

FAREHAM BOROUGH COUNCIL

Town and Country Planning Act 1990 – Section 78

Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000

REBUTTAL PROOF OF EVIDENCE

Of

Ms Jane Parker BA (Hons), MA, MRTPI

On behalf of the Local Planning Authority

CO-JOINED INQUIRY

Outline application with all matters reserved (except for access) for the demolition of existing buildings and development of up to 75 dwellings, open space, vehicular access point from Newgate Lane and associated and ancillary infrastructure

**LAND AT NEWGATE LANE NORTH, FAREHAM
Appeal by Fareham Land LP**

Planning Inspectorate Reference: APP/A1720/W/20/3252180

Fareham Borough Council Reference: P/18/1118/OA

AND

Outline Planning Permission For The Demolition Of Existing Buildings And Development Of Up To 115 Dwellings, Open Space, Vehicular Access Point From Newgate Lane And Associated And Ancillary Infrastructure, With All Matters Except Access To Be Reserved.

**LAND AT NEWGATE LANE SOUTH, FAREHAM
Appeal by Bargate Homes Ltd**

Planning Inspectorate Reference: APP/A1720/W/20/3252185

Fareham Borough Council Reference Ref: P/19/0460/OA

CONTENTS

1. Qualifications and Experience	Page 3
2. Errata	Page 4
3. Housing Lane Supply	Page 6
4. Transport evidence rebuttal	Page 20
5. Planning Evidence rebuttal	Page 33

APPENDICES

Appendix A	Stantec Planning White Paper consultation response to MHCLG (September 2020)
Appendix B	Officer Report for Committee (18/11/2020) - Land Rear of 403 Hunts Pond Road, Locks Heath (P/19/0183/FP)
Appendix C	Hampshire & Isle of Wight letter (4 November 2020) - Nitrate Mitigation Proposal for 403 Hunts Pond Road, Park Gate (P/19/0183/FP)
Appendix D	Department for Transport statistics: National Travel Survey - Tables NTS0403 and NTS0303
Appendix E	Department for Transport - Local cycling and walking infrastructure plans - Annex C: Walking Route Audit Tool
Appendix F	Hampshire County Council Technical Guidance Note TG13 – Street Lighting
Appendix G	LDA Design (October 2017) - Review of Landscape and Visual Effects of Proposed Development at Newlands, Fareham (P/15/1279/OA)
Appendix H	Plans of Land at 125 and 79 Greenaway Lane, Warsash and Land north of Funtley

1 QUALIFICATIONS AND EXPERIENCE

- 1.1. My name is Jane Parker and I am an Associate at Adams Hendry Consulting Limited. My Qualifications and experience are set out in section one of my main proof. In this rebuttal proof, I respond to issues raised by Mr Neil Tiley in the Housing Need and Supply Matters evidence for the Appellant and by Mr Anthony Jones Atkins in the Transport Evidence in respect of whether the appeal sites are accessibly located. I also respond to points made by Mr Daniel Weaver in the Planning evidence in relation to development in strategic gaps at paragraph 7.12 – 7.14 and in respect of Issue 2, ‘adjacency’ at paragraph 12.40 – 12.43.

2 ERRATA IN MY MAIN PROOF OF EVIDENCE

- 2.1 In paragraph 11.74 where I discuss bus services please replace the text “which is not the case” in line four with “as is the case”.
- 2.2 There is an error in the table that follows paragraph 8.18 of my main proof of evidence in relation to sites with a resolution to grant planning consent. This error is corrected in the table below with the changes highlighted in blue text.

Sites with a resolution to grant planning consent		5 Year Supply (2020/21 – 2024/25)	
Councils Position	709	Appellant’s Position	0
Sites with Full Planning Permission			
<i>East & West of 79 Greenaway Lane, Warsash (P/18/0884/FP)</i>		6 dwellings	
<i>Land South West of Sovereign Crescent, Locks Heath (P/18/0484/FP)</i>		38 dwellings	
<i>Moraunt Drive, Portchester (P/18/0654/FP)</i>		48 dwellings	
Sites with Outline Planning Permission			
<i>Land at Brook Lane, Warsash - Foreman Homes (P/17/0845/OA)</i>		180 dwellings	
<i>Land East of Brook Lane (South), Warsash – Bargate Homes (P/17/0752/OA)</i>		140 100 dwellings	
<i>Land to the East of Brook Lane and West of Lockswood Road - Land & Partners (P/17/0998/OA)</i>		145 dwellings	
<i>East & West of 79 Greenaway Lane, Warsash (P/18/0107/OA)</i>		30 24 dwellings	
<i>Land South of Funtley Road, Funtley (P/18/0067/OA)</i>		55 dwellings	

<i>Southampton Road (Reside) (P/18/0068/OA)</i>	105 dwellings
<i>Egmont Nurseries, Brook Avenue (P/18/0592/OA)</i>	8 dwellings
Total	709

Completions in 2019/20

2.3 There is a further error in paragraph 8.107 of my proof. The correct number of completions in 2019/20 is 285 dwellings. The number of completions 2017 – 2019 was 581. The total number of completions 2017 – 2020 is 866. However this does not change my conclusion at paragraph 8.107. On the basis of the Council’s submission to MHCLG over the summer 2020 I am advised by the Council that the Housing Delivery Test is not failed as housing delivery has not fallen below 75% of the housing requirements over the previous three years. On this basis, as I state at paragraph 8.108 in my proof of evidence, the presumption in favour of sustainable development will not be automatically engaged regardless of the five-year housing land supply position.

3 HOUSING LAND SUPPLY

Section 5: Substantial Under Delivery and Housing Delivery Test

- 3.1 Mr Tiley considers there to be a miscalculation by the Council of information sent to MHCLG and on that basis the Housing Delivery Test results in November 2019 are incorrect (paragraph 5.3 of Mr Tiley's proof of evidence). The Appellant argues that the Council currently should be applying 20% buffer and that on this same basis the predicted results of this year's housing delivery test (to be confirmed) will be under 75%.
- 3.2 The Council considers the assertion of a miscalculation to be erroneous. Much of the information submitted by the Council in the HDT Delta return is pre-populated and the Council has discussed with MHCLG directly any figure that has been provided that did not immediately accord with its records. This includes information relating to whether the Local Plan Part 2: Development Sites & Policies (DSP) plan is 'within date' or not.
- 3.3 Notwithstanding the correct quote from the Inspector in the examination report that states "it is not the role of LP2 to consider strategic matters such as housing and employment needs, which are outside the scope of the submitted Plan", (paragraph 9 of CDE.4) the Council consider that the DSP Plan did uplift the housing requirement from the Core Strategy. This uplift was based on the Partnership for South Hampshire, South Hampshire Strategy. Whilst the South Hampshire Strategy is not a statutory plan, it was based on up to date, sound evidence including demographic and economic projections.
- 3.4 It would appear that this is also considered to be sufficient to qualify as 're-testing' by MHCLG and therefore the DSP plan is considered to be up to date and is used in the HDT calculation. The HDT is a Government test and MHCLG have now agreed and published two sets of HDT results that include housing requirements from the Council's adopted plans. The Council recognises that this will change now that the DSP is five years old which needs to be taken into

account and the standard methodology should be used instead (for the relevant financial year in HDT 2021).

- 3.5 With regard to the argument made by Mr Tiley that the Housing Delivery Test results, based on the erroneous information provided by the Council, are incorrect, the Council again refutes this claim and notes errors in the appellants calculations. The data input for the 2016/17, 17/18 and 18/19 HDT returns is sourced direct from Table 1: Housing Delivery Overview (2006-2026) in the DSP Plan and Table 10.1: Housing Trajectory for Welborne in the Welborne Plan. These sources provide for a requirement of 147 homes per annum for the DSP Housing Requirement, 120, 180 and 200 homes for the three years from Welborne. This results in an overall total of 267, 327 and 347 homes per annum for the three years as opposed to the appellants claim of 423, 401 and 419 per annum. The Council notes that the appellant has applied an annual average of the Welborne Plan per annum which significantly increases the requirement. The Council recognises that the DSP is now out of date and the Standard Methodology should now be used for the financial year 2020/21 in the 2021 HDT result, however this will not impact the 2020 HDT results which looks back at the period from April 2017-March 2020. The DSP became 5 years old in June 2020 and so is entirely valid for year 19/20. The appellant has erroneously suggested that the HDT for 2020 would include the financial year 20/21 and calculated the housing requirement by apportioning the year between April 2020-June 2020 using the DSP Plan and the remainder of the year as using the standard methodology. This is wholly inaccurate as the year 20/21 is not included in the HDT 2020, which again looks backward between April 2017 – March 2020. Both these errors identified in Mr Tiley's case show that the appellants position set out in table 5.2 in the Housing Need and Supply Evidence is incorrect.

Section 15: The revised standard method

- 3.6 Mr Tiley argues that under the transition arrangement in the Changes to the Current Planning System (CDD.3) paragraph 43 that the emerging Local Plan should be meeting the minimum local housing need identified by the standard

method i.e., that the current standard method will continue to apply for plan making purposes in the Borough.

- 3.7 The current Standard Methodology takes account of population growth and housing affordability. However, through national policy, Local Authorities are instructed to use household projections based in 2014, rather than more up to date housing projections. The proposed amendments to the methodology change this and would introduce the option of using either a percentage of the Borough's existing housing stock as the calculation's starting point or the most up-to-date household projections, whichever is the higher, before an affordability uplift is applied.
- 3.8 There is a clear intention on behalf of the Government to overhaul the planning system. Large scale changes are proposed through the White Paper Planning for the Future and the technical consultation 'Changes to the Current Planning System'. These changes would result in amendments to the Planning Policy Guidance rather than legislation as set out in paragraph 44 of the consultation document, and as such could be implemented without the need for legislation.
- 3.9 The Council anticipates that the Plan will not be submitted until the proposed new standard methodology as set out in the consultation 'Changes to the Current Planning System' is established in Planning Policy Guidance. This is set out in the Local Development Scheme September 2020 and paragraph 4.2 of the Publication Local Plan. This approach will enable the Publication Local Plan to not only reflect the most up to date housing growth projections at the time of the Examination, but will also be in line with national policy, so that the draft Local Plan can be considered 'sound' at the time of examination.
- 3.10 Paragraph 60 of the National Planning Policy Framework and paragraph 003 of the Housing and Economic Needs Assessment chapter of the National Planning Practice Guidance both cover the use of the standard methodology for determining the minimum number of homes needed in the Plan. Both the Framework and Policy Guidance focus on the requirement to plan for the most up to date, current and future demographic trends and market signals. It is

considered by the Council that at time of submission, the proposed standard methodology will not only be in national policy but will represent the most up to date picture of housing need for the borough, and so the Council will be supported by national policy in having the Plan examined against the revised numbers.

- 3.11 The Council could also argue that the proposed revised methodology constitutes exceptional circumstances as identified by para 60 NPPF, in that the most recent and up to date population forecasts and trends used within the calculation represent a more up to date picture of housing requirements in the borough and therefore represent a reasonable and justifiable alternative approach to the existing Standard Methodology.
- 3.12 Strategic Policy H1 of the Publication Local Plan which is out for consultation sets out the overall growth level for the Borough until 2037 of around 8,389 new dwellings. This level of growth proposed across the Plan period seeks to respond to the Government's proposed changes to the Standard Methodology (using a base of 403 dwellings per annum) but includes a substantial 'buffer' of 15% to address any potential slippages in delivery and contributes towards unmet need from neighbouring authorities. This approach has been pursued as it uses the most up to date approach for calculating housing need.
- 3.13 Further clarity on the transition period will become apparent, however Fareham Borough Council anticipate that the new methodology will have been published before the Local Plan is submitted for examination so as to enable the new Local Plan to be assessed against what would be the current Standard Methodology at that time.
- 3.14 Mr Tiley's asserts at paragraph 15.5 of his proof with reference to Appendix 16 and Turley's consultation response that, in Fareham, the figure would be 554 homes per annum under the alternative approach it recommends; the Council considers this point to be irrelevant. Commentary on the proposed methodology is wide ranging and varied and purely conjecture. Whilst there is consensus that there may be a need to adjust the calculation to redistribute housing need, the potential approach to doing so is far from certain.

3.15 However, in response to the appellants observation that Turley submitted a consultation response proposing an alternative approach, the Council is aware of a further proposed approach put forward and submitted to the MHCLG by Stantec (Appendix A). The Stantec submission proposes an outcome which produces housing numbers that are considered to be more realistic for the south of the country and much more positive for the north, with a resulting figure of 416 homes per annum for Fareham. It is worth noting that in response to a number of articles in the press regarding alternative approaches to the methodology calculation, the Housing Minister Chris Pincher MP, was recently quoted at the Planning for Housing Conference 2020 as saying 'estimates by planning consultancies and other experts of the results of the government's proposed updated version of its standard method of calculating local housing need are "entirely speculative".'

Emerging Housing Requirement

3.16 To clarify, the 403dpa is based on the minimum local housing need arising on the basis of the new standard methodology as of the base date of 2021 (but would also apply if the proposed standard methodology were introduced in 2020) and not on the proposed housing requirement set out in the draft Local Plan. However, an alternative approach could be to have regard to the dwelling per annum figure based on the emerging housing requirements set out in Strategic Policy H1 makes provision for at least 8,389 dwellings in the Plan period 2021 - 2027.

3.17 Paragraph 4.16 of the draft Local Plan makes it clear that the Council considers a stepped housing requirement, and trajectory, to be appropriate reflecting that housing delivery will be lower in the first 0-5 years, particularly in the first two years. In order to secure a five year housing land supply, the draft local plan also states that it is appropriate to use the local plan process to secure a five year housing land supply and therefore a 20% buffer has been imposed in the light of anticipated Housing Delivery Test results due to be published in November 2020.

- 3.18 On the basis of the stepped approach, Strategic Policy H1 states that over the five year period 2021/22 and 2025/26 2,250 dwellings will be required, averaging 450 dwellings per annum.
- 3.19 Despite the lack of certainty in advance of the revised standard methodology being published by the Government, the Council continues to progress its Local Plan expediently as is being actively encouraged by central Government and which is clearly preferable to delaying the Plan. What is clear is that regardless of the outcome of the revised standard methodology and what that might mean for Fareham Borough, the housing requirements of the Plan can be adjusted upwards or downwards as required and flexibility will continue to be built into the Plan with the express objective of securing a future five year housing land supply. On this basis, I am confident that a five year housing land supply will be secured and the shortfall in supply will be short lived upon the adoption of the Local Plan. The Council is continuing to progress the Local Plan in a timely manner in line with the recent MHCLG edict to keep up with the preparation of local plans and is at a significantly advanced stage.

Section 8: Housing Trajectories

- 3.20 I note the claim by Mr Tiley at para. 8.27 of his proof that the Council's housing trajectories are likely to be over-optimistic and should be treated with caution. However, I believe Mr Tiley is mistaken. In contrast, I consider the supply position set out in section 8 of my proof to be entirely realistic and based on a detailed and pragmatic review of the current situation.
- 3.21 The Council undertakes a 5-year supply engagement process quarterly with site promoters and developers to add further intelligence to the delivery information. The Council have recently increased the frequency with which developers and site promoters are engaged in order to provide up to date reliable information. The Council's position has therefore been produced by engagement with developers over delivery timescales on a case by case basis. I note that the Council has acknowledged those sites that will not deliver until

later in the five-year period (but still within that five-year period at years four and five) for various reasons. I consider this to be a perfectly reasonable, sensible position to take which takes account of any evident delays or lead-in periods for obtaining detailed planning permission. I also consider this was something which previous trajectories published by the Council failed to take account of but which the authority have now acknowledged. Nonetheless in my own review of the housing supply position I have discounted four sites which I consider there to be insufficient information relating to their delivery in the five year period to include in the supply thereby taking an even more cautious approach. This does not fit with Mr Tiley's description of previous trajectories from the Council as being over-optimistic.

3.22 Mr Tiley refers to the Council's inclusion of sites which he claims cannot be demonstrated to be suitable due to the likely significant effects on Natura 2000 sites and the absence of appropriate mitigation (para. 17.1 of his proof). He does not provide any information on why, on a site by site basis, he believes this to be the case but it is clear from its inclusion in his conclusion that this is his real concern in relation the deliverability of sites and the other issues he identifies are of no real substance, as shown in my evidence, and do not undermine the trajectory. Contrary to Mr Tiley's assertions, and as set out in my evidence at paras 8.26 – 8.33, a framework for delivering nitrate mitigation is now in place. Securing this mechanism for delivering the nitrate mitigation required is an important step to bringing forward development sites and gives confidence to the Council's stated trajectory. I can now confirm that the first application to benefit from the mitigation scheme offered by the Hampshire & Isle of Wight Wildlife Trust (my evidence, paras 8.29 – 8.31) will be reported to the Council's Planning Committee for determination at the meeting due to be held on 18th November 2020. The Officer report is appended to this statement as Appendix B (paragraphs 8.30 – 8.34 relate) and the Nitrate Mitigations Proposals pack is included at Appendix C (referred to in para. 8.32 of my evidence). I am informed that, at the time of writing, such packs relating to a further five planning applications have been received by the Council. The packs will enable Officers to carry out Habitat Regulation Assessments for those undetermined applications. This will enable the Council to start issuing

permissions without further delay (paragraph 8.33 of my evidence), such as those for developments already with resolutions to grant planning permission and, where applicable, under Officer delegated powers. Other applications, such as that referred to at Appendix B, will be able to be taken to the Council's Planning Committee for a decision to be made.

3.23 Mr Tiley asserts that the timescale for delivery of sites is likely to have been compromised by the coronavirus pandemic (paragraph. 10.16 of his evidence). He says that Council resources to determine outstanding applications have been reduced such that these would take longer than is usually the case (paragraph 10.18). He makes these remarks without any evidence to support them. Mr Tiley's comments are frankly a great disservice to the hard work of not just the Council but the private sector and construction industry as a whole to continue as far as possible 'business as usual' when it comes to planning and to support economic recovery.

3.24 To my knowledge Mr Tiley has not had any direct contact with the Council's Planning Officers at all in recent months. Had Mr Tiley consulted his colleagues he would surely have been informed that Officers from the Planning department have been in regular and indeed constant contact with them concerning the appeal sites up to and after the non-determination appeals were lodged in May this year amidst the first wave of the coronavirus pandemic. Although Officers are now working remotely, as is most of the country, the Planning service at Fareham Borough Council has operated as normal throughout the year. At paragraph 10.17 of his proof Mr Tiley provides an unsourced quote by Fareham Borough Council. If Mr Tiley had visited the Council's website he would have seen that, with the exception of April this year, the Council's Planning Committee have met every month throughout the pandemic as they would normally do albeit virtually to determine planning applications as usual. The function of the Council as local planning authority has not been compromised by recent events and the agenda for the forthcoming Planning Committee agenda due to be held on 18th November 2020, at which a total of 375 dwellings are recommended by Officers for approval, is evidence of that.

The Deliverable Supply

- 3.25 I set out below the most up to date evidence on the deliverable supply since the exchange of my proof of evidence.

Allocations

Welborne

- 3.26 Mr Tiley provides an uninformed, outdated and overly-pessimistic view of the few remaining points of action left to be overcome before the outline planning permission for Welborne can be issued (paras. 10.55 – 10.56 of his evidence). He states at paragraph 10.56 that negotiation of the Section 106 obligations will take a considerable amount of time but fails to realise that such work has already been ongoing for some time. There is now agreement on all of the Heads of Terms listed at paragraph 10.55 of his proof with the exception of the viability review mechanism which all parties are seeking to resolve without delay. Legal drafting of the Section 106 agreement is already done and ‘fine tuning’ is all that remains to do. The legal agreement is clearly on course to be completed soon as I referred to in my evidence at paragraph 8.68.
- 3.27 Mr Tiley also sets out the large number of conditions and amount of technical work to be carried out after the grant of outline planning permission. This is to be expected given the scale of the new community being created and I have already commented on this in my proof of evidence. Mr Tiley fails to provide any real reasons why the Council’s position, that 450 homes would be delivered over the course of years 4 & 5, is unachievable. He repeats speculative claims over the impact of coronavirus on the Council’s ability to progress matters (paras 10.68 – 10.70). I have rebutted this assertion earlier in this statement.
- 3.28 Finally, in relation to Welborne, Mr Tiley provides a brief and selective snapshot of the funding for the remodelling of the M27 Junction 10. Crucially, he omits to mention the Hampshire County Council cabinet report reference in my evidence at para. 8.72 which provides important updates. Had he done so he would have seen two things; firstly, that the cost of the works at Junction 10 are

not as significant as previously thought and are now given to be £75 million (the figures quoted by Mr Tiley at para 10.62 are therefore out of date), and; secondly, that a £900,000 grant was offered by the Solent LEP (and has now, I understand, been secured). Instead Mr Tiley refers to press coverage of a letter to the Prime Minister requesting a funding shortfall be met. However, this too is out of date as I am informed that confirmation has been received from Homes England that a £30 million Housing Infrastructure Fund (HIF) grant is available subject to conditions but this is not yet publicly available. This goes to support the position put forward in my evidence regarding the delivery of Junction 10.

Sites with a resolution to grant consent

- 3.29 Mr Tiley's statement at paragraph 11.30, that the Council has provided no evidence that completions will be achieved within five-years on the basis that the NNPF definition does not provide a closed list is outdated. My proof of evidence at paragraphs 8.19 – 8.49 provides clear evidence that there is a realistic prospect that housing will be delivered on these sites within 5-years. In this section I make clear that one of the sites with a resolution to grant at the base date of 1st April 2020 now has full permission and three have outline permission. I also provide an update on the remaining six sites with a resolution to grant planning permission on which I have received some new information since exchange of proofs.
- 3.30 The table after paragraph 8.19 of my proof of evidence identifies those sites which have a resolution to grant planning permission as of the baseline at 1st April 2020. For absolute clarity, the table identifies which of these sites have a resolution to grant full planning permission and which sites have a resolution to grant outline planning permission.
- 3.31 My proof of evidence then looks in turn at the current status and progression of each of these sites through the planning process since 1st April 2020. It is my view that the further a site has progressed through the planning process, the

clearer the evidence becomes that the site are deliverable within the five-year period.

Sites now with planning permission

3.32 At paragraph 8.34 of my proof of evidence I identify that four sites with a resolution to grant planning permission have since been granted planning permission. The relevant table is reproduced below for convenience.

Sites with Full Planning Permission	No of Dwellings	Consent granted
<i>East & West of 79 Greenaway Lane, Warsash (P/18/0884/FP)</i>	6 dwellings	11 th August 2020
Sites with Outline Planning Permission		
<i>Land South of Funtley Road, Funtley (P/18/0067/OA)</i>	55 dwellings	2 nd September 2020
<i>Southampton Road (Reside) (P/18/0068/OA)</i>	105 dwellings	12 th July 2020
<i>Egmont Nurseries, Brook Avenue (P/18/0592/OA)</i>	8 dwellings	1 st October 2020.
Total number of dwellings	175 dwellings	

3.33 In respect of the 6 dwellings to the East of West of Greenaway Lane, as this site has full planning consent I consider that it should be now be considered deliverable until the permission expires.

3.34 In respect of the sites with outline planning permission, I provide clear evidence at paragraphs 8.35 – 8.39 as to why I consider these sites to be deliverable having regard to the small size of the sites and the conditions attached to the outline consent which are standard and not onerous and which strictly limit the time for the submission of reserved matters applications and the commencement of works thereafter. I consider that that this constitutes clear

evidence, proportionate to the circumstances of each case to demonstrate that these straightforward and uncomplicated sites, are deliverable within five years.

Sites where nitrates matters are being resolved

3.35 At paragraph 3.22 above I explain that nitrate matters are now being resolved which will enable the Council to issue planning consents for those sites I identify in the table below reproduced from my main proof of evidence (the table above paragraph 8.40).

<i>Sites with a resolution to grant Full Planning Permission</i>	
<i>Land South West of Sovereign Crescent, Locks Heath (P/18/0484/FP)</i>	38 dwellings
<i>Moraunt Drive, Portchester (P/18/0654/FP)</i>	48 dwellings
<i>Sites with a resolution to grant Outline Planning Permission</i>	
<i>East & West of 79 Greenaway Lane, Warsash (P/18/0107/OA)</i>	30 dwellings
<i>Land East of Brook Lane (South), Warsash – Bargate Homes (P/17/0752/OA)</i>	140 dwelling
<i>Land to the East of Brook Lane and West of Lockswood</i>	145 dwellings
<i>Total number of dwellings</i>	401 dwellings

3.36 The resolution of nitrates is the only outstanding matter that has prevented the delivery of these sites. This matter is substantially resolved on the above sites and nitrate mitigation is actively in the process of being secured. With the nitrate solution in place, there is no reason why the planning consents for the above sites should not be issued very shortly. Once the permissions are issued, there is absolutely no reason why these sites should not then progress in a straightforward matter.

3.37 The sites with full planning consent, once issued should be considered deliverable until the permission expires. I therefore consider that there is a realistic prospect that these sites will be deliverable within five years particularly as given the small size of the sites.

3.38 The three sites with outline planning permission, once issued, are also small, or of a modest size and the conditions attached to the outline consent are standard and not onerous and strictly limit the time for the submission of reserved matters applications and the commencement of works thereafter. There are no complex or particular onerous matters that suggests there will be any delay in delivery. Having regard to the particular circumstances of each case, I consider that the evidence I have presented at paragraphs 8.40 – 8.46 of my main proof of evidence constitutes clear evidence that there is a realistic prospect that the sites will be delivered within five years.

Sites with a resolution to grant with no nitrate solution identified

3.39 At paragraph 8.47 of my proof of evidence I identify that only one site with a resolution to grant planning permission where nitrate matters remain outstanding. The relevant table is reproduced below for convenience.

<i>Sites with a resolution to grant Outline Planning Permission</i>	
<i>Land at Brook Lane, Warsash - Foreman Homes (P/17/0845/OA)</i>	180 dwellings

3.40 However as my evidence at paragraph 8.48 clearly shows, the Council is in active discussions with two other landowners to bring forward additional nitrate migration schemes and I expect on this basis that a nitrate solution for this site can be bought forward in the near future.

3.41 Further to the evidence in my main proof of evidence I am advised that the s106 is substantially drafted with only matters in relation to maintenance costs for a

pedestrian/cycling link and the inclusion of the affordable housing allowance cap remaining outstanding. These are not substantive issues. This evidence clearly shows that good progress is continuing to be made although I accept that the Council is not yet in a position to issue the planning consent.

3.42 Having reviewed the particular circumstances of the case, and once the above matters are resolved, I consider that the delivery of the site within the five years remains a realistic prospect. The Council's trajectory shows only a small number of dwellings (40) being provided in 2022/23 with the remainder being delivered in 2023/24 and 2024/25. The conditions attached to the outline consent are standard and not onerous and strictly limit the time for the submission of reserved matters applications and the commencement of works thereafter. There are no complex or particular onerous matters that suggests there will be any delay in delivery.

3.43 On this basis, I consider that this clear evidence, proportionate to the circumstances of the case has been provided to demonstrate that this site is deliverable within five years.

4 TRANSPORT EVIDENCE REBUTTAL

Whether the Appeal Sites are sustainably located

Table 2 and Appendices AHJ/C, AHJ/D and AHJ/E and Figure AHJ/3

- 4.1 The substance of Mr Jones's transport evidence is presented in section 3 under the heading Local Amenities and Facilities (paragraph 3.14 – 3.17) supported by Table 2 on page 21 and appendices AHJ/C, AHJ/D and AHJ/E and Figure AHJ/3. On the basis of this evidence he concludes at paragraph 8.1 that there are a range of local services and amenities in the local area that are accessible by walking and cycling and at paragraph 8.4 that the northern and southern appeal sites are well located in term of minimising trip lengths, when compared to the unitary authority and national averages.
- 4.2 The relevant consideration is however not whether the appeal sites are accessibly located and will minimise trip lengths, but whether the sites are sustainably located and available opportunities to walk and cycle are likely to be taken up to achieve national and local planning policy objectives. I rely on the appeal decision at Finchampstead Road (CDJ/24) in my main proof of evidence to demonstrate this point.
- 4.3 Having reviewed Mr Jones evidence, I note that he has not provided the Inquiry with NTS0403 to which he refers at length in Table 2 on page 21. I have appended Table NTS0403 to my rebuttal proof (Appendix D). Also not included is the extract of NTS 0303 which indicates that in 2019, the national average length of trips by the main mode of walking was 0.7 miles or 1.1 km and this has stayed consistent since 2004. I have included this at Appendix D. Having regard to this I note that Mr Jones has translated the trip distances stated in miles to kilometres.
- 4.4 Table 2 and Appendix AHJ/C set out walking and cycling distances or trip lengths (in km) and approximate walking and cycling times (in mins) to a range of local facilities and services by trip purpose (eg. for shopping, education, leisure) within 2km, 5km and 10km of the respective sites. Mr Jones then

compares these trip lengths to the 2019 National Travel Survey (NTS) (Table NTS0403) average trip lengths by trip purposes and asserts on this basis that the appeal sites will provide an opportunity for residents to travel less distance compared to the national average trip distance (at paragraph 6.33). I also note that Mr Jones has taken a similar approach to public transport at paragraph 6.35 – 6.39

- 4.5 It can be seen that Table NTS0403 simply records the national average trip length of journeys made by all modes of transport, a proportion of which will be trips by car and likely to involve longer journey distance than journeys on foot or by bicycle. No meaningful comparison can therefore be drawn between the walking and cycling distances to local services and facilities that Mr Jones has set out in Table 2 and national average trip length by all modes of transport.

Walking Route Audit

- 4.6 At paragraph 2.29 of Mr Jones's evidence he asserts that the walking and cycling routes are of a good standard and safe and attractive such that they will meet the minimum score using the Walking Route Audit Tool (WRAT) as set out in the Department for Transport Local Cycling Walking Infrastructure Plans (DfT's LCWIPs) with the implementation of the package of measures set out in Chapter 4 (CDH/5). Annex C of that document provides further information about the WRAT process (see paragraph 6.30 of CDH/5). Annex C is not provided as a core document but is attached at Appendix E along with the walking audit tool which can separately be downloaded from the Government's web-site.
- 4.7 Paragraph 3.25 of Mr Jones's evidence advises that a score of 70% (i.e. a score of 28 out of a potential 40 points) should normally be regarded as a minimum level of provision overall. Routes which score less than this, and factors which are scored zero, should be used to identify where improvements are required. The WRAT has therefore been designed with the specific purpose of carrying out an audit of walking routes to identify where improvements to infrastructure are required. That is not the purpose for which Mr Jones is using it for his

evidence. It is the CIHT guidance which is relevant here because it is this guidance which should be used to assess whether the sites are sustainably located such that there are available opportunities to cycle and walk which are likely to be taken up. However, since Mr Jones has now raised it and I disagree with his assessment using the WRAT, I address this below

4.8 Table 3 of Mr Jones's evidence presents the WRAT scores. The detailed analysis of four routes, to the north, south, east and west of the appeal sites, against 20 criteria is presented in Appendix AHJ/H. At paragraph 3.47 Mr Jones asserts that walking routes to the north, south and west obtain a score of 28 out of 40 (70%) or more based on their current condition and therefore meet the minimum level of provision. At paragraph 3.48 Mr Jones acknowledges that the existing route to the East to Bridgemaury only scores 24 out of 40 (60%). This route therefore fails to meet the minimum level of standard and improvements are required.

4.9 Mr Jones asserts at paragraph 6.45 of his proof that improvements to the walking route to the east to Bridgemaury and west to Stubbington to improve the WRAT score include:

“the provision of a TOUCAN crossing on Newgate Lane East [route to the east] and the provision of monies towards the implementation of improvements on the school walking routes [route to the west], which will enhance the accessibility credentials of the northern and southern appeal sites and address the severance issues associated with crossing Newgate Lane East.”

Overall observations about the WRAP Audit

Scope and extent of walking routes

4.10 Mr Jones has audited the whole length of the walking routes beyond 2km walking distance from the Appeal Sites. I consider that this approach is wrong. My main proof of evidence establishes with reference to CIHT guidance and the Council's accessibility standards that 2km is the maximum preferred walking distance (rather than the desirable or acceptable) for commuting purposes where the walking route is suitable as shown on table 3.2 of CIHT 2000 [CDH.12]. The maximum preferred distance for the purpose of undertaking

other types of trips on foot is less than this. I have reviewed the audit score against those sections of the walking routes to the north, south, east and west that would be used to access local services and facilities within 2km of the Appeal sites. On this basis I find that the audit scores against some criteria are incorrect as discussed below under the respective walking routes.

- 4.11 In the case of the Appeal Developments there is no alternative and shorter walking routes to access the service and facilities in Bridgemarky other than via Woodcote Lane, crossing Newgate Lane East and continuing along Brookers Lane. There is no alternative and shorter route to access services and facilities in Stubbington other than along the B3334. There is no alternative and shorter route to access service and facilities at Speedfields Park other than via Old Newgate Lane. The audit process should focus on these relevant sections of the walking routes.

Criteria 14: Impact of controlled crossings on journey times

- 4.12 The assessment against criteria 14 of the WRAT is flawed. This considers the impact of controlled crossings on journey time. However, where crossings are single phase pelican/toucan or zebra crossing it appears that no pedestrian delay is assumed and a maximum score of 2 is awarded. A score of 1 or 0 is only awarded where crossings are staggered depending on the effect on journey times; a score of 1 where there is a >5 second wait at a pedestrian island and a score of 0 where there is a >10 seconds wait.
- 4.13 The walking route to the north to access services and facilities on Speedfields Park is via a staggered crossing. The walking route to the south and to west to Stubbington is via a single phase, controlled crossing. The walking route to the east via Bridgemarky currently has an informal, uncontrolled crossing which is proposed to be upgraded to a Toucan crossing, identified as an improvement in the WRAT audit.
- 4.14 In respect of the pedestrian delay likely to be experienced at controlled crossings, regardless of whether they are staggered I refer to Mr Gammer's rebuttal proof of evidence at paragraph 3.2 which states:

“The operation of the proposed Newgate Lane Toucan crossing will be optimised to try and minimise delay to traffic. This has been considered in the updated Toucan crossing modelling. It should be noted that this may result in some delay to pedestrians, likely to be 40 seconds in the peak hours when traffic flows are highest. The average pedestrian waiting time to cross Newgate Lane East at Peel Common roundabout was recorded as approximately 50 seconds (February 2020) in the AM and PM traffic peaks and pedestrian waiting times at the HMS Collingwood junction could be up to 2 minutes.”

- 4.15 This time delay is not taken into account in the WRAT assessment as the focus of the assessment is on what improvements can be made to crossings. The implication of this is that improvements can only be identified where a staggered crossing can be replaced with a single phase controlled crossing. The pedestrian delay at a single phase controlled crossing is not factored into the assessment. However, a delay of 40 seconds at a proposed single phase controlled crossing at Newgate Lane clearly has an effect on the directness of the route which is not recorded in the WRAT audit.
- 4.16 The scores for the walking routes to the east, west and south against criteria 14 on the basis that these are single controlled crossings are given the maximum score of 2. The walking route to the north is given a score of 1, as this is a staggered crossing. I consider that this is a flaw of the assessment process and that these scores should be reduced downwards to 0 on the basis of Mr Gammer’s rebuttal proof and given that there will be a delay to journey times even with a single phase, controlled crossing in place. The implications of this for the overall WRAT score for each walking route is considered below for each site.

Criteria 16: Other

- 4.17 I fail to see the relevance of Criteria 16 ‘Directness – Other’ which for all routes records “the route appears to be generally direct”. It is unclear what this adds to the assessment under Criteria 11 ‘Directness – footway provision’ and Criteria 12 ‘Directness – location of crossings in relation to desire lines’ which appear to already adequately assess the directness of the route. The WRAT guidance states that Directness ‘other’ includes examples such as routes

to/from bus stops not accommodated; steps restricting access for all users; and confusing layout for pedestrians creating severance issues for users. There are no specific examples given in the WRAT audit to demonstrate what other factors have been taken into account over and above criteria 11 - 15. However, all routes score an additional 2 point against criteria 16 which amounts to double counting and this should be corrected (a reduction of 2 points off each of the existing and proposed walking routes). The purpose of this criteria in my view should therefore be to identify any other specific features of the route that may require improvement.

- 4.18 Having set out these general observations about the WRAT audit, I now consider each of the walking routes in turn.

Proposed walking route from Newgate Lane to Bridgemary

- 4.19 The existing walking route from Newgate Lane to Bridgemary only scores 24 out of 40, below a score of 28 which should normally be regarded as a minimum level of provision overall. The improvements identified by the Appellant only amount to the provision of a Toucan crossing and the possibility of installing street lighting on Woodcote Lane and Brookers Lane. With these improvements in place, the audit score increases to 31 (77.5%). I set out below why I consider that the assessment overall is flawed and that the audit score should be reduced.

Attractiveness

- 4.20 Additional street lighting has not previously been proposed by the Appellant and does not form part of the appeal developments being considered at this inquiry. Furthermore, lighting is not secured in the draft UU obligations. A detailed design specification for lighting along Brookers Lane and Woodcote Lane has not been put forward for consideration by Hampshire County Council as Highway Authority or Fareham Borough Council as local lighting authority and may not be acceptable given its location in the countryside. Hampshire Council's Technical Guidance Note TG13 – Street Lighting (Appendix F) at

section 3 sets out the key planning and design issues that will need to be taken into account. On this basis, no reliance can be placed on additional street lighting on Woodcote Lane and Brookers Lane as suggested by Mr Jones and this should not therefore be included in the audit as an improvement. If the additional lighting is not relied on, the score for criteria 4 would remain at 1 as is it for as route existing.

Directness: effect of the Toucan Crossing

- 4.21 Having regard to Mr Gammer's rebuttal evidence at paragraph 3.2, there is likely to be a delay of 40 seconds experienced by pedestrians waiting to cross Newgate Lane East with the Toucan crossing in place which would add to journey times.
- 4.22 At present delays are experienced crossing Newgate Lane without a controlled crossing in place as acknowledged under the action column in Criteria 13 in the WRAT audit which scores 0 in the existing audit on the basis that "levels of delay are in excess of 15 seconds can be experienced when crossing Newgate Lane". The installation of a single phase, controlled crossing will not therefore improve the overall journey times. However, the format of the WRAT audit is flawed as set out at paragraph 4.12 above. The audit score for criteria 14 should be reduced from 2 to 0 as the overall effect of the Toucan crossing on the directness of the route, whether a single phased controlled crossing or staggered controlled crossing will be neutral.
- 4.23 As the route is assessed with the single phase, controlled crossing in place at Newgate Lane east under criteria 14, the rest of the walking route scores an additional 2 points compared to the existing route under criteria 13 as crossing of roads along the rest of the walking route to Bridgemarky are considered easy, direct, and comfortable and without delay (< 5s average). I have not deducted these points.
- 4.24 In addition, with the crossing in place, two further points are added to the overall score when against criteria 15 – 'green man time' (an assessment of

whether there is sufficient time to cross comfortably). I consider that the additional two points against this criteria inflates the overall score and the benefit of the improvement that will be gained by the installation of a controlled crossing which I consider to be neutral. I have not however deducted these points from the audit score. It is the severance effect of Newgate Lane that is of most significance in assessing the walking route. I find no material benefit in the controlled crossing in respect of the directness of the route as pedestrian delays at the Toucan crossing will 'significantly' add to the journey time having regard to the definition of significance in the WRAT audit against criteria 14 as being > 10s wait on a pedestrian island.

4.25 As I discussed at paragraph 4.17, a score of zero should be recorded against Criteria 16 'Directness – Other'; a further reduction of 2 points against both the existing and proposed route.

4.26 On the basis of my review, I conclude that the audit score for the proposed route from Newgate Lane to Bridgemary is flawed. The existing walking route score is 22 (55%) (minus 2 points for double counting criteria 16) below the minimum level of provision (70%). With improvements in place the score only increases to 26 (62.5%) which is solely due to the higher scores against criteria 13 (other routes) and 15 (green man time). The proposed walking route does not therefore meet the minimum level of provision (70%) set out in the Department for Transport Local Cycling Walking Infrastructure Plans document.

Existing and Proposed Walking Route from Newgate Lane to Fareham

4.27 Both the existing and the proposed route from Newgate Lane to Fareham score 31 (77.5%).

Journey Delay at Staggered Pedestrian Crossing

4.28 There are no improvements identified to this walking route. However, having regard to Mr Gammer's rebuttal proof above (paragraph 3.14), the delay at the staggered pedestrian crossing provided at HMS Collingwood signalised junction could be upto 2 minutes and on this basis, the score under Criteria 14:

'Directness – impact of controlled crossings on journey times' would according to the definition in the WRAT audit "add significantly to journey times" and the audit score should be adjusted downwards from 1 to zero.

Attractiveness: Fear of Crime

4.29 The audit does not acknowledge that Old Newgate Lane is in the designated countryside and is not as a 'residential area'; it has no active frontage. A few residential properties are strung out along one side of the road, and many of these are set back. On the other side of the road is a narrow strip of land that is partially vegetated and that separates Old Newgate Lane from the traffic on Newgate Lane East. There is therefore a lack of natural surveillance. The level of lighting is also low. Old Newgate Lane would be the main walking route from the Appeal Developments to access the closest local facilities and services in Speedfield Park and therefore the quality of this section of the walking route north of the appeal sites is of greatest importance. These key features are not properly acknowledged in the score for Criteria 2: 'Attractiveness Fear of Crime' or Criteria 4: 'Other' which in both cases are awarded the maximum score of 2. This score for both criteria should be reduced to 1 (2 points deducted in total). I consider the assessment to be flawed in this respect.

4.30 The general point I raise at paragraph 4.17 above in relation to criteria 16 applies to this walking route. I consider this to be double counting and the score should be reduced by 2 points.

4.31 On the basis of my review, I conclude that the audit score for the existing and proposed route from Newgate Lane to Bridgemarky is flawed. The score should be reduced by 5 points to 26 (65%) below the minimum level of provision (70%).

Route from Newgate Lane to Stubbington

4.32 The existing route from Newgate Lane to Stubbington scores 29 (72.5%). Improvements to the route to be secured through the s106 including resurfacing

and widening pavements and a pedestrian refuge. As a result of these improvements the audit score is 33 (82.5%).

Attractiveness

- 4.33 This route is isolated along the majority of its length along the B3334. The audit score against Criteria 2: 'Fear of crime' is therefore flawed in both the existing and proposed audit scores and these scores should be reduced to 0 (2 points reduction).
- 4.34 The majority of the B3334 walking route to Stubbington is also unlit. The WRAT walking route section tool does not specify the criteria that constitute red, amber or green scores in carrying out an assessment of lighting. Lighting is simply specified as an example of another factor of attractiveness under criteria 4 which refers to whether it is present, is deficient. However as there is no lighting along the route, the audit score against Criteria 4 'other' is therefore flawed in both the existing and proposed audit scores and these scores should be reduced to 0 (2 points reduction). The two lighting columns to be relocated as part of s106 contributions do not address the lack of lighting along the majority of the B3334 to Stubbington.

Journey Delay at Pedestrian Crossing

- 4.35 There is no assessment of the likely delay to pedestrians waiting to cross the B3334 which is a flaw of the assessment process. This is not picked up under Criteria 14: Directness 14 'impact of controlled crossings on journey times'.
- 4.36 Having regard to Mr Gammer's rebuttal proof (see paragraph 3.14), it is clear that the average pedestrian waiting time to cross Newgate Lane East at Peel Common roundabout was recorded as approximately 50 seconds (February 2020) in the AM and PM traffic peaks. This delay should be captured in the assessment and the score reduced from 2 to zero.
- 4.37 The general point I raise at paragraph 3.17 above in relation to criteria 16 applies to this walking route. I consider this to be double counting and the score should be reduced by 2 points.

s106 contributions to improve school walking routes

- 4.38 The WRAT audit correctly identifies that s106 contributions are to be secured towards improvement to school routes. These are all routes within the defined urban settlement boundary of Stubbington (junction of Bells Lane, Stubbington Lane and Eric Road and on Gosport Road) and are not to the walking route along the B3334 from Peel Common. There are no improvements to the substantive length of the B3334. This is another illustration of why the WRAT is the wrong tool to use. It is not designed for this purposes. On this basis I consider that the 4 'improvement' points should be deducted from the proposed route (1 point each from criteria 5, 6, 7 and 10); i.e there is no change to the existing route.
- 4.39 On the basis of my review, I conclude that the audit score for the existing route from Newgate Lane to Stubbington is flawed and should be reduced by 4 points (criteria 16 is double counting and criteria 2 and 4 are incorrectly scored) giving an overall score of 25 (62.5%). The proposed route should be reduced by 8 points to 25 (62.5%) (taking account of the adjustment to the score of the existing route, Criteria 14 and the 'improvements' which are all within Stubbington and not along the walking route).

Existing and Proposed Route from Newgate Lane to Lee-on Solent

- 4.40 I consider that the audit of this route is irrelevant to an assessment of whether the Appeal sites are sustainably located as there are no local services and facilities that within 2km of the site to the south with reference to the amended Figure 7 in Appendix 1 of my main Proof of Evidence.

Overall conclusions

- 4.41 Having reviewed the outcome of the WRAT audit, I have found that the assessment process is flawed. The walking routes from the appeal sites to the closest local services and facilities to the east, west and north fail to meet the minimum level of provision and fall below 28 out of 40 on the basis of my

assessment. I find this is the case, even with the proposed improvements to the walking route to the east to Bridgemaury (Toucan crossing). This accords with the conclusions I have reached in my main proof of evidence and on which basis I conclude that the maximum preferred walking distance to local services and facilities set out in CIHT 2000 are not the right guidelines to follow in the case of the appeal sites having regard to the overall quality of the walking routes.

4.42 I therefore disagree with the conclusions of Mr Jones at paragraph 3.50 of his proof of evidence that states:

“It is therefore considered that the pedestrian and cycle routes are safe and attractive and will allow future residents to walk and cycle to amenities and facilities located to the north, east, south and west of the northern and southern appeal sites. The provision of the agreed mitigation package as summarised in paragraph 2.7 will address the severance effects of Newgate Lane East and encourage sustainable travel.”

4.43 The overall attractiveness of the walking route, taking into account factors such as lighting, traffic, natural surveillance and overall maintenance in my opinion will weigh heavily in decision making as to whether to walk even if the route is direct, flat and the condition of the pavements is generally good. The Walking Route Audit is not therefore an appropriate tool to use to assess whether the sites are sustainably located such that there are available opportunities to cycle and walk which are likely to be taken up. The right approach consistent with my conclusion in my main proof of evidence should be based on the CIHT guidance. The need to cross major roads such as Newgate Lane East, will lead to a perception that walking routes are less safe, particularly for children, and such routes are likely to be avoided where there is a choice of options.

4.44 For the above reason I therefore also disagree with Mr Weaver at paragraph 12.31 that the access to Bridgemaury with the Toucan crossing in place would facilitate easy and safe access on foot; and with Mr Jones at paragraph 3.53 that the Toucan crossing would address the severance issue associated with Newgate Lane East. There is no evidence in the WRAT audit that the safety of the route would be improved. The existing and proposed routes score the same

when assessed against 3 safety criteria with the Toucan crossing in place. As I have already demonstrated, the route is not 'easy' and pedestrian delays will be experienced in crossing the road with the controlled crossing in place.

4.45 I conclude therefore that the Appeal Sites are not sustainably located and fail to meet the requirements Policy DSP40 (ii) as I have demonstrated in my main proof of evidence.

5 PLANNING EVIDENCE REBUTTAL

Strategic Gap

- 5.1 Mr Weaver refers to three planning applications proposed for development in the strategic gap. None of these applications have been approved and his comments on them are not accurate.

Newland Farm (P/15/179/OA)

- 5.2 At paragraph 7.12 of his evidence, Mr Weaver refers to an application by Hallam Land Management for 1,027 dwellings at Newlands Farm (ref P/15/179/OA) which was ultimately withdrawn and therefore never determined by the Council. It is unclear on what basis Mr Weaver considers that the application would have been recommended for approval. Following discussions with the case officer it is clear that there were a number of issues with the application which were unresolved at the time the application was withdrawn in February 2020, not least of these was the impact on the strategic gap.
- 5.3 The Council sought specialist landscape advice from LDA Design on the impact of the proposed development on the strategic gap (see Appendix G). Far from concluding that the development was acceptable, the consultants noted at paragraph 7.25 that the scale and character of the area between the two settlement boundaries would not constitute a proper 'gap' and is rather a transitional space between settlements. Furthermore, there would be no real sense of leaving one settlement behind, passing through and experiencing another quite different and distinct area (the 'gap') before entering another separate settlement as is currently the case. It was also noted that by effectively bringing the edges of the settlements so close together and using the bypass as the definitive settlement boundary for Fareham, the development proposals would increase rather than minimise the risk of future coalescence.



Newlands Farm masterplan (ref P/15/179/OA)

Newland Farm (P/20/0646/OA)

5.4 At paragraph 7.13 of his evidence, Mr Weaver refers to a second application for development at Newlands Farm at the same location for up to 1,200 dwellings (ref P/20/0646/OA). As the appellant points out, this application has yet to be determined and therefore the Council has not given a view on the impact of the revised proposals on the strategic gap.

5.5 Notwithstanding the above, Policy DSP40 (iii) makes it clear that in order to be acceptable, proposals for development outside the urban area must be designed to minimise any adverse impact on the strategic gap. It similarly requires at DSP40 (ii) that proposals are sustainably located adjacent to and well related to the existing urban settlement boundaries.

- 5.6 The proposed development at Newlands Farm represented an extension to the existing urban edge of south Fareham. This contrasts with the appeal proposals which do not adjoin the urban edge and therefore appear as an isolated island of development and cannot be considered to minimise any adverse impact on the strategic gap.



Newlands Farm masterplan (ref P/20/0646/OA)

Crofton Cemetery (P/19/0301/FP)

- 5.7 In respect of this site, the circumstances were wholly different from the appeal site as is demonstrated by the Masterplan below which shows how the site would adjoin the settlement boundary and relate to the surrounding urban area.



Crofton Cemetery masterplan (ref P/19/0301/FP)

Adjacency

- 5.8 Policy DSP40 (ii) requires the proposal to be sustainably located adjacent to, and well related to the existing urban settlement boundaries. Mr Weaver accepts that the correct test is to consider whether the appeal sites are adjacent to Bridgemary as Peel Common is not an urban settlement.
- 5.9 Mr Weaver includes a small selection of previous decisions by the Council where the 'adjacency' test of Policy DSP40(ii) has been applied but doesn't consider the context of those cases.

125 and 79 Greenaway Lane

- 5.10 The site at 125 Greenaway Lane (para 12.41 of Mr Weaver's evidence) was recommended to the Council's Planning Committee for permission in July 2019 (LPA ref. P/18/0482/OA). The Officer's report is included at Appendix 4 of Mr Weaver's evidence. The applicant was Bargate Homes Ltd (the appellant for the Newgate Lane South site). Paragraph 1.3 in the introduction of the Officer report reminds Members of the Planning Committee that at that time the Committee had already resolved to grant planning permission for a further five housing sites in the immediate surrounding area and another site nearby had been allowed on appeal. Those five housing sites are shown at Appendix H.
- 5.11 The first of these sites to receive a favourable resolution to grant planning permission from the Council's Planning Committee in January 2018 were those application references P/17/0752/OA and P/17/0845/OA. As can be seen, both of those sites lie adjacent to the existing urban settlement boundary. Following those decisions the site at application reference P/17/0998/OA received a resolution to grant planning permission in May 2018.
- 5.12 It is quite clear therefore that by the time Members of the Planning Committee resolved to grant permission for the development at 125 Greenaway Lane in July 2019 the Planning Committee had already decided to approve housing development on the land between it and the urban settlement boundary to the south. Similarly, housing development had been approved by the committee on land between the site and urban area to the north. This was brought to the attention of Members and the quote from the Officer report given at paragraph 12.41 of Mr Weaver's proof clearly makes reference to other nearby development proposals which have resolutions to grant planning permission when assessing the scheme against Policy DSP40(ii).
- 5.13 Mr Weaver's evidence attempts to portray the site at 125 Greenaway Lane as an isolated development far from the urban settlement boundary. However, as the Inspector will see, at the time the decision was made Members of the Planning Committee were informed, and would have been well aware of the

fact, that previous resolutions to grant planning permission meant that this site would be immediately adjacent to new housing sites on its southern and eastern boundaries which linked back to the urban settlement boundary to the south, as well as development north of Greenaway Lane which integrated with the existing urban area to the north.

- 5.14 Mr Weaver proceeds to comment on the land immediately to the east of the application site at 79 Greenaway Lane (ref. P/18/0107/OA) which he must know physically abuts that site. The site at 79 Greenaway Lane (para 12.42 of Mr Weaver's evidence) was the subject of a favourable resolution to grant permission by the Council's Planning Committee after being recommended by Officers in a report to the October 2018 meeting (in actual fact the application had already received a favourable resolution to grant permission by the Planning Committee earlier that year in June 2018). The Officer report is included at Appendix 5 of Mr Weaver's evidence. Again, Appendix H shows the context of this site to surrounding development already having a resolution to grant planning permission.
- 5.15 In describing the site surroundings the Officer report explains that residential dwellings are located to the east, west and north. The officer's report does not consider whether the site is adjacent to an existing urban settlement boundary rather it looks at how the proposed development relates to "surrounding built form". The surrounding built form of development as shown on figure 1 shows that a number of developments in close proximity to the site already had a resolution to grant planning consent. Just a month prior to the June 2018 committee in May 2018 Members of the Planning Committee resolved to grant permission for 157 dwellings on a site very close by (P/17/0998/OA) which effectively abuts the south-eastern corner of the site at 79 Greenaway Lane. The decision of the Council has therefore been taken having regard the exceptional circumstances of this particular case and the cluster of development already permitted around it which connect to and integrate with the existing urban settlement boundary. The same cannot be said for the appeal sites at Newgate Lane which would be an island of development that is

not adjacent to, well related or integrated with the urban settlement boundary of Bridgemaury.

Land north of Funtley

5.16 The last of the sites Mr Weaver refers to regarding the 'adjacency' test is the land north of Funtley Road (para 12.43 of his evidence). I have included at Appendix H a plan showing the context of the site. Mr Weaver has included only a very short section of the Officer's comments in relation to Policy DSP40(ii). The full Officer report is included at Appendix 6 of Mr Weaver's evidence.

5.17 With respect to the site's proximity to the urban area, the Officer report says:

"It is acknowledged that the site is located beyond the settlement policy boundary and is therefore contrary to policies which aim to secure the majority of new housing within the urban area. Whilst being located in the countryside for planning purposes the site is bound on its western, eastern and much of its northern side by built form and residential properties. The adjacent housing development of Roebuck Avenue, Deer Leap and Stag Way abuts the site's northern and eastern boundaries. This housing estate, which was granted planning permission in the late 1990s on the site of an abattoir, is also within the countryside in terms of its status within the current adopted local plan however its character and appearance is typical of an area found within the urban settlement boundary."

5.18 Again, the circumstances concerning the site at Funtley Road are materially different to the appeal proposals at Newgate Lane. The site at North Funtley is predominately surrounded by development on three sites and is adjacent to the settlement of Funtley. The defined settlement boundary of Funtley has not been extended to include development to east of the railway line and this appears to be illogical and an exceptional case, but clearly the recent development at Roebuck Avenue, Deer Leap and Stag Way and the development to north of Funtley and are a logical extension of the defined urban settlement of Funtley and are immediately adjacent to it.