of this application is to help improve capacity on the Newgate Lane corridor which serves the Solent Enterprise Zone and to provide an alternative route to the congested A32.

### **THE PRINCIPLE OF THE DEVELOPMENT:**

The site is, for the part of its length within the borough of Fareham, within the defined countryside such that policy CS14 of the Core Strategy applies.

Policy CS14 seeks to restrict new built development outside of the defined urban settlement boundaries to that essential to agriculture, forestry or essential infrastructure. The provision of the bypass would contribute to the infrastructure needs of the Borough and wider area such that the scheme is considered to be an acceptable form of development when assessed against policy CS14.

Policy CS22 of the Core Strategy seeks to protect strategic gaps through resisting development that would diminish the gap both visually and physically. The Stubbington - Fareham strategic gap surrounds the entirety of the route of the proposed new route of Newgate Lane. The implications for the gap are considered further below.

Policy DSP49 of the Development Sites and Policies Plan safeguards a route, broadly followed by the application proposals, for a realigned Newgate Lane southern section to improve and maintain the effectiveness of the strategic road network. The supporting text to policy DSP49 sets out that the scheme will require careful consideration as to the impact upon the strategic gap (para 6.22).

Transport strategy and infrastructure is dealt with as part of Core Strategy policy CS5. This policy sets out how the Council will work with the Local Highway Authority to permit development which contributes towards or provides necessary and appropriate transport infrastructure.

The application sets out that the existing southern section of Newgate Lane is narrow and winding with frontage accesses and turning traffic. The highway geometry and composition can result in slow vehicle speeds (due to high volume use by cyclists and the lack of overtaking locations and through turning vehicles) especially in the peak hours. The proposal will, it is submitted, build upon the Newgate Lane north sections and improve journey times and reliability along the Newgate Lane corridor.

#### LANDSCAPE IMPACT AND STRATEGIC GAP:

The application is supported by an Environmental Statement (ES) as part of the Environmental Impact Assessment (EIA) of the proposal. The ES includes a "landscape" chapter. The Landscape and Visual Effects Assessment (LVEA) within the ES reviews the different landscape character areas along the route and considers the sensitivity to change of each character area and in turn the magnitude of the impact of the development on that landscape character area.

The Fareham Borough Landscape Assessment was adopted as Supplementary Planning Guidance in May 1996. It provides an audit of the landscape character areas of the Borough along with their defining key characteristics. The route of the bypass passes through two different character areas:

- Area 7 - Fareham / Stubbington Gap; and
- Area 8 - Woodcot / Alver Valley.

Landscape Character Area 7 is identified as comprising a strategic wedge of open landscape which separates the urban areas of Stubbington and Fareham. The priority for this area must be to maintain its function in separating the urban areas. This character area is identified as having a "high" sensitivity to change, however this landscape itself will not be

directly affected by the proposed new road but its setting will be influenced by development of built form in previously open land.

The application proposes mitigation for the new road to help mitigate and lessen the impact. As such, whilst there will be a permanent, long term change to the landscape, after mitigation it would be of a low magnitude of impact as a result of the proposal.

Landscape Character Area 8 contributes to the largely flat, open farmland that helps separate the settlements of Fareham, Stubbington and Gosport. This character area is directly affected by the proposal. The openness of the site will be interrupted in this location by the road itself and lighting columns and associated glare. This character area is identified as having a "high" sensitivity to change.

However mitigation is also proposed (like Area 7) such that whilst there will be a permanent, long term change to the landscape it would be of a moderate magnitude of impact as a result of the new road development.

The LVEA also considers the sensitivity of receptors to the proposed bypass as well as the physical impact upon the landscape. The most sensitive being the residential dwellings that look out towards the site. Part of the Assessment looks at the growth and establishment of mitigating planting by year 15 and an assessment of the magnitude of the change in visual amenity. It is accepted that there will permanent changes to the landscape and thus the outlook from these receptors will also change. However the assessment concludes that the significance of the effect of the development by year 15 is an almost neutral impact as a result of the proposal with its matured and established planting with the exception of the dwellings in Woodcote Lane and Brookers Lane. The application sets out that these properties will still be aware of the presence of the new road even with the established landscape planting.

The very fact that the Council has safeguarded the route for the realigned Newgate Lane southern section (in policy DSP49) through the Strategic Gap recognises that there will be some impact in terms of the physical diminishing of the gap as a result of the development. However the route of the road is such that adequate open space is retained either side of the route with some of this open land benefitting from a level of protection as a result of being playing fields such that the landscape will continue to operate in the manner the planning policy intends; preventing the coalescence of the settlements of Fareham, Gosport and Stubbington.

#### RECREATION PROVISION:

Policy CS21 seeks to protect the provision of existing recreational open spaces. Development that would result in the loss of or reduce the recreational value of open spaces, including public and private playing fields are not permitted by the policy unless the facility is under used, of poor quality and that a better quality replacement is available. This policy reflects the advice in paragraph 74 of the NPPF.

The route of the proposed road passes through the Brookers Playing Fields in the south and the MOD playing fields in the north yet the application is silent on the matter of assessing the impact of the proposal on the recreation provision.

The part of the road that passes through the Brookers Playing Fields hugs the western boundary of the open space such that the route of the road avoids any of the formally laid

out pitches. As such the proposal is not considered to conflict with the policy.

As the northern part of the road reconnects to the existing Newgate Lane it passes through the MOD playing fields. It is clear from the policy and the NPPF that the loss of recreational land can apply to private land as well as public land. It appears from the proposed plans and aerial photography that the road will result in the loss of two sport pitches. There is, however, land within the sports field to the east of the road and the existing pitches that may be able to accommodate the laying out of replacement pitches such that the scheme has the opportunity to comply with the policy here also. In the absence of any assessment of this matter as part of the application, the County Council will need to satisfy itself that this matter can be appropriately addressed.

#### THE HISTORIC ENVIRONMENT:

During both construction and operation of the new road there will be an impact on the historic environment. The impacts being upon archaeology and the setting of listed buildings.

The ES addresses the matter of archaeology and concludes that this constraint can adequately be addressed through appropriately drafted planning conditions.

The impact upon the listed buildings and their setting will depend on the value of their "significance". The NPPF (para 132) advises that "significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting". Policy DSP5 of the Local Plan seeks to retain listed buildings and their setting by ensuring development does not "...harm, and if desirable, enhances their settings".

The ES assesses each of the affected listed buildings by considering their significance as existing and how that will be affected by the development. There are a number of listed buildings that sit along the existing route of Newgate Lane such that the proposal could be seen to be of benefit of their setting and therefore their significance.

The main impact of the proposed road on the listed buildings is the relationship of the building to the surrounding agricultural landscape. It is this landscape that will inevitably change as a result of the new road construction.

Paragraph 134 of the NPPF indicates that if a development leads to "...less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal". In this case the harm to the significance of the listed buildings is considered to be primarily to the wider landscape setting and this is already eroded to an extent by the existing highway network and the growth of the surrounding settlements. The harm to the significance of listed buildings is therefore considered to be less than substantial and to those along the existing Newgate Lane a possible benefit. The balance of any harm is to be weighed against the public benefits of the proposal and as set out above in the assessment of the impact of the new road on the gap and landscape, the public benefits of the road outweigh any small amount of harm or "less than substantial harm" to the significance of the setting of listed buildings.

#### NOISE:

The ES acknowledges that during construction the scheme has the potential to cause significant noise and vibration impacts. Measures are included in the ES to reduce this

possible impact such as with a Construction Environmental Management Plan (CEMP), a lighting strategy and a limit on hours of work.

The scheme includes, along the route, a number of noise barriers built to reduce the noise impact of the scheme on properties along Woodcote Lane. The ES concludes that with these barriers in place the negative impacts of noise during the operational use of the road will be reduced. However the submission accepts that some homes are likely to experience a significant increase in noise levels even with this mitigation

Whilst this is a significant increase in the existing situation, the proposal is not judged by the applicant to be so harmful to the amenity of those properties that the proposal is unacceptable. The comments of this Council's Director of Community (Environmental Health - Pollution) on noise issues are awaited and these will be presented to the Committee in an update paper.

#### AIR QUALITY:

There are two elements to air quality assessed by the Environmental Statement. The first is air quality during construction. The ES concludes that any risk to air quality can be adequately mitigated through good site practice and suitable mitigation measures. The ES concludes that the construction period would be temporary over the short - medium term with only local impacts which can be mitigated against.

The second element is the use of the road after its construction. In terms of the road being operational, there is a potential net benefit in improved air quality for the existing dwellings along Newgate Lane as a consequence of the anticipated reduction in traffic going past the front of these dwellings.

In terms of receptors that will now be closer to the traffic using the bypass, the ES sets out a number of air quality assessments at a number of different locations. The results indicate that there would be no significant harm arising in terms of air quality. No objection is raised against the scheme by the Director of Community (Environmental Health - Pollution).

#### TRANSPORT IMPLICATIONS:

In addition to the ES the application is supported by a Transport Assessment (TA). The TA indicates that the benefits in the immediate vicinity of the application site are expected to be realised through improved journey times, reliability, consistently higher traffic speeds and a safer environment for pedestrians, cyclists and vehicular traffic.

The modelling undertaken as part of the TA has included a number of key junctions in the vicinity of the new road that are likely to experience significant changes in traffic flow as a result of the proposal being constructed. On completion of the scheme the TA demonstrates that the assessed junctions are forecast to operate within capacity at both the AM and PM peak periods.

By stopping up the existing Newgate Lane this is anticipated to be a more user friendly and safe route for cyclists.

#### ECOLOGY:

The application has been informed by a number of surveys to assess the impact of the

development on protected species.

It is accepted that the proposed scheme and this will permanently affect the natural environment especially during the period of construction and in the time it takes for the landscaping to become established.

The primary impacts upon protected species is that of habitat loss and disruption to habitat such that the movement of certain species may be disrupted. The proposed design, however, provides for the creation of new habitat along the road side verge and the planted bund features. The application submits that overall there is to be a positive effect on the surrounding ecological habitat once all the recommended mitigation is put in place.

Whilst not within the designated Special Protection Area (SPA), the site could affect the birds using the SPA due to the change in the landscape. It is noted that Natural England has commented directly to HCC and have raised no objection to the impact of the proposal on nearby SPAs. Natural England notes that HCC is the determining Authority for the purpose of the Habitat Regulations. It is therefore a "Competent Authority" whose responsibility it is to undertake the Habitat Regulations Assessment (HRA) on the impact of the proposal on the SPA before taking a decision. Natural England acknowledges, in the consultation response to HCC, that as the competent authority, HCC has screened the proposal for the likelihood of significant effects. This assessment concluded that significant effects are unlikely to occur either alone (from just this project) or in combination with other development proposals. On the basis of the information in the application and the ES Natural England concurs with the HCC view and as such raises no objection to the proposal.

The proposal has been reviewed by this Council's Ecologist. The final comments of the Ecologist are awaited and it is anticipated that the comments will be included in the update paper.

#### DRAINAGE:

The construction of a road through the current arable fields is likely to change the catchment and drainage pattern that exists on the site as a result of the increase in impermeable area.

In order to ensure that the proposed route does not result in an increase in surface water flood risk, the drainage design has been undertaken so that the discharge rates do not exceed the existing situation. The application has been designed with a Sustainable Urban Drainage System (SuDS). The SuDS will process runoff and pollutants with appropriate filter mechanisms. The SuDS are designed with a series of water storage basins, swales, oversized pipes and flow control devices to limit the discharge of highway surface water into the existing system at the same rate as the current green field rate.

The proposal sets out through the ES that the drainage strategy will not have a large negative impact on the drainage of the area or the flood risk in the area. The scheme is also not considered, according to the ES, to cause any demonstrable harm to the sensitive environments or ecological designations close to the route.

#### CONCLUSION:

The proposed new road for the southern section of Newgate Lane is considered to be



acceptable for permission without causing unacceptable harm to nearby residents, the historic environment, ecology or the separation of settlement function that the gap performs. Given the contribution of the scheme to the wider highway network, Officers believe the proposal should be supported by Fareham Borough Council.

### ***Recommendation***

Subject to the receipt of consultation responses from the Director of Community (Environmental Health - Pollution) and the Director of Planning & Development (Ecology)

SUPPORT Subject to conditions:

- 1) Time to commence work
- 2) Work to be carried out in accordance with the CEMP
- 3) Strategy for the removal, re-use and/or disposal of spoil
- 4) Archaeology
- 5) Limits on the hours of construction work
- 6) Details of the lighting strategy for both construction and operation
- 7) Tree protection during construction
- 8) Limit on time for the clearance of vegetation (to avoid nesting birds)
- 9) Noise mitigation barriers to be erected prior to first use of the new road
- 10) Planting to be undertaken in the first season following completion/opening of the new road
- 11) Unexploded Ordnance (UXO) desk study and intrusive site investigation required prior to development commencing.
- 12) Risk assessment of the results of soil/ groundwater samples and UXO desk study taking into account people, environment, controlled waters, services and any mitigation / remediation measures
- 13) To be carried out in accordance with approved plans and documents.