

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/A1720/W/20/3252180

DETAILS OF THE CASE

Appeal Reference APP/A1720/W/20/3252180

Appeal By FAREHAM LAND LP

Site Address
Land at Newgate Lane, North
Fareham
PO14 1BA
Grid Ref Easting: 457103
Grid Ref Northing: 103325

SENDER DETAILS

Name MR JAYSON GRYGIEL

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Gosport Borough Council
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Company/Group/Organisation Name Gosport Borough Council

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☒ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground

☒ Interested Party/Person Correspondence

☐ Other

YOUR COMMENTS ON THE CASE

Dear Ms Bell

Appeal by Fareham Land LP (ref APP/A1720/W/20/3252180 / FBC ref P/18/1118/OA)

Land at Newgate Lane (North), Fareham PO14 1BA - Outline Planning Permission 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, with all matters except access to be reserved.

Appeal by Bargate Homes Ltd (ref APP/A1720/W/20/3252185 / FBC ref P/19/0460/OA)

Land at Newgate Lane (South), Fareham PO14 1AZ - 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

Please find attached Gosport Borough Council supplemental representation to the above two appeals at Newgate Lane within Fareham Borough. The submission also includes a number of appendices which are listed below:

- Appendix 1: GBC Representation for Land at Newgate Lane North application
- Appendix 2: GBC Representation for Land at Newgate Lane South application
- Appendix 3: Plan of Strategic Gap
- Appendix 4a: GBC Representation to latest FBC's Regulation 18 emerging Fareham Local Plan 2036-Covering Letter
- Appendix 4b: GBC Representation to latest FBC's Regulation 18 emerging Fareham Local Plan 2036-Detailed representation

I have copied these documents to our colleagues at Fareham Borough Council.

I trust this is of assistance and should you require any clarification on the matters raised please do not hesitate to contact me

Jayson Grygiel
Manager of Planning Policy
Planning and Regeneration
Gosport Borough Council
Tel: 023 9254 5458

COMMENT DOCUMENTS

The documents listed below were uploaded with this form:

Relates to Section:	REPRESENTATION
Document Description:	Your comments on the appeal.
File name:	Newgate Lane appeals - Final sub to inspector 7720.pdf
File name:	Appendix 1- GBC representation for Land at Newgate Lane North.pdf
File name:	Appendix 2 -GBC representation for Land at Newgate Lane South.pdf
File name:	Appendix 3_ plan of the Strategic Gap.pdf
File name:	Appendix 4a- 200228 Draft Fareham Local Plan 2036 - Letter of Representa....pdf
File name:	Appendix 4b 200228 Draft Fareham Local Plan 2036 - Representation to 3rd....pdf

PLEASE ENSURE THAT A COPY OF THIS SHEET IS ENCLOSED WHEN POSTING THE ABOVE DOCUMENTS TO US



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6th July 2020

Dear Ms Bell

Appeal by Fareham Land LP (ref APP/A1720/W/20/3252180 / FBC ref P/18/1118/OA)

Land at Newgate Lane (North), Fareham PO14 1BA - Outline Planning Permission 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, with all matters except access to be reserved

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1. Thank you for advising Gosport Borough Council of the appeals relating to the above applications and for the opportunity to comment further.
2. It is noted that since these applications have been submitted to appeal for non-determination, Fareham Borough Council (FBC) at its Planning Committee of 24th June 2020 has resolved to refuse both applications and this Council supports FBC's resolution on this matter.
3. I can advise that Gosport Borough Council (GBC) wishes to maintain its previously made objections to both applications that are subject to this appeal.
4. For you convenience the relevant representations are included in the following appendices of this supplemental representation:

Gosport Borough Council is committed to equal opportunities for all.

If you need this document in large print, on tape or CD, in Braille or in another language, please ask.

- Appendix 1: GBC Representation for Land at Newgate Lane North
 - Appendix 2: GBC Representation for Land at Newgate Lane South
5. This representation highlights a number of supplemental matters that the Council would request the Inspector to consider as part of these appeals. These are set out below.

Primacy of the current Fareham Local Plan

6. The recent *Gladman Developments Limited v Secretary of State for Housing, Communities and Local Government* High Court case reaffirmed the importance of an adopted Local Plan even though a district may not have a five year housing supply, as is the case in Fareham Borough. The ruling reaffirms the primacy of development plan policies and clarifies that, where a local authority lacks a five year-housing land supply, granting of permission should not be automatic.
7. In the light of this, it is considered that the adverse impacts of these two planning proposals would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF itself and importantly the policies of the Fareham Local Plan including: Policy CS22 relating to the Fareham, Gosport, Lee-on-the-Solent and Stubbington (FGLS) Strategic Gap; Policies CS6 and CS14 relating to the settlement boundary; and the criteria of Policy DSP40 which relates to additional housing sites outside of the urban area. For the reasons set out in the Council's original representations it is considered that the policies of the Fareham Local Plan remain applicable when determining this planning application particularly given the early stage of the emerging Fareham Local Plan 2036 and the considerable objections to proposals relating to parts of the Strategic Gap.
8. It is considered that Fareham Borough Council's (FBC) approach to the Strategic Gap as set out in the FBC Officers Report for Committee¹ dated 24/6/2020, is sound.
9. FBC's current Policy CS22 states that '*development proposals will not be permitted either individually or cumulatively where it significantly affects the integrity of the gap and the physical and visual separation of the settlements*'. The Policy recognises that maintaining separation will prevent coalescence of the settlements in this densely settled part of South Hampshire.
10. The justification text states that gaps between settlements help define and maintain the separate identity of individual settlements and have strong local support. It adds that Strategic Gaps do not necessarily have intrinsic landscape value but are important in maintaining the settlement pattern, keeping individual settlements separate and providing opportunities for green infrastructure/green corridors. It acknowledges that continuing pressure for high levels of development mean that maintaining gaps continues to be justified.
11. It is considered the text of Policy CS22 remains relevant in relation to the strategic gap. Indeed the current boundary has been supported by a Planning Inspector as recently as May 2015. In his report into the Examination in Public for the Fareham Local Plan Part 2, the Inspector refers to FBC's evidence regarding the review of Strategic Gaps and states,

¹ <https://moderngov.fareham.gov.uk/ieListDocuments.aspx?CId=122&MId=3859>

'although the review did not specifically take into account the route of the Stubbington by-pass and the Newgate Lane improvements, there is no reason to conclude that these proposals would justify altering the boundary of the gap in those locations. Having visited the area I agree with the Council that the gap between Fareham and Stubbington is justified in order to retain visual separation and that the proposed road improvements would not justify a revision to the boundary. The Council's approach is sound.'

12. The scale of known speculative residential proposals is included in Appendix 3. GBC considers that each application alone and in-combination is harmful to the overall objectives of the Strategic Gap and that if FBC wish to make any changes to the Strategic Gap this needs to be considered as part of a Local Plan EIP and not be eroded by speculative applications which have not considered accessibility, landscape and transport implications in combination with the other developments in the area.

Early stage of preparation of the emerging Fareham Local Plan 2036.

13. The emerging Fareham Local Plan 2036 has only reached the Regulation 18 stage and consequently should be given little weight, particularly as significant parts of the Plan remain contentious with numerous outstanding objections including proposals and policies relating to the FGLS Strategic Gap.
14. The Council's objections to the latest Fareham Local Plan Regulation 18 consultations are included in Appendix 4 (a and b). These representations are considered to be relevant to this application as they provide a wider context to our specific objections to these applications and highlight the strategic importance that these two applications represent, not only due to their prominent location within the Strategic Gap but also the precedence these proposals could create.
15. These representations are also considered of relevance as the applicant highlights that a proposed allocation in the Strategic Gap helps justify the development on these particular sites, although the appeal sites themselves are not identified as proposed allocations. The applicants contend that as the proposed allocation on the eastern side of Newgate Lane East (often referred to as the HA2 allocation) would bring development in close proximity to these application sites, the proposals would then not necessarily be considered as an outlier site, disassociated from any urban settlement. This Council would strongly argue that as the Fareham Local Plan is at an early stage of preparation with significant objections relating to the HA2 site very little weight should be given to this argument. Consequently these sites are contrary to adopted Policy DSP40 in that they are not sustainably located to, or well-related to, existing urban settlement boundaries and cannot be well-integrated with neighbouring settlements. The proposal is certainly not sensitively designed to minimise impact on the countryside including the Strategic Gap, and is considered to have unacceptable environmental, amenity and traffic implications both alone and in combination with other speculative housing sites which is contrary to the Adopted Fareham Local Plan.
16. GBC's outstanding objections to HA2 are considerable. This site has been proposed as a residential allocation for 475 dwellings and the southern portion of this site is currently subject to an outstanding undermined planning application for up to 99 dwellings. Appendix 4 includes an annex relating specifically to HA2 which

was submitted at an earlier Regulation 18 consultation but re-iterated for the avoidance of doubt. If the Inspector would like the full representations to the first two Regulation 18 consultation these can be made available.

17. The Local Plan representations and the plan in Appendix 3 highlight the fact that the long-established Strategic Gap between the settlements is under significant pressure and none of these sites have been considered as a whole as part of an Examination in Public for a Local Plan. This Council considers that given the implications for Gosport Borough with low job density (lowest in the SE England) significant out-commuting and congestion, and a number of brownfield sites that need investment; it is critical that all these sites are considered together as part of an Examination in Public and not be approved in a piecemeal fashion on an individual basis. The recent and proposed road improvements (Newgate Lane East and Stubbington Bypass) represent a new opportunity for Gosport to become more attractive for investment and significantly improve accessibility. The sheer scale of the proposed speculative residential schemes is likely to undermine the benefits achieved by these infrastructure improvements in terms of traffic capacity and flow on these strategic routes. For these reasons the Council considers that these applications are of strategic importance and need to be considered with regard to the future of the entire Strategic Gap. There are significant regeneration and economic implications at stake for the residents and businesses of Gosport.
18. The Borough Council will maintain its objections to significant development in the Strategic Gap on the grounds set out in our representation to the Fareham Local Plan but at least at an EIP all the matters can be considered together.
19. Paragraph 8.57 of Fareham Officer Report states that 'given the early stage in the preparation of the Fareham Local Plan 2036, little weight should be attributed to any draft allocations...'. Consequently little weight should be given to the applicants arguments that this site will be well-related to urban development because of the proximity to the HA2 allocation.
20. It is acknowledged in the FBC Committee Report for these appeal sites that Policy DSP 40(ii) requires the proposal to be well related to the existing urban settlement boundary. The report recognises that the site is clearly outside the defined urban boundary. We would also add that the defined urban settlement boundary as defined on the Policies Map in respect to Policy DCP 40(ii) should be considered as the boundary of Fareham or Stubbington as the Gosport urban area boundary is not defined in the Adopted Fareham Local Plan. The urban area boundary of Gosport is defined in the Adopted Gosport Borough Local Plan 2011-2029 and is not subject to Policy DSP 40(ii). That said it is recognised that the appeal sites are not well-related to the Gosport urban area boundary either.

Fareham Landscape assessment (2017)

21. This Council would like to concur with the FBC Planning Committee Reports regarding the latest Fareham Landscape Assessment (FLA) 2017. The Council considers that the Landscape Assessment is a very well-researched piece of evidence and should be a material consideration when determining planning applications and should be taken fully into account as part of the emerging Fareham Local Plan. As stated in the Report the Woodcot/Alver Valley landscape character area has a distinctive character that relies on its openness, its rural character and the absence of prominent urban features. Importantly it states that the area plays an

important role in defining the edges, separate identities and settings of Fareham and Gosport and a critical role in preventing their coalescence. Given the area's designation as part of the Strategic Gap the area is highly sensitive to change.

22. We would therefore completely disagree with the applicants conclusion regarding parcels 10 and 11(which include the application site) as these areas are integral for maintaining the Strategic Gap which is under increasing pressure as set out in our earlier representations.

Uncertainty surrounding the Government's standard methodology.

23. It is clear that the Government will, in a matter of months be reviewing the standard methodology which places significant uncertainty on the housing figures that both Fareham and Gosport Borough Council will need to include in respective Local Plans. Currently both local authorities are working together on a multi-lateral basis as part of the Partnership for South Hampshire (PfSH)² to consider issues of unmet need and potential large scale Strategic Development Opportunity Areas within the sub-region. As part of this work Fareham's proposed Strategic Growth Area, within the FGLS Strategic Gap, will be considered through this process.
24. It is important that Local Plans and the determination of planning applications are based on the latest evidence. At present the Government is requiring local authorities to use the 2014 Household Projections (published in 2016), however if the standard methodology is to be revised to take into account the most up-to-date evidence contained in the 2018 household projections (published on the 29th June 2020) there would be a very different level of calculated housing requirement. This will ultimately have implications on the five year housing supply requirements and the Housing Delivery Test.
25. Table 1 includes a comparison of the NPPF standard methodology for Fareham Borough using both the 2014 and 2018 household projections covering the period 2020-2036. This represents a drop of 206 dwelling per annum (dpa) and a reduction in calculated need of 3,296 dwellings. Whilst these are not FBC's own official figures they do highlight the huge difference in housing number figures. Indeed Gosport's own figures using a 2021 Base Year (the likely date for GBC's submission) to 2036 show a reduction in the annual requirement from 344 dpa to 126 dpa, representing a requirement of 1,890 dwellings rather than 5,160 dwellings (a difference of some 3,270). Due to our own regeneration ambitions we would aim to build higher than this rate in order to build quality homes and create new employment opportunities on brownfield land.
26. It is considered that these significant differences provide a useful context reflecting the issues being raised by the Standard Methodology and that these matters need to be considered as part of the emerging evidence base for each authority's Local Plan including the multi-lateral work being undertaken by PfSH and ultimately be fully considered by a Planning Inspector at the respective EiPs.

² PfSH includes East Hampshire District Council, Eastleigh Borough Council, Fareham Borough Council, Gosport Borough Council, Hampshire County Council, Havant Borough Council, Isle of Wight Council, New Forest District Council, Portsmouth City Council, Southampton City Council, Test Valley District Council and Winchester City Council.

Table 1 Comparison of the standard methodology for housing requirement in Fareham Borough using different household projections

	Timeframe	Total number of dwellings	Annualised number of dwellings
Emerging Fareham Local Plan 2036 (based on the last Reg 18 consultation)	2020-2036	9,568 ³	598 dpa
Standard Methodology for Fareham Borough based on the 2014 ONS Household Projections (published in 2016). (GBC's unofficial calculation)	2020-2036	8,224	514 dpa
Standard Methodology for Fareham Borough based on the 2018 ONS Household Projections (published in 29 th June 2020) (GBC's unofficial calculation)	2020-2036	4,928	308 dpa

27. These figures are considered of particular relevance as it would decrease the pressure on the Strategic Gap between Fareham, Gosport, Lee-on-the-Solent and Stubbington. This will enable the gap to operate as an effective transport corridor for the residents and businesses of Gosport, whilst retaining a valued landscape gap between settlements with greater potential for green infrastructure and other environmental net gains.

Conclusion

28. As set out above, and in the Council's original objections, the Strategic Gap must be viewed as a whole and has significant multifunctional benefits to the residents of Gosport Borough as well as the residents of Stubbington and Hillhead within Fareham Borough.

29. This Council would therefore respectfully ask the Inspector to consider this Council's representations and should you require any further clarification on these matters please do not hesitate to contact me.

Yours sincerely



Jayson Grygiel
Manager of Planning Policy

³ Includes 15% buffers and recognises that any unmet need in adjacent authorities would need to be confirmed

