



## **INSPECTOR'S POST-INQUIRY NOTE**

**On-line Public Inquiry opened on Tuesday 7 December 2021**

**Appeal Ref: APP/A1720/W/20/3254389**

### **Land east of Posbrook Lane, Titchfield**

The appeal is made by Foreman Homes against a failure by Fareham Borough Council to give notice within the prescribed period of a decision on an outline planning application for the erection of up to 57 dwellings, together with associated parking, landscaping and access from Posbrook Lane, at Land east of Posbrook Lane, Titchfield.

(Application Ref: P/19/1193/OA, dated 29 October 2019).

---

### **Purpose**

1. This note summarises the situation reached at the conclusion of the fifth and additional day of sitting, 16 December, and the actions remaining.
2. The Inquiry was closed on 16 December, but subject to the particular outstanding actions identified, including the Inspector's future consideration of all matters relating to the Habitats Regulations.

### **Habitats Regulations**

3. As discussed and agreed, the Inspector may possibly consider proceeding to formal consultation with Natural England at a relatively early stage of his deliberations of the wider decision but strictly without prejudice to, and independently of, all those other matters and issues remaining before the Inquiry. Such a consultation would simply be a contingency to secure Natural England's contribution in a timely manner and so avoid any possible further delay in due course should the Inspector subsequently conclude a need for Appropriate Assessments. The consultation would also be able to draw upon and sustain the existing on-going discussion between the Council and Natural England.
4. Meanwhile, the Council will pursue a response from Natural England pursuant to its consultation of 6 December, and advise PINS and the appellant of the outcome accordingly.

### **Other outstanding actions**

5. By **5.00pm on Tuesday, 21 December**, PINS will receive the appellant's final texts of its proposed unilateral undertakings, with signed and completed versions to be received electronically by **noon on Thursday 23 December**.

6. By **5.00pm on Tuesday, 21 December**, PINS will receive an agreed revised schedule of suggested conditions.
7. The parties will further clarify/identify Footprint Ecology documents/extracts as relevant to the cases being presented in relation to the New Forest sites.
8. Following completion by the parties of the matters referred to above, the list of Inquiry Documents will be updated and checked by the Council and appellant, and an agreed final version will be submitted to PINS.
9. The Council's appeal web site is to remain open and publicly available at least until after the decision is issued (and be inclusive of this note and all subsequent documents to which it refers).

**Update for information**

10. Arrangements were discussed and agreed for the Inspector to conduct a further unaccompanied site visit. The visit was undertaken and completed on Friday 17 December.

*Peter Rose*

INSPECTOR

20 December 2021