

## 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/20/3252185**

#### DETAILS OF THE CASE

Appeal Reference APP/A1720/W/20/3252185

Appeal By BARGATE HOMES LIMITED

Site Address  
Land at Newgate Lane, South  
Fareham  
PO14 1AZ  
Grid Ref Easting: 457118  
Grid Ref Northing: 103103

#### SENDER DETAILS

Name MR STEPHEN PHILPOTT

Address  
108 Long Drive  
PO13 0QX  
Gosport  
PO13 0QX

#### 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**

I wish to record that I oppose the planning application and the appeal; that I agree with the LPA decision; that I wish to give evidence at the inquiry.

Stephen Philpott, 108 Long Drive, Gosport, PO13 0QX.

I am a councillor and county councillor for the neighbouring ward. Below is my original letter of objection to the first planning application. I also wish to object to P/19/0460/OA (APP/A1720/W/20/3252185) which I understand may be considered together. My grounds for objection remain largely the same, but I would welcome the opportunity to give evidence at an inquiry.

## Application P-18-1118-OA

24/10/2018 16:30

To [devcontrol@fareham.gov.uk](mailto:devcontrol@fareham.gov.uk)

Dear Sir,

In raising an objection to this application I, like the Applicant, would wish to highlight certain aspects of this application that I believe are relevant. In particular, these are: the application is clearly only part of a much larger application yet to be submitted; the host local authority are in the process of developing a new local plan; and there is, unusually and arguably, a greater impact upon a neighbouring local authority - its community and its own local plan - than on the local authority in whose area the land stands.

An acceptance of a wider intention by the Applicant can be seen throughout the documents submitted to Fareham Borough Council (FBC): in the Planning Statement at 1.4; 1.5; 1.7; 7.21; 7.22; 7.23 and 7.42 as well as in the Applicant's Transport Assessment which goes so far as to say "a planning application has been submitted separately for the development of Newgate Lane (South) for up to 125 dwellings". So, as the Applicant has clearly set out his future intentions, it is legitimate to refer in this objection to the further proposals he intends to bring forward.

Much is made throughout the application documents of the perceived weakness of the position of FBC in respect of their existing Core Strategy as well as their emerging Local Plan, especially in the light of recently published documents by the Government. I intend in this objection to challenge the Applicant's position which seems to imply that pretty much any development anywhere in Fareham should be allowable given the so-called vulnerability of the Council.

Thirdly, the Applicant has made numerous references to land and community facilities that could be utilised by residents occupying the properties they intend to build, but in many cases these facilities are outside the Borough of Fareham and within the Borough of Gosport - especially within the borough and county wards of Peel Common and Bridgemary that I represent on Gosport Borough Council (GBC) and Hampshire County Council (HCC). In this objection I shall highlight the fundamental flaw in the Applicant's position on this and challenge their arrogance in the way in which the application has been put together.

I would also wish to challenge the veracity of statements made by the Applicant such as in paragraph 3.6 of the planning Statement which says, "The relief road has been designed with regard to the emerging residential allocation to the east known as Peel Common or 'HA2'". HCC issued an objection to the FBC Draft Local Plan (DLP) published in October last year on the basis that the Newgate Lane relief road was not designed or conceived as a road intended to facilitate house building. The justifications for the road were set out, discussed and planning consent given after extensive statutory consultation. I would invite the Applicant to review their statement and consider its accuracy.

I mentioned previously that the Applicant had set great stall in justifying the proposed development on the basis that there are nearby amenities. I pointed out that many of these are within the Borough of Gosport. I will now seek to demonstrate this by quoting from the Applicant's submission documents.

Planning Statement paragraph 2.13 says, "Local services within Bridgemary include convenience stores, a pub, take-away and places of worship, with a local centre on Carisbrooke Road."

Paragraph 2.16 says, "A selection of GP surgeries and dentists are located in Bridgemary and Stubbington".

Paragraph 2.17 says, "The nearest primary school is Peel Common (infant nursery and junior) approximately 250m south-east of the site."

Paragraph 2.17 says, "Crofton and Bridgemary are the nearest secondary schools, both of which are within 1km of the site."

Paragraph 2.20 states that "Council leisure centres are located in Fareham and south of Bridgemary".

Paragraph 2.21 identifies that "the site is within walking distance of public open spaces including HMS Collingwood playing fields and Brookers Field Recreation Ground and the Alver Valley County Park".

There are further and regular references throughout the submission documents to facilities within the Borough of Gosport. I do not dispute the accuracy, description or relevance of these references. I note, however, that the Applicant intends (see paragraph 4.4) to secure a Section 106 agreement with FBC. I also note that paragraphs 4.9 to 4.16 deal with the matter of pre-application consultation. My investigations have revealed that none of these discussions have taken place with GBC planning officers. The Applicant carried out a leaflet drop in May to addresses in my ward (alluded to in paragraph 4.15) and then held an open consultation event on 22nd May 2018 also in my Bridgemary County Division.

So an Applicant, and an application, advertised to residents in Gosport, with a consultation event held in Gosport and with a stated intention to utilise local authority and community facilities almost exclusively in Gosport has been presented for approval to FBC without any prior consultation whatsoever with GBC. I would contend that this state of affairs alone should render this application void.

However, there are other reasons - apart from blatant inaccuracies and sheer arrogance - that this application should be refused. I shall deal with them in chronological order as they appear in the Applicant's Planning Statement.

2.23 refers to "a significant number of employment opportunities" in Gosport town centre. A recent research document by the Solent Local Enterprise Partnership highlighted a 0.53 ratio of jobs to working people in Gosport. This is the second lowest in Britain. The investigation by the LEP concluded that more than 14,000 jobs would need to be created in Gosport to bring Gosport up to the average ratio of jobs to working people in the south-east.

Part 5 deals with planning policy and guidance where a number of policies within FBC's Core Strategy are mentioned. However, I would contend that in most cases these policies have been quoted selectively and out of context.

For instance, Policy CS6 (paragraph 5.7) fails to mention what it actually says about Stubbington and Hill Head. For clarity the Policy says, "The Council does not expect these settlements to play a significant role in providing further housing provision. The SHLAA identifies these settlements as capable of providing limited development (around 90 dwellings in total, around 60 of which are within Stubbington and Hill Head)"

Policy CS11 is not mentioned by the Applicant, but it says of Stubbington and Hill Head that they are identified by FBC for "small scale development within clearly laid down caveats".

Within the Core Strategy there are a number of references specifically for Stubbington and Hill Head. Paragraph 2.12 says, "The key factors shaping future development in Stubbington and Hill Head include....poor transport access....addressing the shortfalls in natural greenspace". Paragraph 2.21 on Transport says, "There are high levels of local congestion around the motorway junctions and links as well as along the A27 and the A32/B3385 to Gosport. This affects economic competitiveness, quality of life and associated poor air quality on sections of Gosport Road and Portland Street. Transport interventions will focus on reduce and manage measures, particularly along key corridors". Paragraph 3.10 says, "Portchester, Stubbington & Hill Head will play limited roles in accommodating future development." Paragraph 4.18 shows a table with the heading "Housing need/housing provision". The table shows the number of houses earmarked for Stubbington and Hill Head: 2010-2015 52 houses; 2015-2020 12 houses; 2020-2026 no houses. Paragraph 6.43 refers to the Fareham Greenspace Study (2007) and "identifies that there are significant shortfalls in open space provision in Fareham, and Stubbington and Hill Head."

I have quoted a number of paragraphs and policies from the Core Strategy that would clearly show that this application is not in accordance with these policies and should be refused. I have not yet mentioned Policy CS22 on Strategic Gaps which is addressed at paragraphs 5.16 to 5.20 of the Applicant's Planning Statement. Once again the Applicant is seeking to mislead by being selective. The Planning Statement speaks of an Inspector's report of July 2011 implying that Policy CS22 somehow lacks credibility. However, there was a subsequent Inspector's report in May 2015 into the Examination in Public for the Fareham Local Plan Part 2 which gives a clearer and more accurate position. He said, "Although the review did not specifically take into account the route of the Stubbington bypass 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."

I note that, despite trying to argue that building in the Strategic Gap (as this proposal would do) is justified, the points made in the Applicant's Planning Statement at paragraphs 5.17(a) and 5.33 would appear to accept that it is not.

Paragraph 5.22 of the Applicant's Planning Statement addresses the issue of air pollution. This is further discussed at 7.13. The assertion that there would be "no adverse impacts" in respect of air pollution needs to be challenged in the current context. Just 500m from the proposed development site is one of 23 areas identified as having dangerously high levels of nitrogen dioxide. FBC will be fully aware of this and of the urgent measures that are under consideration to address this. I need not go into detail here, but I would vigorously challenge the Applicant's complacency on this matter. FBC Environmental Health officers may well be aware of the DEFRA report published earlier this month which concluded that nitrogen dioxide levels are worse than originally thought and are "set to remain dangerously high for at least another decade."

Paragraphs 5.31 and 5.36 of the Applicant's Planning Statement give the first indication that it is their intention to challenge the entire basis of the Core Strategy. Their argument is set out in much more detail in Part 6.

In Part 6 the Applicant is arguing that a presumption in favour of development applies because FBC can neither demonstrate a five year housing land supply (5YHLS) nor pass the Housing Delivery Test set out in the National Planning Policy Framework (NPPF). This attempt to bypass the local planning authority is based upon temporary and transient circumstances. The inability of FBC to meet arbitrary criteria at any given point of time is presented by the Applicant as being justification enough for development that is, arguably, unsustainable. Whilst this is, in my view, wrong in itself, it also ignores the status of the neighbouring local authority and its population. I am not arguing that GBC should have a veto, but I am suggesting that they should have a say beyond that of statutory consultee. This is because the impact of any development on Newgate Lane would have a marginal, negligible and superficial impact on Fareham and Fareham residents, but a disproportionately high impact on Gosport and Gosport residents. It is the people who live in these communities that will suffer the long-term irreparable consequences of speculative, unsustainable development - and in this case that means by and large Gosport residents, not Fareham residents. The chilling irony is that GBC does have a 5YHLS and will pass the Housing Delivery Test. Furthermore, Gosport, unlike Fareham, does

not have the same affordability issues. But it will Gosport that suffers with this development, not Fareham.

It is worth mentioning too that this application is not consistent with FBC's emerging DLP either. Policy SP6 continues to support the principal of the Strategic Gap between Fareham and Bridgemary.

In conclusion I would argue that this application is not consistent with existing Core Strategy Policies CS11, CS14 and CS22 and with policy DSP2. I would also argue that it is not consistent with Policy SP6 of FBC's emerging DLP and should be refused.

Should this application be refused and go to appeal I will be demanding a much greater say on behalf of the residents I represent because an application that nakedly seeks to exploit amenities and community facilities provided by Gosport for Gosport residents without so much as a "by your leave" to GBC is totally unacceptable. Plus the impact will be far greater on Gosport than Fareham because it will be a step towards the asphyxiation of Gosport.

Yours faithfully,

Stephen Philpott  
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