



GOSPORT
Borough Council

Peter Kneen
Fareham Borough Council
Principal Planner (Development
Management)

Development Management

Planning and Regeneration
Gosport Borough Council
Town Hall
High Street
Gosport
Hampshire
PO12 1EB

Phone: 023 9254 5552

Email: planning@gosport.gov.uk

Dear Mr Kneen

Our Reference. D.11/003/22

**OUTLINE APPLICATION WITH ALL MATTERS RESERVES (EXPECTED ACCESS) FOR
RESIDENTIAL DEVELOPMENT OF UP TO 375 DWELLINGS, ACCESS FROM NEWGATE
LANE EAST, LANDSCAPING AND OTHER ASSOCIATED INFRASTRUCTURE WORK
Land East Of Newgate Lane Fareham Hampshire**

Thank you for your recent consultation to Gosport Borough Council as the neighbouring Planning Authority to the above application. The Council has resolved to **RAISE OBJECTION** in the strongest possible terms on the following grounds:

1. The proposed development is contrary to Fareham Borough Council's adopted Local Plan (Parts 1 and 2) for a number of reasons including that:
 - the development is outside the settlement boundary and is located within the Strategic Gap; and,
 - the proposal introduces a new access onto Newgate Lane East with potential detrimental impacts on the local highway network.
2. The proposed development is contrary to Fareham Borough Council's emerging Fareham Local Plan 2037 (FLP2037) which has been submitted to the Government and will be subject to an Examination in Public, commencing on the 8th March.

The site comprises agricultural land and is located outside defined settlements within Fareham Borough and within the 'Strategic Gap' as identified in the Fareham Local Plan.

It is noted that Fareham Borough does not currently have a five year housing supply and according to the latest Housing Delivery Test achieved a figure of only 62%. Consequently in accordance with the National Planning Policy Framework (NPPF) the Local Plan policies may be considered out of date and a presumption in favour of development applies. However, this Council considers the impacts of the proposed development on the Strategic Gap are of such cross-boundary importance that the existing policies need to be given significant weight and be assessed as an overriding material consideration. Therefore the policies set out below relating to the two main issues, landscape and the Strategic Gap, and access onto Newgate Lane, are still applicable as they are fundamental to the overall

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long term development strategy of Fareham Borough and the protection of the Strategic Gap in this location. This position has been confirmed by the emerging Fareham Local Plan covering the period to 2037 and its supporting evidence.

Landscape and Strategic Gap Issues

Policy CS14: *Development Outside of Settlements* of the adopted Fareham Local Plan (Part 1 Core Strategy) clearly states that built development on land outside the defined settlement will be strictly controlled to protect the countryside from development which would affect its landscape character, appearance and function. It is clear that this proposal will affect the landscape character, appearance and function of this area outside the existing defined settlement and is therefore contrary to Policy CS14.

In terms of landscape and character Fareham Borough Council's own evidence, Fareham Landscape Assessment (2017) regarding the 'Woodcot area' which includes the land covered by the proposed site, states, *'This is a cohesive area of undeveloped landscape which performs an important role in respect of the primary purposes of the Strategic Gap i.e. in defining the edges, separate identity and settings of Fareham and Gosport, preventing their coalescence. Even minor encroachment beyond existing settlement boundaries could have an adverse effect on these functions and the overall integrity of the landscape and Strategic Gap. It is recommended that the Gap boundaries remain unchanged.'*

A further study has been prepared by Hampshire County Council (HCC) as part of the evidence base to support the emerging Fareham Local Plan, titled '*Technical Review of Areas of Special Landscape Quality and Strategic Gaps*' (HCC 22nd September 2020). It acknowledges that, *"whilst the recently completed Newgate Lane South road development does not alter the experience of entering the urban area of Gosport beyond the Peel Common Roundabout, it does reduce tranquillity and bring more built features (such as noise attenuation barriers) into this part of the gap. Further development within the gap in addition to the road scheme, together with existing urban fringe activity, is likely to cause visual, or even physical, coalescence of settlements on either side of the new road corridor."*

The introduction of highway infrastructure and paraphernalia is commonplace within the countryside and it is not considered that this has a significant impact on appreciating the function that the Gap plays in separating existing settlements. Newgate Lane East and Newgate Lane itself are a main arterial routes for vehicles and pedestrians/cyclists respectively, between Gosport, Lee-on-the-Solent and Fareham. It is quite apparent when within these areas or travelling along the routes, that you are between settlements and within the countryside, where arable fields are evident. Indeed Newgate Lane East, is a key route between the settlements from which to experience the Strategic Gap. It is considered that the proposed development would diminish this sense of openness within the Gap and its intended function.

The HCC Study recognises the importance of, *'retaining long North-South views, to retain a sense of space and 'big skies' and important East to West 'sense of separation' with Peel Common'*. The proposed new development would have detrimental impact on these landscape qualities.

The Study also notes that *the Fareham-Stubbington Strategic Gap is proposed for continued designation, also having strong sub-regional justification for its designation, with*

an important role in preventing settlement coalescence from continued and heavy pressure for Southern expansion of Fareham and Northern and Eastern expansion of Stubbington, but it is considered that there may be potential for some development to be accommodated within the landscape, without compromising its Strategic Gap function". Those areas where expansion can be accommodated are detailed in the Study and do not include the application site.

The HCC Gap Study indicates that within the narrower area between the edge of Gosport and the 'false' settlement edge of Peel Common, a traveller, whilst standing in, or moving through these gaps, can still perceive a sense of separation between neighbouring settlements. As noted above, it is considered that the conclusions of the Study are clear that the Gap is still functioning despite being narrower in this vicinity and the introduction of a residential development as proposed would harmfully diminish its overarching function.

Policy DSP6: *New Residential Development Outside of the Defined Urban Settlement Boundary* of Part 2 of the Local Plan also presumes against new residential development outside of the defined urban boundary. The only exceptions relate to very small scale levels of development of one or two dwellings as infill. This planning application is of a significant scale (375 dwellings) and therefore is contrary to Policy DSP6.

Policy DSP40 relates to housing allocations, of which this site is not included, recognises that in certain circumstances where it can be demonstrated that the Council does not have a five year supply of housing, additional sites outside of the urban area boundary may be permitted where they meet all of the criteria set out. Consequently whilst acknowledging that Fareham Borough does not currently have a five year land supply it is clear that this particular proposal does not meet all the criteria set out in Policy DSP40.

Criterion iii) requires that proposals are sensitively designed to reflect the character of neighbouring settlement and to minimise the impact on Strategic Gaps. It is clear that this proposed development would impact on the long standing objectives of the strategic gap between Fareham, Gosport, Lee-on-the-Solent and Stubbington and significantly diminish its function as previously mentioned with regard to Policy CS14 and further highlighted below with regard to the Strategic Gap policy (CS22).

Criterion v) requires that the site would not have any unacceptable environmental, amenity and traffic implications. As explained further below HCC have previously indicated highway concerns in relation to a new access off Newgate Lane East. Also given the advanced stage of the FLP2037 it is considered that the cumulative environmental implications of the proposed allocations in the Strategic Gap as well as potential omission sites such as this site should be considered together as part of the EiP and the supporting evidence base and therefore to consider this application in isolation in advance of the EiP would be premature and not fully consider all the potential implications required by this policy.

As this site together with all the other sites have not been subject to an in-combination assessment it is impossible to fully understand the environmental, and traffic implications regarding this proposal. It is also important to stress that evidence that does exist has not been examined in public by a Local Plan Inspector in order to ascertain the environmental, amenity and traffic implications regarding this proposal and other related proposals in the existing Strategic Gap.

In the light of the points raised above the proposal is therefore contrary to criteria iii) and

v) of Policy DSP40.

Policy DSP7 relates to affordable housing exception sites. This proposal includes 100% affordable housing and criterion ii) states that such development outside settlement boundaries should be of a small scale. A development of 375 dwellings is not considered small scale. The policy also refers to being well related to existing urban settlement boundaries (criterion ii) and minimising adverse impact on the countryside and if relevant, strategic gaps (criterion iii). As stated above this is not considered the case in this instance. The proposal is therefore contrary to criteria ii) and iii) of Policy DSP7.

This proposal is within the existing strategic gap as defined by the Fareham Local Plan. The Strategic Gap separates the settlements of Fareham, Gosport, Stubbington and Lee-on-the-Solent and the planning application is therefore contrary to the Fareham Core Strategy.

Policy CS22, "Development in Strategic Gaps" 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. 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.

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, *'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.'*

This proposal by its sheer scale and location will undoubtedly harm the integrity of the gap and will diminish the physical and visual separation of the settlements. It is clearly contrary to Policy CS22.

In addition, this Strategic Gap is an important component of green infrastructure which serves existing communities and those developments that are already planned in development plans. The proposed development would diminish the opportunities to make the optimum use of this green infrastructure particularly in providing green linkages from Fareham to the coast via the Alver Valley Country Park.

The submitted FLP2037 retains the Strategic Gap in this location and therefore reinforces this Council's objection to this proposal which is considered an unacceptable intrusion into the Strategic Gap. Whilst the FLP2037 is an emerging document, it is supported by a detailed evidence base which justifies retaining this Gap free from development. It is clear

that the Strategic Gap should be retained in its current form and that the residential proposal for 375 dwellings are clearly contrary to the emerging and adopted Fareham Local Plan, by introducing inappropriate development to the Countryside and Strategic Gap.

Whilst the Inspector for the Bargate Home development for 99 dwellings to the south of this site allowed the appeal, they made some very important observations regarding the importance of the Strategic Gap and it was clear that the lack of a five year housing supply in Fareham was an overriding consideration.

The Inspector largely supported FBC's evidence cited above and considered that the 99 dwelling development, which is considerably smaller in scale than the application on the remainder of the site, would have a harmful effect on the character and appearance of the area contrary to the adopted Fareham Local Plan. They added that, *'Given the extent to which the proposed development would extend into the countryside and the Strategic Gap, particularly in the northwest portion of the site where it would be most removed from the existing settlement boundary and most discernible when experienced from the north along Newgate Lane East, the identified adverse effects on the character and appearance of the area would not be minimised in the terms of the Policy. Consequently, the appeals development would also conflict with Policy DSP40 (iii) in that regard.*

Whilst the Inspector recognised that given the relatively modest size of the development compared to the overall scale of the Strategic Gap there would not be a significant effect on the integrity of the gap individually or cumulatively. However it is clear that the Inspector considered that, *'due to the extent of narrowing at this already fairly narrow point between settlements [Gosport and Peel Common (in Fareham)], the effect of the appeals development on the physical and visual separation of settlements would be reasonably significant. In this respect it would conflict with Policy CS22 of the LP1.'*

Importantly the Inspector stated the following:

In summary therefore, the proposed development would harm the character and appearance of the area, including in terms of the Strategic Gap, contrary, in that regard and to Policies CS14, CS17 and CS22 and PL2 Policy DSP40 (ii) and (iii).

When considering the planning balance i.e. the adopted Local Plan policies versus the lack of a five year housing supply the Inspector makes the following considerations:

- the development would be at odds with the area's adopted strategy for the location of new housing, including in terms of LP2 Policy DSP40 (ii) and (iii), cause harm to the character and appearance of the area, including in terms of the Strategic Gap, and lead to the loss of BMV [best and most versatile agricultural] land. As a consequence, it conflicts in these respects with LP1 Policies CS2, CS6, CS14, CS16, CS17 and CS22, and LP2 Policies DSP6 and DSP40.
- FBC cannot currently demonstrate a NPPF compliant supply of housing land.
- In these circumstances, the so-called tilted balance, as set out in para 11 of the NPPF, applies to the determination of planning applications. It provides that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- The harm to the character and appearance of the area, including in terms of the

Strategic Gap, and the associated development plan policy conflict carry significant weight. Nonetheless, the collective weight of the adverse impacts would not significantly and demonstrably outweigh the considerable benefits (most notably the delivery of a reasonably substantial amount of housing), when assessed against the policies in the NPPF taken as a whole. Accordingly, while perhaps not an ideal form of development, it would be sustainable development in the terms of the NPPF for which there is a presumption in its favour, such that the site is a suitable location for housing.

It has been important to set this out as it is very clear that the Inspector recognised significant harm caused by the development that would be contrary to the adopted Fareham Local Plan but due to a lack of housing supply applied the tilted balance. It is considered however that given the very advanced nature of the emerging FLP2037 which will be subject to Examination this month it would be wholly unreasonable to permit this development in advance of the Inspector's consideration of all duly-made representations to the Local Plan, particularly as the new Local Plan will place FBC in a much stronger position at demonstrating a five year housing supply. Consequently as this site is not proposed in the emerging Local Plan it would not be considered favourably given the concerns the previous Inspector had with the 99 dwellings to the south.

Access onto Newgate Lane

As highlighted previously, the proposal also has the significant potential to negate the benefits being provided by the highway improvements at Newgate Lane East by adding additional traffic onto this road. This would have an associated negative impact on traffic flows, increasing congestion to the detriment of Gosport residents and the local economy including accessibility to the Solent Enterprise Zone at Daedalus.

The proposal would be very car dependent with little provision for public transport. This would exacerbate the amount of trips using Newgate Lane. Any additional traffic on Newgate Lane is likely to also have an impact on the Air Quality Management Area (AQMA) at the north end of Newgate Lane and Gosport Road and this may be difficult to mitigate given the scale of the allocation and limited public transport choice.

HCC as the highway authority objected to the former proposed HA2 allocation in December 2017 and February 2020 on access grounds including the impact of a proposed new access on Newgate Lane East. HCC considered the purpose of the significant improvements to Newgate Lane are to address existing traffic congestion and environmental issues on Newgate Lane and other corridors providing access to the Gosport peninsula and to facilitate better strategic access to jobs at Daedalus. The proposed allocation is likely to increase both the levels of out-commuting from the peninsula in the morning peak travel period and negate the purposes of the Newgate Lane improvements and is therefore not supported. Consequently when HA2 was removed from the later versions of the FLP2037 HCC confirmed that its earlier objection did not need to be resubmitted as the source of the objection was no longer included in the Plan.

It is important to emphasise that this proposal may undermine the ability of Newgate Lane East to function effectively. Specific consideration needs to be given to the acute transport and wider economic regeneration issues facing Gosport Borough.

The Gosport Peninsula has no mainland rail services and limited choices of road routes to and from the Peninsula. It has the lowest job density in the South East which results in high levels of out-commuting placing tremendous pressure on the road system. This in

turn affects the attractiveness of Gosport as a place to invest and the ability to retain existing growing businesses.

Linked to the employment issue there has been a significant rationalisation of MoD and other Government sites in the Borough resulting in the release of very complex Brownfield sites, with further releases proposed. Many of the sites include nationally important heritage assets. These sites offer the potential of a mix of uses including housing development. Any remaining limited capacity on the routes to, and from, Gosport needs to be available to regenerate the Borough's Brownfield sites and stimulate its economy. New housing developments that are immediately adjacent these routes will impede Gosport's ability to do this and to gain access to the wider South Hampshire economy.

It is recognised that the case of prematurity when considering a proposal in advance of a Local Plan being adopted is less significant than in the past due to the provisions of the Five Year Housing Supply and the Housing Delivery Test. However it is considered that this application should not be permitted in advance of the imminent EiP as this site together with the other potential development areas in the Strategic Gap should be considered together as part of the Government's preferred plan-led approach to development.

Therefore all the matters outlined above: landscape implications, traffic congestion and air pollution need to be considered as a whole as part of a wider development strategy including as part of ongoing work by the Partnership for South Hampshire. The development of numerous sites on a piecemeal basis has significant implications for transport to, and from, the Peninsula resulting in increased congestion with limited transport choices as well as implications for air quality including Fareham's existing Air Quality Management Areas.

The proposal for 375 dwellings should be refused in principle as it is contrary to the Fareham Borough adopted Local Plan and that given the advanced stage of the FLP2037 which does not identify the site as an allocation, it is considered that the proposal is contrary to the emerging development strategy for Fareham and should be refused. Any decision on this application is at the very least premature given the imminent EiP into outstanding objections to the FLP2037.

Yours sincerely

Simon Barnett

Simon Barnett
Development Manager

Dated: 11th March 2022