

# FAREHAM

## BOROUGH COUNCIL

**TOWN AND COUNTRY PLANNING ACT 1990**

**TOWN AND COUNTRY (DEVELOPMENT MANAGEMENT  
PROCEDURE) ORDER 2015**

### **Planning Decision Notice**

**Planning Application Reference: P/20/0912/OA**

**Decision Date: 25<sup>th</sup> November 2020**

Fareham Borough Council, as the local planning authority, hereby **REFUSE** to permit the **OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED (EXCEPT THE MEANS OF ACCESS) FOR RESIDENTIAL DEVELOPMENT, DEMOLITION OF EXISTING AGRICULTURAL BUILDINGS AND THE CONSTRUCTION OF NEW BUILDINGS PROVIDING UP TO 350 DWELLINGS, THE CREATION OF NEW VEHICULAR ACCESS WITH FOOTWAYS AND CYCLEWAYS, PROVISION OF LANDSCAPED COMMUNAL AMENITY SPACE, INCLUDING CHILDREN'S PLAY SPACE, CREATION OF PUBLIC OPEN SPACE, TOGETHER WITH ASSOCIATED HIGHWAYS, LANDSCAPING, DRAINAGE AND UTILITIES at LAND TO EAST OF DOWN END ROAD, FAREHAM as proposed by application P/20/0912/OA** for the following reasons:

The development would be contrary to Policies CS5 of the adopted Fareham Borough Core Strategy 2011 and Policy DSP40 of the adopted Local Plan Part 2: Development Sites and Policies Plan, and Paragraphs 109 and 110 (c) of the National Planning Policy Framework, and is unacceptable in that:

The proposal would result in a material increase in vehicular and pedestrian movements along Down End Road across the road bridge over the railway line. The works to the bridge as shown on drawing no. ITB12212-GA-051D (titled "Downend Road Bridge – Proposed Signal Arrangement With Footway General Arrangement") would unacceptably affect the operation of the highway because of the vehicle queuing and driver delay that would arise and would result in unacceptable harm to the safety and convenience of users of the highway. Furthermore the application does not make acceptable pedestrian crossing provision on Down End Road for future residents of the development.

# **Notes to Accompany Planning Decision Notice**

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## **General Notes for Your Information:**

- Had it not been for the overriding reasons for refusal to the proposal, the Local Planning Authority would have sought to address matters relating to the provision of public open space, off-site highway and public rights of way works, improvements to Cams Bridge (as proposed by application reference P/18/0001/OA), pedestrian and cycle access, travel plan, Asset Protection Agreement with Network Rail, affordable housing and matters requiring financial contributions towards the Solent Recreation Mitigation Strategy (SRMS), education provision and school travel plans by inviting the applicant to enter into a legal agreement with Fareham Borough Council under Section 106 of the Town & Country Planning Act 1990.
- The documents considered in relation to this application can be viewed online at [www.fareham.gov.uk/planning](http://www.fareham.gov.uk/planning).
- The Council worked positively and proactively with the applicant and their agent to try and address the issues which came up during the course of the application being considered. A report has been published on the Council's website to explain how a decision was made on this proposal.
- Please contact the officer who handled this application Richard Wright on 01329 824758 or at [rwright@fareham.gov.uk](mailto:rwright@fareham.gov.uk) if:
  - You would like clarification about this notice
  - You are unhappy with this decision or the way it has been reached

## **Right of appeal:**

- The person who made this application has the right to appeal to the Secretary of State against the Council's decision to refuse permission.
- The Secretary of State may decide he will not consider an appeal if it seems to him that, due to statutory requirements, the local planning authority could not have granted permission without the conditions being imposed.
- Appeals must be made within 6 months of the date of this decision notice (so by 25<sup>th</sup> May 2021).
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power

unless there are special circumstances which excuse the delay in giving notice of appeal.

- Appeals are handled by the Planning Inspectorate on behalf of the Secretary of State. Appeals must be made using a form which you can get from:
  - Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN;
  - Or submit online at The Planning Inspectorate website at
  - [www.gov.uk/planning-inspectorate](http://www.gov.uk/planning-inspectorate)

**Purchase Notices:**

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land.